



COMPREHENSIVE SCHOOL

SAFETY PLAN

2023/2024

Main Excel Academy Office Line: 949-387-7822

Administration

Heidi Gasca, Executive Director

Board of Directors

William Hall, Board President

Michael Humphrey, Board Vice President

Susan Houle, Board Clerk

Steve Fraire, Board Member

Larry Alvarado, Board Member

EVALUATION OF PROGRESS AND REVISION OF COMPREHENSIVE SAFETY PLAN

Part 1 and 2 Comprehensive Safety Plan Draft 0119

The Comprehensive School Safety Plan (Plan) is established to ensure the health and safety of pupils and staff. The Plan shall be evaluated and amended, as needed, by the Board of Directors no less than once a year to ensure that the Plan is properly implemented. (Education Code Section 35294.2[e]47605(F)(i)-(ii)). The Plan will be reviewed and updated by March 1 of each year.

The Plan is in compliance with Education Code Sections 44237(A) and (H), inclusive of paragraph (2) of subdivision (a) of Section 32282. An updated file of all safety-related plans and materials shall be readily available for inspection by the public. A copy of the Plan will be kept in each school office.

The due date for the updated Plan for the 2022/23 School Year is March 1st, 2023.

CONTENTS

Section I: School Plan Purpose

Criminal Background Check

Section II: School Policies

A. Child Abuse Reporting

B. Routine & Emergency Disaster Procedures

Professional Development/Staff Meetings

Guidelines for Student and Staff Dismissal

Fire

Relocation/Evacuation

Bomb Threat

Earthquake

Flood

Power Failure/Blackout

Intruders/Solicitors/Weapons/Assault/Hostage

Explosion

Main Office

Learning Period Meetings

Vendor Hubs

[Field Trips & Overnight/Drop-Off Field Trips](#)

[Additional Resources](#)

[C. Suspension/Expulsion Policies and Procedures](#)

[I. Grounds for Suspension and Expulsion of Students](#)

[II. Enumerated Offenses](#)

[III. Suspension Procedure](#)

[IV. Authority to Expel](#)

[V. Expulsion Procedures](#)

[VI. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses:](#)

[VII. Record of Hearing](#)

[VIII. Presentation of Evidence](#)

[IX. Written Notice to Expel](#)

[X. Disciplinary Records](#)

[XI. No Right to Appeal](#)

[XII. Expelled Pupils/Alternative Education](#)

[XIII. Rehabilitation Plans](#)

[XIV. Readmission](#)

[XV. Notice to Teachers](#)

[XVI. Involuntary Removal for Truancy](#)

[XVII. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities](#)

[D. Procedures to Notify Teachers of Dangerous Pupils](#)

[E. Discrimination and Harassment](#)

[Students](#)

[Parents/Guardians](#)

[Staff](#)

[Bullying](#)

[Cyber-Bullying](#)

[Bullying Prevention, Intervention and Reporting](#)

[Sexual Harassment](#)

[Hate Crime Reporting](#)

[F. Schoolwide Dress Code](#)

[G. Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School \(EC 35294.2\)](#)

[Section 4: Human Resources](#)

[Bloodborne Pathogens \(BBP\)](#)

[H. A Safe and Orderly Environment Conducive to Learning at the School](#)

[Appendices](#)

[Appendix A: Emergency Contact Information in Paycom](#)

[Appendix B: Irvine Executive Office Evacuation Map](#)

[Appendix C: Child Abuse Report Form](#)

[Appendix D: Excerpt from EACS Employee Handbook: “Section I: Nondiscrimination Policies”](#)

[Appendix E: Civility Policy](#)

[Appendix F: Excerpt from the EACS Employee Handbook: “Section III: Standards of Conduct”](#)

[Appendix G: CAASPP Testing Security Form](#)

[Appendix H: Triage Guidelines](#)

[Appendix I: Suicide Prevention](#)

[Appendix J: Excel Academy Office Contact Information](#)

[Appendix K: Emergency Contact Phone Numbers](#)

Section I: Program Plan Purpose

Purpose

The purpose of this Plan is to provide specific guidelines and procedures for Teachers, Administration, Staff, Parents, Students, and Providers. It is the school's goal that readers will be prepared to respond to the variety of emergency situations that could arise in or around school functions and events.

Objective

Excel Academy recognizes that students and staff have the right to a safe, secure, and respectful environment where they are free from physical and psychological harm. The school is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student and employee conduct.

Nondiscrimination and Fair Treatment of Pupils

Excel Academy realizes that a major source of conflict in many schools is the problem of bias and unfair treatment of students based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. Our school strives to convey the attitude that all children can achieve academically and behave appropriately, while at the same time appreciating individual differences. Excel Academy strives to communicate to students and the greater community that all students are valued and respected.

Conduct

Excel Academy believes that all students have the right to be educated in a positive learning environment free from disruptions. At program activities, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the event.

Behavior is considered appropriate when students are diligent in study, responsible with program property, courteous and respectful towards teachers, staff, volunteers, and other students. Every effort is made to ensure students are aware of the expected behaviors at a program-organized event.

The Executive Director or designee shall ensure that each program develops standards of conduct and discipline consistent with board policies and administrative regulations.

Parents/guardians and students may be provided information about early warning signs of harassing/intimidating behaviors, such as bullying, as well as prevention and intervention strategies.

Plan Elements

The Excel Academy School Plan contains the following elements:

- Emergency Preparedness
 - Professional Development/Staff Meetings
 - Learning Period Meetings
 - Testing site safety and contact procedures
 - Field trip safety and contact procedures
 - Professional Development/Staff Meetings
 - School office evacuation procedures
- Human Resources
 - Mandated Reporter
 - Sexual Harassment
 - Bloodborne Pathogens
 - Active Shooter
- Expectations of Conduct
 - Students
 - Parents/Guardians
 - Staff

The school Plan shall be evaluated annually and re-published in March of each year. A copy of the School Plan will be available for review at the Excel Academy school office and online at www.excelacademy.education.

Criminal Background Check

All candidates for employment shall submit to a criminal background check in compliance with Education Code Section 44237 prior to employment. Criminal background checks cannot be carried over from the candidate's prior employer. Failure to submit to a criminal background check will result in the candidate's application for that position being withdrawn from further consideration.

Section II: Program Policies

A. Child Abuse Reporting

In compliance with EC Section 32282, this section will identify the proper Child Abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

Duty to Report

In conformance with the requirements of Penal Code 11165.7, any district employee who has knowledge of or observes a child in their professional capacity or within the scope of their employment, whom they know or reasonably suspects has been a victim of child abuse, shall report the known or suspected instance of child abuse to the Sheriff and/or child protective agency immediately or as soon as practically possible by telephone, and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. The mandated reporting duties are required of the individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

For the purposes of this reporting procedure and the Penal Code 11166.1, "reasonable suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like situation, drawing when appropriate on their training and experience, to suspect child abuse.

Definitions:

1. "Child Abuse" includes the following:
 - a. A physical injury inflicted by other than accidental means on a child by another person
 - b. Sexual abuse of a child
 - c. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
 - d. Unlawful corporal punishment or injury resulting in a traumatic condition
 - e. Neglect of a child or abuse in out-of-home care
2. "Mandated Reporters" are those people defined by law as "child care custodians," "health practitioners," "child visitation monitors," and "employees of a child protective agency." Mandated reporters include virtually all Excel Academy employees. The following Excel Academy personnel are required to report:
 - a. Teachers, administrators, supervisors of child welfare and attendance, certificated pupil personnel employees, and those instructional aides or other classified employees trained in child abuse reporting

3. "Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation
4. Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the Executive Director, or the director's designee as soon as possible after the initial verbal report by telephone.

The Executive Director so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with California State law and regulations. At the mandated reporter's request, the Executive Director may assist in completing and filing these forms.

If the mandated reporter does not disclose their identity to the Executive Director, they shall provide or mail a copy of the written report to the main office without their signature or name.

Legal Responsibility and Liability:

1. Mandated reporters have absolute immunity. Excel Academy employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. If a mandated reporter fails to report an instance of child abuse, which they know to exist or reasonably know to exist, they are guilty of a misdemeanor punishable by confinement in jail for up to six months, a fine of up to \$1,000, or both. The mandated reporter may also be held civilly liable for damages resulting from any injury to the child after a failure to report.
3. When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them, and a single report made and signed by that person. However, if any person who knows that the designated person failed to make the report, that person then has a duty to do so.

Child Protective Services Hotlines

1. Orange county: 714-940-1000 -or- 800-207-4464
2. Los Angeles county: 800-540-4000 (within CA), 213-639-4500 (outside CA), 800-272-6699 TDD
3. Riverside county: 800-442-4918 -or- 877-922-4453
4. Ventura county: 805-654-3200
5. Kern county: 661-631-6011 -or- 760-375-6049
6. San Bernardino county: 909-384-9233 -or- 800-827-8724
7. San Diego county: 858-560-2191 -or- 800-344-6000
8. Imperial county: 760-337-7750

Sheriff's Offices Contact Information

1. Orange county
 - o Phone: 714-647-7000

- o Website: <http://www.ocsd.org>
- 2. Los Angeles county
 - o Phone: 323-267-4800
 - o Website: <http://www.lasd.org>
- 3. Riverside county
 - o Phone: 951-955-2400
 - o Website: <http://www.riversidesheriff.org>
- 4. Kern county
 - o Phone: 661-391-7500
 - o Website: <http://www.kernsheriff.com>
- 5. Ventura county
 - o Phone: 805-654-9511
 - o Website: <http://www.vcsd.org>
- 6. San Bernardino county
 - o Phone: 909-387-3400
 - o Website: <http://www.sbcounty.gov/sheriff>
- 7. San Diego county
 - o Phone: 858-974-2240
 - o Website: <http://www.sdsheriff.net>
- 8. Imperial county
 - o Phone: 442-265-2001
 - o Website: <http://www.icsso.org>

Within 36 hours, a written report must be sent, faxed or submitted electronically. The written report must be completed on a state form called 8572, which will be downloaded at

http://ag.ca.gov/childabuse/pdf/ss_8572.pdf. ([Appendix C: Child Abuse Report Form](#))

Child Abuse Training Requirement:

- Per AB 1432, all Excel Academy employees must annually complete the Mandated Reporter Training course within the first six weeks of school or by the sixth week of employment.
- This course is fully compliant with California Assembly Bill 1432 and is available online through SafeSchools, the school's online training and tracking system designed specifically for education agency employees.
- The SafeSchools learning management system will generate the required reports for proof of completion. Employees must retain a copy of the training certificate.
- Staff must access online training courses at:
 - <http://www.mandatedreporterca.com/> -or-
 - <https://eacs-ca.safeschools.com/login>
 - Mandated reporter training courses will be assigned through the SafeSchools interface.

B. Routine & Emergency Disaster Procedures

Excel Academy is an independent study program where students are schooled in the home and through independent providers in the community. Typically, students are under the direct supervision of their parent/guardian. However, there are instances when Excel Academy sponsors events such as field trips and state testing, when it is important to have a clear emergency preparedness plan.

In such instances, it is necessary to be prepared to respond to a vast array of emergency situations. The program's procedures for evacuation and emergency preparedness are outlined in the following section for testing sites, the school office, staff meetings, and field trips. The roles of the responsible parties, training, and resources necessary to perform those responsibilities, are defined for each site where school operations are conducted.

Furthermore, it is important to clearly define the responsibilities of the school and parent/guardian in the event of an emergency or disaster. It is also necessary to define the school's dismissal procedures in the event of a key policy violation or violations.

Required Training and Resources for All Employees

- Active Shooter
- Complete Safe Schools Training - First Aid
- Emergency Apps downloaded on phone
 - Red Cross First Aid
- Maintain current personal emergency contact information with Excel Academy in Paycom
- Report safety concerns to Executive Director immediately
- Support Executive Director as needed
- Follow the emergency plans as directed by the venue

Professional Development/Staff Meetings

Biannual staff meetings are conducted.

Guidelines for Student and Staff Dismissal

Student Dismissal

Is this for Field Trips?

In the event that a state of emergency is declared that does not pose an immediate threat to the school, all students will be required to remain onsite, or at an alternate location, designated by law enforcement under the supervision of the Executive Director, director's designee, or other school staff assigned by the Executive Director or designee. Students not already attended by a parent/guardian will not be permitted to leave until:

1. Regular dismissal time, and only if it is considered safe to do so.
2. An authorized adult with a photo ID, who is identified as the designated pick-up, arrives to retrieve the student.
3. In the event of a natural or man-made disaster that prevents parents and other designated adults from picking up students, students will remain under the supervision of school staff.

Staff Dismissal

In the event that a state of emergency is declared that does not pose an immediate threat to students all school employees will remain on site and carry out their assignments until officially dismissed by the Executive Director or director's designee, or relieved by fire or law enforcement.

Executive Director Responsibilities

The Executive Director of Excel Academy is responsible for overall policy, direction and coordination of the emergency response effort during the incident. The Executive Director is also responsible for interacting with responding state/government agencies. The Executive Director will:

- Ensure that all staff are trained in the use of the safety plan.
- Direct the school's personnel during a disaster including:
 - Teacher of Records, Administrative Staff, Support Staff, Providers
- Serve as the spokesperson for the program to the media after a disaster.
- Direct all staff to become familiar with the implementation of the plan.

Responsibilities

- Assess emergency, threat and impact to students, staff, school property and surrounding community; The Executive Director will contact the Sheriff's Department and Highway Patrol to determine whether an evacuation of students and staff from a school is advised.
- Authorize any release of public information.
- Release Teacher of Records and Providers as appropriate.

- Remain in charge of the program until redirected or released by the CEO of the school or relieved by the Fire or Law Enforcement Incident Commander.
- Designate a person who will assist in a disaster situation in their absence.
- Work in coordination with the Red Cross if the school is designated an evacuation center.
- The Executive Director or their designee will monitor the emergency communication system and immediately notify the CEO in the event of a chemical spill on the roads or railway system within the vicinity.

Fire

Building Fire

- Evacuate the building as soon as possible. The safety of all persons and students must take precedence over personal effects.
- Call 911
- Contact the Executive Director or designee
- Do not re-enter the building until directed by law enforcement and/or fire department personnel.

Student Catching Fire

- Instruct student to **Stop, Drop** and **Roll**, if their clothing catches on fire (Never instruct a student to run when clothes are on fire) and will use a blanket, jacket or other available material - Starting at the head of the victim, drag the blanket toward the feet, moving the flame away from the face
- Contact the Executive Director or designee

Testing Site

If an employee is at a testing site the Assessment Lead or senior Excel Academy employee will:

1. Begin orderly evacuation immediately
2. Lead students to the designated evacuation area away from fire lanes
3. Take roll once in the evacuation area
4. Report any missing students to the Assessment Lead or senior Excel Academy employee immediately
5. Remain with students until given alternative instructions

Relocation/Evacuation

Relocation/Evacuation from the School Office

In the event that an emergency occurs, all employees are to evacuate the building by following the procedures below. For an evacuation map, please see Appendix F.

1. All employees must immediately stop whatever they are doing and quickly and safely exit the building, if possible.
2. It is the responsibility of the most senior staff member present at the time of the emergency to see that all employees leave the building promptly and safely.

3. All employees must exit the building by way of the nearest exit or stairwell to the outside.
 1. If the nearest stairwell is blocked by smoke, use the other stairwell. DO NOT USE THE ELEVATOR. Excel Academy will make every attempt to create prior arrangements with staff and individuals with disabilities as needed to assist them in the event of an evacuation.
 2. If the nearest doorway or exit is blocked, and if the emergency calls for immediate evacuation, utilize the window breaker to clear a safe path to the outside.
1. Follow the exit plans and get to the secure designated meeting area.
2. Once outside the building, the designee will:
 1. Confirm that the fire department has been called (911)
 2. All employees must immediately congregate in the designated meeting area and the senior employee will confirm that all employees and visitors are out of the building and accounted for.
 3. Designate someone to meet the fire department to provide additional information if necessary.
1. Staff members will be assessed to determine if additional medical attention is required and appropriate action will be taken.
2. Do not re-enter until the building is declared safe by the Fire Department and you are informed to do so by the Executive Director or designee.

Relocation/Evacuation from a public meeting space or business

1. Follow the evacuation procedure posted at the meeting space or business location.
2. Follow staff member instructions.
3. Excel Academy employees, supervise the evacuation of students and parents
4. Ensure that all parents and/or students are accounted for.
5. Contact 911 as soon as it is safe to do so.
6. Contact a school administrator to inform them of the situation.

Bomb Threat

Excel Academy Administrative staff or teachers may be notified of bomb threats via different mediums, e.g., telephonic, written, email, etc. In the event of a bomb threat, the administration will assess the location of the bomb threat and how many TORs, staff and students may be in or near the area of the threat.

If Administration, TORs, or support staff are the person(s) receiving the message of a bomb threat by phone they must try to maintain contact with the caller and ask for the location of the bomb, the time it is expected to detonate, the reason for the bomb, etc. In the event that a staff member or TOR receives a bomb threat, they must immediately notify:

- The Executive Director
- The Sheriff's Department
- The Fire Department

Bioterrorism/Hazardous Materials/Chemical Accident

Biological agents are organisms or toxins that can kill or incapacitate people. A biological attack is the deliberate release of germs or other biological substances that can make you sick.

There are three basic groups of biological agents that could likely be used as weapons: bacteria, viruses, and toxins. Biological agents can be dispersed by spraying them into the air, person-to-person contact, infecting animals that carry the disease to humans, and by contaminating food and water.

A biological attack may or may not be immediately obvious. In most cases local health care workers will report a pattern of unusual illness or there will be a wave of sick people seeking emergency medical attention. The public would be alerted through an emergency radio or TV broadcast, or some other signal used in your community, such as a telephone call or a home visit from an emergency response worker.

During a Biological Threat

The first evidence of an attack may be when you notice symptoms of the disease caused by exposure to an agent. In the event of a biological attack, public health officials may not immediately be able to provide information on what you must do. It will take time to determine exactly what the illness is, how it must be treated, and who is in danger.

Follow these guidelines during a biological threat:

- Watch TV, listen to the radio, or check the Internet for official news and information including signs and symptoms of the disease, areas in danger, if medications or vaccinations are being distributed, and where you must seek medical attention if you become ill.
- If you become aware of an unusual and suspicious substance, quickly get away.
- Cover your mouth and nose with layers of fabric that can filter the air but still allow breathing.
- Depending on the situation, wear a face mask to reduce inhaling or spreading germs.
- If you have been exposed to a biological agent, Follow official instructions for disposal of contaminated items.
- Wash yourself with soap and water and put on clean clothes.
- Contact authorities and seek medical assistance.
- You may be advised to stay away from others or even quarantined.
- If your symptoms match those described and you are in the group considered at risk, immediately seek emergency medical attention.

- Follow instructions of doctors and other public health officials, expect to receive medical evaluation if necessary
- In a declared biological emergency or developing epidemic avoid crowds
- Wash your hands with soap and water frequently.
- Do not share food or utensils.

After a Biological Threat

Pay close attention to all official warnings and instructions on how to proceed. The delivery of medical services for a biological event may be handled differently to respond to increased demand.

The basic public health procedures and medical protocols for handling exposure to biological agents are the same as for any infectious disease. It is important for you to pay attention to official instructions via radio, television, and emergency alert systems.

Visit the **Centers for Disease Control and Prevention** for a complete list of potential agents/diseases and appropriate treatments.

Chemical Emergencies

Chemical agents are poisonous vapors, aerosols, liquids and solids that have toxic effects on people, animals or plants. While potentially lethal, chemical agents are difficult to deliver in lethal concentrations because they dissipate rapidly outdoors and are difficult to produce.

Before a Chemical Emergency

A chemical attack could come without warning. Signs of a chemical release include people having difficulty breathing, eye irritation, loss of coordination, nausea, or burning in the nose, throat and lungs. The presence of many dead insects or birds may indicate a chemical agent release.

During a Chemical Emergency

In the event that Excel Academy employees find themselves located within one mile of where an accident involving containing large quantities of toxic (or unknown) agents has occurred, follow the below procedures:

- Take immediate action to get yourself and students/parents away.
- Get out of the building without passing through the contaminated area, if possible.
- If you can't get out of the building or find clean air without passing through the affected area, move as far away as possible and **shelter-in-place**.
- Contact 911 as soon as it is safe to do so.

- Contact a school administrator to inform them of the situation.

If you are instructed to remain in your home or office building, you must:

- Close doors and windows and turn off all ventilation, including furnaces, air conditioners, vents, and fans.
- Seek shelter in an internal room with your disaster supplies kit.
- Seal the room with duct tape and plastic sheeting.
- Look for further information from the local authority.

If you are caught in or near a contaminated area outdoors:

- Quickly decide what is the fastest way to find clean air:
 - Move away immediately, in a direction upwind of the source.
 - Find the closest building to **shelter-in-place**.

After a Chemical Emergency

Do not leave the safety of a shelter to go outdoors to help others until authorities announce it is safe to do so.

A person affected by a chemical agent requires immediate medical attention from a professional. If medical help is not immediately available, decontaminate yourself and assist in decontaminating others.

Decontamination guidelines are as follows:

- Use extreme caution when helping others who have been exposed to chemical agents.
- Remove all clothing and other items in contact with the body.
 - Cut off clothing normally removed over the head to avoid contact with the eyes, nose and mouth.
 - Put contaminated clothing and items into a plastic bag and seal it.
 - Remove eyeglasses or contact lenses. Put glasses in a pan of household bleach to decontaminate them and then rinse and dry.
- Wash hands with soap and water.
- Flush eyes with water.
- Gently wash face and hair with soap and water before thoroughly rinsing with water.
- Proceed to a medical facility for screening and professional treatment.

This information is primarily drawn from Ready.gov. For more information on preparing for a power outage, please visit: <https://www.ready.gov/bioterrorism> or <https://www.ready.gov/chemical>.

Earthquake

Earthquake Procedures Indoors

In the event that an earthquake occurs in a location where a TOR, parent and student may be meeting inside, the following actions shall be taken:

1. School employees shall implement the Drop, Cover, and Hold action. Each student shall:
 - a. **Drop** to the ground. For those students who are physically unable to drop to the ground, they must remain seated and cover their heads with their arms and hands
 - b. **Cover** under or near desks, tables, or chairs in a kneeling position with their backs to the windows
 - c. **Hold** onto table or chair legs
 - d. Remain in the drop position until ground movement ends.
2. Assess the situation, looking for:
 - a. Severe structural damage
 - b. Fire
 - c. Toxic spill
 - d. Student injuries. (Render first aid if necessary)
3. Evacuate the building as soon as possible
4. Follow all instructions from law enforcement

If at a testing site:

1. Remain in drop position until ground movement ends
2. Assessment Lead or designee will direct employees to evacuate
3. Proctors will take proctor binders (containing student information)
4. Proctors will lead students to the designated evacuation area
5. Proctors will take roll once in the evacuation area
6. Any missing students will be immediately reported to the Assessment Lead or designee
7. Remain with students until given alternative instructions

Earthquake Procedures Outdoors

In the event that an earthquake occurs in a location where employee(s), parent(s) and student(s) may be meeting outside, the following actions shall be taken:

1. Move away from overhead hazards such as power lines, trees, and buildings.
2. Drop to the ground in the kneeling position and cover the back of your neck with your hands.
3. Do not enter any buildings until it is safe to do so.
4. Teachers and students shall stay in the open until the earthquake is over, or until further directions are given.
5. Once the earthquake has stopped, proceed to the evacuation assembly area designated by the building manager or law enforcement.

6. The teacher will check roll, report any missing students, and remain with the students unless given an alternative assignment.
7. Follow all instructions from law enforcement

Flood

Flash floods are to be expected in desert regions. In the event that flooding is likely, the Executive Director will instruct the Teacher of Records to cancel meetings that day. In preparation for flooding, families and staff must review the following safety tips.

Basic Safety Tips (source: Ready.gov)

1. Avoid walking or driving through flood waters.
2. Do not drive over bridges that are over fast-moving floodwaters. Floodwaters can scour foundation material from around the footings and make the bridge unstable.
3. Just 6 inches of moving water can knock you down, and one foot of moving water can sweep your vehicle away.
4. If there is a chance of flash flooding, move immediately to higher ground.
5. If floodwaters rise around your car but the water is not moving, abandon the car and move to higher ground. Do not leave the car and enter moving water.

Flood Watch = Be Aware

Conditions are right for flooding to occur in your area.

1. Turn on your TV/radio. You will receive the latest weather updates and emergency instructions.
2. Know where to go. You may need to reach higher ground quickly and on foot.
3. Build or restock your emergency preparedness kit. Include a flashlight, batteries, cash, and first aid supplies.

Flood Warning = Take Action

Flooding is either happening or will happen shortly.

1. Move immediately to higher ground or stay on high ground.
2. Evacuate if directed.
3. Avoid walking or driving through flood waters. Just 6 inches of moving water can knock you down and one foot of moving water can sweep your vehicle away.

After a Flood

1. Return to your home/office only when authorities say it is safe.
2. Be aware of areas where flood waters have receded and watch out for debris. Floodwaters often erode roads and walkways.
3. Do not attempt to drive through areas that are still flooded.
4. Avoid standing water as it may be electrically charged from underground or downed power lines.

Power Failure/Blackout

Extended power outages may impact the whole community and the economy. A power outage is when the electrical power goes out unexpectedly. A power outage may:

1. Disrupt communications, water, and transportation.
2. Close retail businesses, grocery stores, gas stations, ATMs, banks, and other services.
3. Cause food spoilage and water contamination.
4. Prevent use of medical devices.

In Preparation for a Power Outage:

1. Take an inventory of the items you need that rely on electricity.
2. Plan for batteries and other alternatives to meet your needs when the power goes out.
3. Sign up for local alerts and warning systems. Monitor weather reports.
4. Keep mobile phones and other electric equipment charged and gas tanks full.

During a Power Outage:

1. Maintain food supplies that do not require refrigeration.
2. Turn off or disconnect appliances, equipment, or electronics. Power may return with momentary “surges” or “spikes” that can cause damage.

Be Safe AFTER

1. When in doubt, throw it out! Throw away any food that has been exposed to temperatures 40 degrees or higher for two hours or more, or that has an unusual odor, color, or texture.

This information is primarily drawn from Ready.gov. For more information on preparing for a power outage, please visit: <https://www.ready.gov/power-outages>

Intruders/Solicitors/Weapons/Assault/Hostage

School Director and Human Resources

1. Maintain current staff emergency contact information in HR/Payroll System
2. Develop site emergency plans and protocol as well as communicate plans to staff

3. If facilities owned by Excel Academy, clearly post a site map indicating various evacuation routes and exits within the facility, fire extinguishers, location of the site alarm, and predesignated refuge or safe areas outside
4. Provide a first aid kit including flashlights and a window breaker
5. Provide safety training as needed

Designee

1. The most senior staff member present at the time of the emergency
2. Uphold the evacuation and Plan
3. Bring first aid kit

All Additional Office Staff

1. Maintain a current personal emergency contact with Excel Academy in Paycom
2. Responsible for following the emergency and Plan during an incident

If at a testing site, public meeting place, or vendor location:

Executive Director or director's designee

1. Maintain a current list of all employees in attendance
2. Responsible for supporting the venue's direction and coordination of emergency response effort during an incident
3. Obtain Site Emergency Plans, if possible
4. Obtain Site Emergency Evacuation Map, if possible
5. Establish an evacuation area and exits and clearly mark these on the site map
6. Ensure first aid kits are available

The intention of this policy is to provide guidance in the event of an armed/ violent intruder or active shooter in the workplace or onsite, to outline the training in place for staff and to comply with applicable regulations of the Occupational Safety and Health Administration (OSHA).

Excel Academy provides the staff with active shooter training via SafeSchools. All staff that serve at a school sponsored event or at the school office are required to complete the recorded training and quiz.

For the purposes of this policy, an active shooter is defined as a person or persons who appear to be actively engaged in killing or attempting to kill people at a school sponsored event or premises. In most cases active shooters use other weapons and/or improvised explosive devices to cause harm to additional victims and act as an impediment to police and emergency responders. These improvised explosive devices may detonate immediately, have a delayed detonation fuse, or detonate on contact.

All threats or perceived threats of violence against any person or property are considered serious. Staff who are alerted to or observe any threat or perceived threat shall immediately report the threat or perceived threat to law enforcement. The School will support the local law enforcement in the immediate investigation and threat

assessment, as needed. The very act of a threat shall be cause for discipline against a student or staff member and immediate removal of a visitor.

If an armed assault occurs on or near a public meeting place, testing site, or vendor location, program personnel who observed the assault must notify the assessment lead and call 9-1-1 as soon as safely possible.

Potential responses: In response to an active shooter event, there will be four potential courses of action:

evacuate, lockdown, hiding, or self-defense. The following guidelines identify these courses of action.

1. Initiate the appropriate response actions, which may include Shelter-in-Place, Lockdown, On-Campus Evacuation or Off-Campus Evacuation
2. Call 9-1-1 and provide the exact location, description and nature of the incident. If the TSC cannot remain on the phone, a designated person must remain on the phone line with the 9-1-1 dispatcher until law enforcement personnel arrive on the scene.

If it is safe to do so, proctors must attempt to isolate and secure the students away from the perpetrator(s). Notify the Executive Director or designee.

School employees or test site proctors will:

1. Take steps to calm and control students
2. Keep students in secured areas until local authorities arrive and are able to neutralize the perpetrator(s)
3. Stay inside testing rooms
4. Instruct students to lie flat on the floor, move away from the doors or windows and remain quiet
5. Turn off lights, lock doors and close any shades or blinds
6. The goal is to hide and make your room look vacant
7. Silence cell phones
8. Remain in the testing room, or secured area, until further instructions are provided by the AL or law enforcement

Procedure (All Locations):

1. Evacuate- If there is an accessible escape path, attempt to evacuate the premises following these recommendations:
 - a. Have an escape route and plan in mind
 - b. Evacuate regardless of whether others agree to follow
 - c. Leave belongings behind
 - d. Help others escape, if possible
 - e. Prevent individuals from entering an area where the active shooter may be
 - f. Keep hands visible
 - g. Follow the instructions given by any law enforcement

- h. Do not attempt to move wounded people
 - i. Call 911 when safe. Provide the following to the 911 dispatcher:
 - i. Description of the suspect
 - ii. Number and types of weapons
 - iii. Suspect's direction of travel
 - iv. Location and condition of victims
2. Hide- If evacuation is not possible, find a place to hide where the active shooter is less likely to find oneself with these recommendations:
- a. Be inconspicuous
 - b. Be outside of the active shooter's field of view
 - c. Provide physical protection if shots are fired (e.g. locating into a bathroom and locking the door, staying as low to the floor as possible and remaining quiet and motionless)
 - d. Do not trap oneself or restrict options for movement
 - e. To prevent an active shooter from entering a hiding place:
 - i. Lock the door
 - ii. Blockade the door with heavy furniture (use caution and not restrict options for movement if possible)
 - f. If the active shooter is nearby:
 - i. Lock the door
 - ii. Silence cell phones
 - iii. Turn off any source of noise (i.e. radios, televisions, etc.)
 - iv. Hide behind large items (i.e. cabinets, desks, etc.)
 - v. Remain quiet and motionless
3. Self Defense- If it is not possible to evacuate or hide, then consider self-defense with these recommendations:
- a. Remain calm
 - b. Dial 911 to alert police to the active shooter's location; if unable to speak, leave the line open and allow the 911 dispatcher to listen
 - c. Take action against the active shooter **only** when it is believed one's life is in imminent danger; attempt to disrupt and/or incapacitate the active shooter as follows:
 - i. Act as aggressively as possible toward the active shooter
 - ii. Throw items and improvised weapons
 - iii. Yell
 - iv. Commit oneself to defensive physical action

Lockdown Sample Situations

1. The school has been informed that a crime has been committed near the school and the criminal has not been apprehended. There is no specific reason to believe that the criminal will come to the school.

2. The Sheriff's Department has informed the school that an armed and dangerous person is in the vicinity of the school and all precautions must be taken.
3. The school has received a direct credible threat that someone intends to do harm to one or more persons at the school.
4. Information has been received by the school that a non-custodial parent is coming to try to take a student away from the test site
5. A person not having legitimate business has been seen loitering in the vicinity of the school, please first try and relocate to a safer location and contact authorities. Try to avoid contact with the individual.

Testing Site Lockdown

The decision to call for a *Lockdown* will be made by the designee responsible for the site or the TOR.

The assigned designee shall:

1. Notify all other staff of the need for a campus lockdown, as soon as the decision has been made
2. As soon as possible after an emergency:
 - a. Inform the staff of the reasons for the lockdown
 - b. Contact Executive Director or designee
 - c. Parents and other community members who ask for the reason for the lockdown, either in person or by phone, will be given the reason as specifically as possible under the circumstances.
 - d. Not provide the names of any students or parents involved (i.e.. custody conflicts) to maintain confidentiality
 - e. Use discretion in determining how much information will be given to the students, based on their ages and maturity
 - f. Instruct proctors to provide information to the students in a calm and reassuring manner

Lockdown Procedures

The assigned designee will:

1. Notify the Sheriff's Department
2. Notify the Executive Director or designee of the *Lockdown* as soon as possible
3. Assign an employee to monitor the main entrance(s) to allow legitimate visitors to enter
4. Notify the proctors in the fastest possible manner that a *Lockdown* has been called
5. Notify parents of the lockdown status

6. Will set up a 10 minute break release schedule (situation allowing), if the *Lockdown* continues during teachers break or lunch period
7. Delay dismissal until it is safe for students to exit
8. Will inform all staff that the *Lockdown* has ended, once it has been determined that the dangerous situation no longer exists

Proctors will:

1. Keep all students indoors under their supervision for the duration of the *Lockdown*
2. Lock classroom doors, if directed by the Excel Academy assigned Lead, designee, or senior employee
3. Contact the Excel Academy assigned Lead, designee, or senior employee to determine if the situation allows for students to leave the room to go to the bathroom
4. Escort any student who goes to the bathroom
5. Will not dismiss students at dismissal time until receiving direction to do so by the Excel Academy assigned Lead, designee, or senior employee
6. Escort their students to the site parent pick-up location

Excel Academy employee will: Notify the Executive Director or designee

Explosion

In the event an explosion occurs in a location where an Excel Academy employee is present or may be meeting with parents and/or students, the following actions will be taken in the event of an explosion:

During an Explosion:

1. Get under a sturdy table or desk if things are falling around you. When they stop falling, leave quickly, watching for obviously weakened floors and stairways.
2. Do not use elevators.
3. Stay low if there is smoke. Do not stop to retrieve personal possessions or make phone calls.
4. **Check for fire** and other hazards.
5. If you are able to move and evacuate the area to a safe location, relocate students and parents who can be safely moved.
6. Once you are out, do not stand in front of windows, glass doors or other potentially hazardous areas.
7. If you are trapped in debris, use a flashlight, whistle or tap on pipes to signal your location to rescuers.
8. Shout only as a last resort to avoid inhaling dangerous dust.
9. Cover your nose and mouth with anything you have on hand.
10. Once you reach a safe area, contact 911 to report the emergency.
11. Contact a school administrator to inform them of the situation.

After an Explosion:

1. There may be significant numbers of casualties or damage to buildings and infrastructure.
2. Heavy law enforcement involvement at local, state and federal levels.
3. Health and mental health resources in the affected communities can be strained to their limits, maybe even overwhelmed.
4. Extensive media coverage, strong public fear and international implications and consequences.
5. Workplaces and schools may be closed, and there may be restrictions on domestic and international travel.
6. You and your family or household may have to evacuate an area, avoiding roads blocked for your safety.
7. Clean-up may take many months.

TOR's Responsibilities:

1. Investigate and sound the fire alarm if appropriate.
2. Call 911 and report the situation.
3. Notify the school Executive Director, designee or other appropriate school official.
4. Students and staff must not return until the fire department officials declare the area safe.
5. The "Drop & Cover" command will be given immediately in the event of an explosion. If the explosion occurs within the building or threatens the building, the teachers will evacuate students from the building.

This information is primarily drawn from Ready.gov. For more information on preparing for a power outage, please visit: <https://www.ready.gov/explosions>

Gas/Fumes

1. If you smell gas or unfamiliar chemicals/fumes, evacuate the location immediately.
2. Take students, parents, and other employees with you. If you are the most senior employee, take roll of everyone present.
3. Call 911 and report the emergency
4. Notify the Executive Director, designee or other appropriate school official

Main Office

The main Excel Academy office is located in a rented facility that does not have an emergency plan (Appendix P: Sites Utilized by Excel Academy-Contact Information). Based on a site map, the school developed an emergency evacuation plan ([Appendix F:](#)

[Excel Academy Office Evacuation Map](#)). The staff and any additional individuals in attendance will follow the protocol for emergency evacuations and safety as per the following guidelines. In an effort to promote the safety of the staff, the development of clear roles of responsibility, collection of emergency staff information, and maintenance of a first aid kits is outlined as follows:

Response to Public Relief Agencies Using Excel Academy Facilities

In the event that a Public Relief Agency, such as the Red Cross, requests to use Excel Academy's Main Office, an emergency Board meeting will be convened to articulate a response. In the event that the request is approved, all staff members at the Excel Academy Office shall:

1. Notify the office park owner and neighboring businesses.
2. Trust the Relief Agency members and external emergency responders who have been trained to deal with crises. Trust will help calm the situation and minimize chaos that may occur during a crisis.
3. Give the agency full access to the facility.
4. Provide assistance to the agency under the agency's guidance.

Learning Period Meetings

The purpose of the Learning Period Meeting (LPM) is for the credentialed teacher to meet with the student to provide educational support, document learning, and to complete other administrative tasks every twenty school days. These meetings occur in public locations, such as a library. Parent/Guardians are expected to be present during the LPM..

If, during an LPM, an incident arises that poses a safety threat to the student the parent/guardian would be responsible for deciding the appropriate course of action for their child. In the event the parent was not present or incapable, please follow the procedures detailed above.

Testing Sites

[In the event that the School\(s\) are performing assessments in-person the following procedures will be followed. Furthermore, if testing is conducted virtually the following procedure is not necessary.](#)

Excel Academy conducts testing at various sites. Because these venues are not owned by Excel Academy, the Assessment Lead will make an effort to obtain the site plans from the venue and bring awareness to the staff of all site-specific emergency plans. Developing clear roles of responsibility, providing emergency student information to staff, and maintaining first aid training and kits is outlined as follows:

Assessment Lead (AL) Responsibilities

1. *Adult and Pediatric First Aid/CPR/AED Certified*
2. Complete *Safe Schools Training - School Intruders, Active Shooter, Safety Basics for Security Staff & Medication Administration: Epinephrine Auto-Injectors*
3. Responsible for overall direction and coordination of emergency response effort during an incident
4. Obtain Site Emergency Plans
5. Provided copy of Testing Site section of Plan
6. Obtain Site Emergency Evacuation Map
7. Designate an evacuation area and exits and clearly mark on site map
8. Provide staff with ID/lanyards
9. Maintain a current list of all proctors and students on site
10. Provide site specific safety training for proctors, and ensure all staff is aware of site exits
11. Complete [*Incident Report*](#) as needed for any medical concerns: minor cut, illness, allergic reaction, nosebleed, emotional upset, etc.
12. Establish designated evacuation area(s) and exits and clearly mark on site map

Assessment Site Designee

1. *Adult and Pediatric First Aid/CPR/AED Certified*
2. Complete *Safe Schools Training - School Intruders, Active Shooter, Safety Basics for Security Staff & Medication Administration: Epinephrine Auto-Injectors*
3. Responsible for ensuring the site is safe
4. Provided copy of Testing Site section of Plan
5. Support Assessment Lead as needed
6. Complete [*Incident Report*](#) as needed for any medical concerns: any serious medical concerns: illness, allergic reaction, severe emotional upset, etc.

Staff/Teacher of Record/Proctor Responsibilities

1. Proctors wear ID/lanyard at all times at test site
2. Proctors wear Excel Academy shirts
3. Attend staff safety and compliance training
4. Provided copy of Testing Site section of Plan
5. Report safety concerns to the Assessment Lead, designee, and/or senior Excel Academy proctor immediately regarding any medical concerns: illness, allergic reaction, severe emotional upset, etc.

Student Information

1. Copies of the [*CAASPP Site Security forms*](#) are kept on file at each testing location
2. Sign in Sheets with Parent Signatures for Sign-In and Pick-Up (Photo ID Required for student release)
3. CAASPP Site Security forms contain student specific allergy and medical alerts

Site Supplies

First Aid

1. CPR/AED Responder - Pack (contains one-way valve face shield)
2. First Aid Kit
3. Gloves (latex free) - Box

Emergency Preparedness

1. Maintain emergency food and water

Student Information

1. Assessment Lead Manual - Safety protocol and procedures listed, testing protocol, CAASPP test site security form

2.

Parent/Guardian Responsibilities

Parents and legal guardians of students will be required to complete when applicable:

1. Complete and return a CAASPP Site Security form
2. Field trip permission slips

In case of a declared emergency, students will be released only to persons designated on the applicable form. Parents/guardians are responsible for ensuring that information on all forms is current at all times. ([Appendix A: Emergency Contact information in Paycom](#), [Appendix M: CAASPP Site Security form](#), [Appendix B: Excel Academy Field Trip Permission Slip and Waiver](#))

Field Trips & Overnight/Drop-Off Field Trips

Excel Academy hosts field trips at various venues. Because these venues are public locations, the staff, students, and families in attendance will follow the protocol for emergency evacuations and safety as per the venue guidelines. Excel Academy field trips require parent participation and therefore all students must be in the care of a parent/guardian.

This policy also outlines school guidelines for field trips where students are dropped off by their parents.

Field Trip Coordinator

1. Train ToRs and ensure they follow all responsibilities as outlined in the field trip policy and in the bullets listed below.
2. Maintain a current list of all chaperones and students on site
3. Identify the method of communication between Field Trip Coordinator and chaperones in the event of unforeseen events(assign designee if not present)
4. Provide necessary safety trainings if applicable
5. SafeSchools Training - First Aid
6. Emergency Apps downloaded on phone/iPad
 - a. Red Cross First Aid

7. Collect all Field Trip Permission Slip and Waivers from students in attendance
8. Inform parents of the Field Trip Coordinator and chaperone contact information for safety concerns that occur during the trip (assign designee if not present)
9. Support the venue's direction and coordination of emergency response effort during an incident
10. Contact the Executive Director or designee in the event of an emergency
11. Complete Incident Report as needed for escalated medical concerns: serious illness, allergic reaction, severe emotional upset, etc. (Appendix K -Incident Report)
12. Bring first aid kit to field trip when present
13. Communicate expectations, procedures, and what to bring for parents
14. Communicate expectations, procedures, and what to bring for chaperones
15. Designate roles and responsibilities amongst the chaperones
16. Provide chaperones:
 - a. Lists of students in attendance
 - b. Signs for chaperones
 - c. Evacuation procedures for the site
17. First aid kits should be available on each field trip
18. Investigate and communicate site evacuation procedures
19. Follow-up with chaperones after the field trip

Field Trip Coordinator will be expected to:

1. Clearly communicate expectations to parents, students, and chaperones in advance.
2. Provide and collect all necessary information.
3. Be available the day of the trip to answer questions and troubleshoot. Have all duties covered, so that they are available when needed.

Teacher of Record Chaperone Responsibilities:

1. Be on time and prepared to monitor participants Report safety concerns to Field Trip Coordinator and designee immediately
2. Support Field Trip Coordinator as needed
3. Support the venue's direction and coordination of emergency response effort during an incident
4. Inform Field Trip Coordinator of any escalated medical concerns: serious illness, allergic reaction, severe emotional upset, etc. Ensure that the student is provided with the appropriate care and/or medical attention if necessary.

Parent/Guardian Responsibilities:

Prior to the field trip, an email will be sent to each parent (chaperones will be cc'd on this email) outlining the expectations and procedures for the field trip, including details about the meeting location, where to park, what to bring (permission slip filled out ahead of time), and student behavior expectations.

Parents are required to notify the applicable Excel Academy staff member of the field trip ahead of time regarding a student's special needs as outlined in an IEP or 504 plan. All students that would be under the direct care of Excel Academy staff under a state of emergency would remain under the supervision of school staff. Students would be released to the designated parent/guardian upon direction of the Executive Director or designee.

Parents and legal guardians of students will be required to complete when applicable:

1. Field trip permission slips and liability waiver forms

Parents will be expected to:

1. Arrive on time
2. Review all provided information and explain student behavior expectations to their student(s)
3. Follow details about the field trip outlined by the Field Trip Coordinator
4. Remain in attendance to supervise their own students

Student will be expected to:

1. Follow guidelines set by the Field Trip Coordinator
2. Stay with the assigned chaperone/group
3. Follow behavior expectations

Chaperone:

To be prepared and provided to the chaperones at the beginning of the trip:

1. List of students in their group, including:
 - a. Parent's name and number (cell)
 - b. Any IEP, allergy, behaviors
 - c. Back-up number
 - d. Name of student's TOR
 - e. Emergency contact - ensure pick up person is included
 - f. Chaperone will collect any missing information from the parents at the time of drop off
2. A sign for helping parents locate the assigned group
 - a. Sign could include group name/color/letters of the alphabet, chaperone name, Excel Academy logo
3. Equipping the chaperone with any tools needed for meeting the students needs, and made aware if another chaperone or parent is coming along during the trip
4. The school and vendor's emergency evacuation procedures
5. Have Field Trip Coordinator's cell phone programmed into their cell phone

6. All chaperones on a group text in case of an emergency or evacuation
7. Made aware of the check in and out procedures and their role in the process

Chaperone will be expected to:

1. Arrive on time (to be determined by the Field Trip Coordinator)
2. Wear Excel Academy apparel
3. When a parent arrives, they will check the list and ensure all the student information and parent contact information is current
4. Answer cell phones & texts--a texting group or tool will be used

Additional Resources

- Children and Youth Preparedness Social Media Toolkit:
<https://www.ready.gov/youth-toolkit>
- Preparing Makes Sense for People with Disabilities, Others with Access and Functional Needs, and the Whole Community:
https://www.fema.gov/media-library-data/1440775327070-3e00ff335d637a63551092a24d585301/SpecialNeeds_LargePrint_v3.pdf
- Individuals with Disabilities:
<https://www.ready.gov/individuals-access-functional-needs>

C. Suspension/Expulsion Policies and Procedures

Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present their side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(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.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). – California Education Code Section 47605(b)(5)(J)

Policy:

This Pupil Suspension and Expulsion Policy has been established in order to promote learning, provide for the safety of students, staff, and visitors to Excel Academy and serve the best interests of students and their parents or guardians. In creating this policy, the Charter School reviewed Education Code Section 48900 *et seq.*, which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

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

Excel Academy administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. The notice shall state that this Policy and Procedures are available on request.

Corporal punishment shall not be used as a disciplinary measure against any student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom Excel Academy has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. Excel Academy will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom Excel Academy has a basis of knowledge of a suspected

disability or who is otherwise qualified for such services or protections in according due process to such students.

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

Outline of Responsibilities that May Result in Involuntary Removal

Attendance:

The credentialed teacher of record awards attendance in accordance with applicable law and based on two criteria:

1. The overall amount of learning completed/attained and
2. That some learning occurred on each date of attendance. As indicated in the Governing Board independent study policy, once a student has three missed assignments during a given learning period, the student is no longer in good standing. For purposes of attendance, three assignments are defined as 30% of the assigned learning for the given learning period. The student must complete at least 70% of the learning for that period and must be able to demonstrate that learning to the teacher of record in order to remain in good standing. The credentialed teacher of record uses their professional determination to assign the percent of learning that occurred. Additionally, the student must bring a work sample that aligns to their learning in each of the courses in which the student is enrolled.

Additionally, the student and parent/guardian must attend all scheduled learning period meetings. Missing a meeting results in zero attendance being awarded and a second meeting must be scheduled within five days to evaluate if attendance may be claimed.

I. Grounds for Suspension and Expulsion of Students

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

II. Enumerated Offenses

1. Discretionary Suspension Offenses

1. Students may be suspended for any of the following acts when it is determined the pupil:
 - a. Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b. Willfully used force or violence upon the person of another, except self-defense.
 - c. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d. Unlawfully offered, arranged, or negotiated to sell a controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as a controlled substance, alcoholic beverage, or intoxicant.
 - e. Committed or attempted to commit robbery or extortion.
 - f. Caused or attempted to cause damage to school property or private property, which includes, but is not limited to, electronic files and databases.
 - g. Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.
 - h. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, vaping, e-cigarettes and betel. This section does not prohibit the use of their own prescription products by a pupil.
 - i. Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - u. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
2. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has been reasonably predicted to have the effect of one or more of the following:
- a. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - b. Causing a reasonable student to experience substantial interference with their academic performance.
 - c. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
3. "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- a. A message, text, sound, video, or image.
 - b. A post on a social network Internet Web site including, but not limited to:
 - i. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - ii. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would

- reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
- iii. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (I) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iv. An act of cyber sexual bullying.
 - v. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - vi. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence

For a pupil subject to discipline under this section, the Executive Director may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior.

2. Non-Discretionary Suspension Offenses:

Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

1. Possessing, selling, or otherwise furnishing any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code section 11053 *et seq.*
4. Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in Education Code 48900(n).

3. Discretionary Expellable Offenses:

Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

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

body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

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

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

- e. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

4. Non-Discretionary Expellable Offenses:

Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a. Possessing, selling, or otherwise furnishing any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance listed in Health and Safety Code section 11053 *et seq.*
- d. Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in Education Code 48900(n).

If it is determined by the Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such a term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

III. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or designee with the student and their parent and whenever practical, the teacher, supervisor or Excel Academy employee who referred the student to the Executive Director or designee.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against them, and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(b)(5)(J)(i).

This conference shall be held within (2) two school days unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Excel Academy officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

Notice to Parents/Guardians

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

Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. The total number of days of suspension shall not exceed twenty (20) school days per year. Upon a recommendation of expulsion by the Executive Director or designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil must be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

IV. Authority to Expel

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

A student may be expelled by the neutral and impartial Charter School Board of Directors following a hearing before it. The Board of Directors may be presided over by a designated neutral hearing chairperson. The Board of Directors may make the final determination whether or not to expel the student.

V. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student will be expelled. Unless postponed for good cause, the hearing may be held within thirty (30) school days after the Executive Director or designee determines that the pupil has committed an expellable offense.

The hearing may be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

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

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

1. The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.
2. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five days' notice of their scheduled testimony, (b) have up to two (2) adult support persons of their choosing present in the hearing at the time they testify, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
3. Excel Academy must also provide the victim a room separate from the hearing room for the complaining witnesses use prior to and during breaks in testimony.
4. At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which they may leave the hearing room.

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

VII. Record of Hearing

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

VIII. Presentation of Evidence

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

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

The decision of the Board of Directors shall be in the form of written findings of fact and a written determination regarding the expulsion. The final decision by the Board of Directors shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final.

If the Board of Directors decides not to expel, the pupil shall immediately be returned to their educational program.

IX. Written Notice to Expel

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

district in which the student seeks to enroll of the student's status with the Charter School.

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

X. Disciplinary Records

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

XI. No Right to Appeal

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

XII. Expelled Pupils/Alternative Education

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

XIII. Rehabilitation Plans

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

XIV. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of Excel Academy's Board of Directors following a meeting with the Executive Director or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to Excel Academy's Board of Directors following the meeting regarding their determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon Excel Academy capacity at the time the student seeks readmission.

XV. Notice to Teachers

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

XVI. Involuntary Removal for Truancy

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

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

Notification of SELPA

- a. Excel Academy will immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who Excel Academy or SELPA would be deemed to have knowledge that the student had a disability.

Services During Suspension

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

Procedural Safeguards/Manifestation Determination

- a. 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, Excel Academy, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:
 - i. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
 - ii. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.
- iii. If Excel Academy, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.
- iv. If Excel Academy, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:
 - v. Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that Excel Academy had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
 - vi. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
 - vii. Return the child to the placement from which the child was removed, unless the parent and Excel Academy agree to a change of placement as part of the modification of the behavioral intervention plan
- viii. If Excel Academy, the parent, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure

to implement the IEP/504, then Excel Academy 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.

Due Process Appeals

- a. The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or Excel Academy if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.
- b. When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or Excel Academy, 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), or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and Excel Academy agree otherwise.
- c. In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.
- d. In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

Special Circumstances

- a. Excel 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.
- b. The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:
 - i. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
 - ii. 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

- iii. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

Interim Alternative Educational Setting

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

Procedures for Students Not Yet Eligible for Special Education Services

- a. A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the District's disciplinary procedures may assert the procedural safeguards granted under these procedures only if Excel had knowledge that the student was disabled before the behavior occurred.
- b. Excel shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:
 - i. 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 Excel supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services; or
 - ii. The parent has requested an evaluation of the child; or
 - iii. The child's teacher, or other Excel personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the Director of special education or to other Charter School supervisory personnel.
- c. If Excel knew 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- eligible children with disabilities, including the right to stay-put.
- d. If Excel had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. Excel shall conduct an expedited evaluation if requested by the parents; however, the student shall remain in the education placement determined by Excel pending the results of the evaluation.
- e. Excel shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

D. Procedures to Notify Teachers of Dangerous Pupils

Per California Ed. Code 49079 and in an effort to ensure the safety of all employees, the school will notify the Teacher of Record or any additional staff as necessary in writing if a pupil has engaged in, or is reasonably suspected to have engaged in any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 as outlined below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except in self-defense.
3. Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
4. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance, an alcoholic beverage, or an intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm which would be a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit a sexual assault or committed a sexual battery.

15. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drugs.
17. Engaged in, or attempted to engage in, hazing. "Hazing" being a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
18. Engaged in an act of bullying. "Bullying" being 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 as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or will be reasonably predicted to have the effect of one or more of the following:
 - a. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
 - b. Causing a reasonable pupil to experience a substantially detrimental effect on their physical or mental health.
 - c. Causing a reasonable pupil to experience substantial interference with their academic performance.
 - d. Causing a reasonable pupil to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - e. A pupil who aids or abets the infliction or attempted infliction of physical injury to another person
 - f. "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site, including, but not limited to:
 1. Posting to or creating a burn page. "Burn page"

2. Creating a credible impersonation of another actual pupil
 3. Creating a false profile
- iii. 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.
- g. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs.

[Notification of Dangerous Pupils](#)

Employees shall promptly report to the Director or other immediate supervisor any attempted assault, or physical threat made against them by a student. Both the employee and the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency. (Ed. Code 44014)

In addition, employees shall promptly report to the Director or other immediate supervisor, and may report to law enforcement, any attack, assault, or threat made against them at school related functions including, but not limited to:

- Testing sites
- Field Trips
- School Events
- Learning Period Meetings
- Staff Meetings

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee. An employee whose person or property is injured or damaged by willful misconduct of a student may ask the district to pursue legal action against the student or the student's parent/guardian (Ed. Code 48905)

In order to maintain confidentiality when providing information about student offenses to counselors and teachers to which a student is assigned, the Director or designee shall send the staff member a written notification that one of their students has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the Director or designee.

[Additional Requirements and Liability as per Ed. Code 49079:](#)

- A. A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity.
- B. An officer or employee of a school who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.
- C. Any information received by a teacher or staff pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the employee.

E. Discrimination and Harassment

Excel Academy Charter School is committed to protecting its students and staff from the hazards of school and workplace violence, including both physical and verbal threats. Excel Academy has a zero tolerance policy toward threats or acts of violence and will take appropriate disciplinary action against students, parents/guardians and employees who engage in such conduct. It is important that all students, parents/guardians and staff understand the conduct expected at Excel Academy in order to ensure that all parties feel safe.

Students

Excel Academy believes that all students have the right to be educated in a positive learning environment free from disruptions. At school activities, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program.

Behavior is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful towards teachers, other staff, students and volunteers. Every effort is made at each site to ensure students are aware of the expected behaviors at a school organized event.

Parents/Guardians

The school developed a Civility Policy in light of defining the appropriate conduct for parents/guardians in relation to school-related interactions as well as a guide to the proper responses in light of a disruption ([Appendix E: Civility Policy](#)).

Staff

Staff conduct is equally important and must exhibit professionalism at all times. Since we consider all school staff to be representatives of Excel Academy, the school outlines standards of conduct for all staff members in the employee handbook and defines expectations surrounding the following areas:

- Workplace violence
- Prohibited conduct
- Physical Contact with Students and Other Staff Members
- Off-duty conduct
- Drug and Alcohol Free Workplace and Awareness Program
- Tobacco Free Workplace

- Punctuality and Attendance
- Professionalism
- Dress Code
- Gifts to Employees
- Fee and Cash Collection
- Tuition Assistance
- Building Security

For more information about Excel Academy’s policy on staff conduct, refer to [Appendix F: Excerpt from the EACS Employee Handbook “Section III: Standards of Conduct.”](#)

Bullying

Bullying creates a hostile environment in schools if it sufficiently and severely interferes with or limits a student’s ability to participate in or benefit from the services, activities, or opportunities offered by the school. The school will establish student safety at all school related functions as a high priority and will not tolerate discrimination, harassment, intimidation, and bullying of any student. Harassment is defined as unwanted conduct based on protected class (e.g., race, color, national origin, religion, gender, age, disability, or sexual orientation).

No student or group of students shall, through physical, written, verbal, non-verbal, gestural, or other means, harass, sexually harass, threaten, intimidate, cyberbully (sexually or otherwise), cause bodily injury to, or commit hate violence against any other student or school personnel. This includes acts of discrimination, harassment, intimidation, and bullying related to school activity or school attendance occurring within a learning center under the jurisdiction of the Director/Principal of CPCS.

Note: Pursuant to Education Code 32261 48900 and 48900.2-48900.4, the definition of “bullying” for purposes of establishing grounds for suspension or expulsion includes bullying via an electronic act. AB 746 (Ch. 72, Statutes of 2011) amended Education Code 32261 AB 1732 (Ch. 157, Statutes of 2012) amended Education Code 48900 to expand the definition of bullying committed by means of an electronic act to include posting of messages on social media networks; see AR 5144.1 – Suspension and Expulsion/Due Process Involuntary Transfer Back to the District of Residence/Due Process.

In addition, Penal Code 653.2 makes it a crime for a person to distribute personal identity information electronically with the intent to cause harassment by a third party and to threaten a person’s safety or that of their family (e.g., placing a person’s picture or address online so that they receives harassing messages).

Penal Code 288.2 makes it a crime to send a message to a minor if the message contains matter that is sexual in nature with the intent of seducing the minor (i.e., sexting).

Cyber-Bullying

Excel Academy expects all students, teachers, administration and vendors to use electronic communications in a responsible, ethical, and legal manner in order to ensure that offensive, harassing or other communication jeopardizing the integrity of Excel Academy has not been made available to other students.

In communicating via email or in Live Sessions you are agreeing that you will use the email or chatting properly for school, will communicate with faculty and students appropriately, and will not partake in cyber-bullying or any form of harassment.

Harassment and cyber-bullying of or by students or instructors will not be tolerated in the online environment.

Cyber bullying (sexual or non-sexual) is an act of bullying committed through the transmission of a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, or computer. Cyberbullying includes the transmission of harassing communications, 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. This includes threats, insults, verbal abuse, racial slurs, or any other hostile communications designed to cause harm to others. Offensive content includes, but is not limited to, sexual comments or images, racial slurs, gender-specific comments, or any comments that would offend someone on the basis of age, race, sex, color, religion, national origin, handicap, disability, or veteran status.

Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation via a post on a social network Internet Web site, including not limited to posting to or creating a burn page, creating a credible impersonation of another actual pupil, or creating a false profile. Cyber sexual bullying includes, but is not limited to, focusing on the person's appearance, body parts, sexual orientation, or sexual activity through the use of technology.

Bullying Prevention, Intervention and Reporting

School staff will have access to SafeSchools online training related to the professional development of detecting warning signs, effective prevention strategies, and intervention skills.

School staff who witness an act of discrimination, harassment, intimidation, bullying, hazing, or teasing shall take immediate steps to intervene to stop the incident when it is safe to do so (Education Code 234.1.1b) and notify an Assistant Director. As appropriate, the Director or the Director's designee, will notify the parents/guardians of victims and perpetrators. The Director or the Director's designee also may involve counselors and/or law enforcement as necessary.

Students are encouraged to notify school staff when they are being discriminated against, harassed, intimidated, bullied, hazed, or teased or suspect that another student is being victimized.

Disciplinary Action for Students Engaging in Harassment or Cyber-Bullying:

Students who are found engaging in harassing or bullying behavior

- Will have a parent/teacher conference scheduled to discuss the matter and collect and review documentation
- Will receive a warning about possible expulsion for a repeated offense.
- Will be candidates for expulsion dependent on the severity or frequency of the offense.
- Teachers and/or Guidance Counselors will record the documentation in the student's electronic file.

Sexual Harassment

Excel Academy prohibits sexual harassment of school employees and job applicants. The school also prohibits retaliatory behavior or action against employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation ([Appendix D : Excerpt from EACS Employee Handbook "Section I: Nondiscrimination Policies"](#))

The Excel Academy Administrative team shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Per AB 1825 and CA Govt. Code Sec. 12950.1, the school will provide supervisory employees within 6 months of their assumption of a supervisory position 2 hours of interactive sexual harassment training and education. Supervisors will be required to complete sexual harassment training every 2 years thereafter.
2. Providing training to all staff on sexual harassment and the sexual harassment school policy, particularly the procedures for filing complaints and employees'

duty to use the school's complaint procedures as outlined in the employee handbook.

3. Publicizing and disseminating the school's sexual harassment policy to staff
4. Ensuring prompt, thorough and fair investigation of complaints
5. Taking timely and appropriate corrective/remedial actions. This may require interim separation of the complainant and the alleged harasser, and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or take other subsequent necessary action. Any district employee or job applicant who feels that they have been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to Human Resources, supervisor, the director, or the director's designee. An employee may bypass the supervisor in filing a complaint where the supervisor is the subject of the complaint.

An employee who receives a harassment complaint shall promptly notify Human Resources. Complaints of sexual harassment shall be filed.

Any district employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a school employee, job applicant or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Hate Crime Reporting

Hate crimes occur when a perpetrator targets a victim because of their membership in a certain social group, usually defined by racial group, religion, sexual orientation, disability, ethnicity, nationality, age, gender, gender identity, or political affiliation.

Hate crimes will take many forms. Incidents may involve but not limited to physical assault, damage to property, bullying, harassment, verbal abuse or insults, or offensive graffiti or letters.

Intervention and Reporting

1. Any student or employee who believes that they are a victim of hate-motivated behavior shall immediately contact the appropriate staff, Director or the Director's designee, or if an employee, Human Resources.
2. Staff who are informed of hate-motivated behavior or personally observe such behavior shall notify the Director or the Director's designee, or if regarding another employee, Human Resources. Law enforcement will be notified by the Director or Human Resources if it is determined that a hate-motivated crime occurred.
3. The staff has access to SafeSchools training to recognize hate-motivated behavior and methods of handling such behavior in appropriate ways.

F. Schoolwide Dress Code

Prohibition of gang-related apparel

The provisions of any school wide dress code, pursuant to Section 35183, that prohibits pupils from wearing “gang-related apparel,” if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define “gang-related apparel.” The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this paragraph, “gang-related apparel” shall not be considered a protected form of speech pursuant to Section 48950.

35183.

(a) The Legislature finds and declares each of the following:

(1) The children of this state have the right to an effective public school education. Both students and staff of the primary, elementary, junior and senior high school campuses have the constitutional right to be safe and secure in their persons at school. However, children in many of our public schools are forced to focus on the threat of violence and the messages of violence contained in many aspects of our society, particularly reflected in gang regalia that disrupts the learning environment.

(2) “Gang-related apparel” is hazardous to the health and safety of the school environment.

(3) Instructing teachers and administrators on the subtleties of identifying constantly changing gang regalia and gang affiliation takes an increasing amount of time away from educating our children.

(4) Weapons, including firearms and knives, have become commonplace upon even our elementary school campuses. Students often conceal weapons by wearing clothing, such as jumpsuits and overcoats, and by carrying large bags.

(5) The adoption of a schoolwide uniform policy is a reasonable way to provide some protection for students. A required uniform may protect students from being associated with any particular gang. Moreover, by requiring schoolwide uniforms teachers and administrators may not need to occupy as much of their time learning the subtleties of gang regalia.

(6) To control the environment in public schools to facilitate and maintain an effective learning environment and to keep the focus of the classroom on learning and not personal safety, schools need the authorization to implement uniform clothing requirements for our public school children.

(7) Many educators believe that school dress significantly influences pupil behavior. This influence is evident on school dress up days and color days. Schools that have adopted school uniforms experience a “coming together feeling,” greater school pride, and better behavior in and out of the classroom.

(b) The governing board of any school district may adopt or rescind a reasonable dress code policy that requires pupils to wear a schoolwide uniform or prohibits pupils from wearing “gang-related apparel” if the governing board of the school district approves a plan that may be initiated by an individual school’s principal, staff, and parents and determines that the policy is necessary for the health and safety of the school environment. Individual schools may include the reasonable dress code policy as part of its school safety plan, pursuant to Section 32281.

(c) Adoption and enforcement of a reasonable dress code policy pursuant to subdivision (b) is not a violation of Section 48950. For purposes of this section, Section 48950 shall apply to elementary, high school, and unified school districts. If a schoolwide uniform is required, the specific uniform selected shall be determined by the principal, staff, and parents of the individual school.

(d) A dress code policy that requires pupils to wear a schoolwide uniform shall not be implemented with less than six months’ notice to parents and the availability of resources to assist economically disadvantaged pupils.

(e) The governing board shall provide a method whereby parents may choose not to have their children comply with an adopted school uniform policy.

(f) If a governing board chooses to adopt a policy pursuant to this section, the policy shall include a provision that no pupil shall be penalized academically or otherwise discriminated against nor denied attendance to school if the pupil’s parents chose not to have the pupil comply with the school uniform policy. The governing board shall continue to have responsibility for the appropriate education of those pupils.

(g) A policy adopted pursuant to this section shall not preclude pupils that participate in a nationally recognized youth organization from wearing organization uniforms on days that the organization has a scheduled meeting.

G. Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

The school shall maintain safe and secure methods of ingress and egress for pupils, parents, and staff to and from the school property, which are ADA compliant. Facilities shall be inspected regularly by school staff and any necessary modifications shall be made in a timely fashion. Additionally, the school shall maintain a visitor record at both sites to assist in site security. (See Appendix F - Irvine, Technology Office Evacuation Map)

Section 4: Human Resources

Human Resources is responsible for providing staff training and ensuring compliance. The following SafeSchools training courses are available to be assigned to designated employees depending upon their level of responsibility for upholding the school Plan and requirements per the law. Training plans may include one or more of the following:

- Active Shooter
- Crisis Response and Recovery
- Family Reunification
- Incident Command Systems
- Managing the Aftermath of Tragedy
- Terrorism: Awareness and Response
- Supervisor's Role in Safety
- Chemical Spills Overview
- Compressed Gas Safety
- Confined Spaces
- Electrical Safety
- Eye and Face Protection
- Facility Emergencies
- Fall Protection
- Fire and Explosion Hazards
- Fire Extinguisher Safety
- General Safety Orientation
- Lead Safety Awareness

- Office Ergonomics
- Personal Protective Equipment
- Slips, Trips and Falls
- Stormwater Management Overview
- AED (Automated External Defibrillators)
- Bloodborne Pathogen Exposure Prevention
- Cardiopulmonary Resuscitation (CPR)
- First Aid
- Health Emergencies: Asthma Awareness
- Health Emergencies: Choking and Heimlich Maneuver
- Health Emergencies: Life Threatening Allergies
- Health Emergencies: Overview
- Health Emergencies: Seizures
- HIV/AIDS Awareness
- Sexual Harassment: Staff-to-Staff
- Sexual Harassment: Student Issues & Response
- Sexual Misconduct: Staff-to-Student
- Workplace Bullying: Awareness and Prevention
- Cybersecurity Overview
- Email and Messaging Safety
- Arson Awareness and Prevention
- Safety Basics for Security Staff
- School Intruders
- School Violence: Identifying and Addressing
- Visual Weapons Screening
- Online Safety: Cyberbullying
- Online Safety: Predators
- Online Safety: Threats of Violence
- Online Safety: What Every Educator Needs to Know
- Bullying: Recognition and Response
- Child Abuse: Identification & Intervention
- Child Abuse: Mandatory Reporting
- Awareness
- Hazing
- Making Schools Safe for LGBT Students
- Mandated Reporter: Child Abuse and Neglect
- Youth Suicide: Awareness and Prevention
- Evacuation Planning for Students with Special Needs
- Online Safety: Threats of Violence

Bloodborne Pathogens (BBP)

This policy pertains to spills and cleanup of blood or other body fluids. It is not a first aid/emergency response procedure.

Treatment of Students

Applicable staff members will be required to complete a BBP course and will be equipped with a first aid kit. Staff will be instructed to prevent exposure to themselves by utilizing the kits if they must treat a student. Staff must follow the protocol of the site where the cleanup is needed (test site, field trip, etc.). If a cleanup is needed during a Learning Period Meeting, the teacher facilitator will provide the first aid kit to the parent/guardian for their use. All staff must contact their supervisor when an event requiring the use of their first aid kit was needed. First aid kits will be replaced as necessary.

Procedure

1. In the event of a serious injury resulting in release of blood or other body fluids which could contain pathogens (e.g., HIV or HBV), the first step is to treat the injured party. All applicable staff will have completed the SafeSchools Bloodborne Pathogens course in order to prevent exposure.
2. Spilled body fluids must not be cleaned up without the appropriate protective equipment and materials specifically designated for such fluids. In the case where spilled body fluids need clean-up, this procedure must be followed by all personnel:
 - Advise the most senior employee on duty. They must be aware of the individual(s) doing the actual clean-up and the purpose of the cleanup.
 - Clean up the spilled fluids as follows:
 - Put on protective gloves
 - Spread the absorbent material on the spilled body fluids, (e.g., paper towels) or use the Bloodborne Pathogens Spill kit
 - Neutralize the potential pathogens with a 10% bleach-with-water solution or use the solution provided in the Emergency First Responder Pack. Cover the spill for 15 minutes
 - Use paper towels to pick up material as best possible. Place all potentially contaminated materials in a leak-proof plastic bag.
 - Sweep/mop-up any additional neutralized/absorbed fluids and place in the leak-proof bag

- Clean sweep/mop materials with hot, soapy water. Lastly, remove gloves from inside-out and place in the bag
 - Secure the bag and discard it as other trash
 - Wash hands thoroughly in hot, soapy water
3. After all activity is completed, an Incident Report is to be completed as necessary and submitted to the Director.

H. A Safe and Orderly Environment Conducive to Learning at the School

Law Enforcement Response

The police will arrive to respond to the emergency. Follow these guidelines:

1. Comply with police instructions. The first responding officer will be focused on stopping the active shooter and creating a safe environment for medical assistance to be brought in to aid the injured.
2. When the police arrive at the location:
 - a. Remain calm and follow officer instructions
 - b. Put down any items in hands
 - c. Immediately raise hands and spread fingers
 - d. Keep hands visible at all times
 - e. Avoid making quick movements toward the officers such as attempting to hold onto them for safety
 - f. Avoid pointing, screaming and/or yelling
 - g. Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which the officers are entering the area or to an area directed
 - h. Notify any Excel Academy administrator of evacuation from the premises
3. When the police arrive, provide the following information is available and applicable:
 - a. Number of shooters
 - b. Number of individual victims and any hostages
 - c. The type of problem causing the situation
 - d. Type and number of weapons possibly in possession of the shooter
 - e. All necessary Excel Academy administrators still in the area as part of the school's emergency management response
 - f. Identity and description of participants, if possible
 - g. Keys to all involved areas as well as floor plans

Post-Incident Action

When the police have determined that the active shooter is under control, the emergency operator will provide a public announcement that the emergency is over using a prearranged code (e.g. "All Clear").

Police Investigation

After the police have secured the premises, the school will arrange to have designated representatives participate in the law enforcement investigation of the incident, including identifying witnesses and providing requested information and documents.

Medical Assistance

The school will designate representatives who will engage with emergency responders who provide medical assistance to injured employees, including ensuring that all required medical benefits and insurance documentation is provided.

Notifications of Relatives

The school will designate a school representative to notify relatives of any injured employees in a timely fashion

OSHA

In the event that there is a fatality or one employee is hospitalized for treatment, OSHA must be notified. If there is a fatality, OSHA must be notified within eight (8) hours. In the event of a hospitalization of one of the employees for treatment, OSHA must be notified within twenty-four (24) hours.

In addition, if the fatality or injury is work-related, the school may have to record the incident within seven (7) calendar days.

To file a report with OSHA, a school representative will call the 24 hour hotline or contact the nearest OSHA office. <https://www.osha.gov/report.html>

Local OSHA California State Plan Offices within the school's service area:

1. Long Beach 562-508-0810
2. Los Angeles 213-576-7451
3. Van Nuys 818-901-5403
4. Santa Ana 714-558-4451

Media

The school will designate a representative who will respond to any media requests for information. Such representatives will carefully consider the nature of any such requests in order to avoid disclosing information about any person that is considered confidential and protected under Federal and state privacy and medical information laws and regulations and interfering with any ongoing police or internal investigation.

Appendices




Appendix A: Emergency Contact Information in Paycom

1. Login into the Employee Portal in Paycom
2. Click “Information”
3. Under Address and Contact Information, enter Emergency Contact Information and click “Update”

Time Management Time-Off Requests **Information** Payroll Documents Checklists Company Information Learning

Address and Contact Information

Emergency Contacts

Emergency Contact 1	Emergency Contact 2
Emergency Phone Number * 	Emergency Phone Number
Emergency Contact Name * 	Emergency Contact Name
Relationship to the Employee * 	Relationship to the Employee

Emergency Contact 3

Emergency Phone Number

Emergency Contact Name

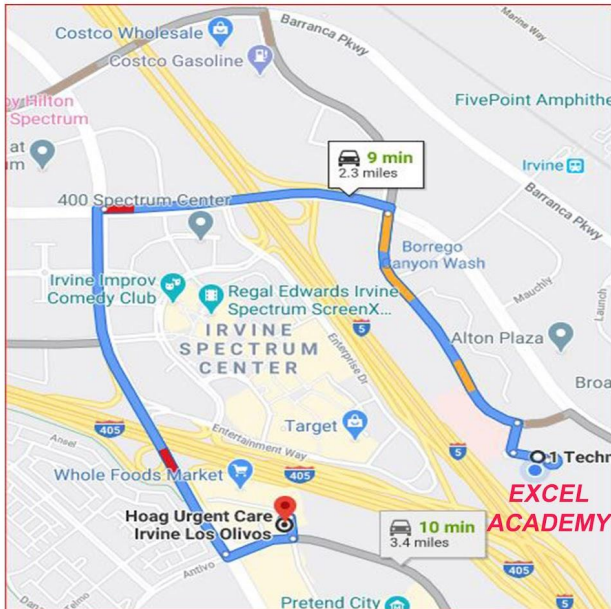
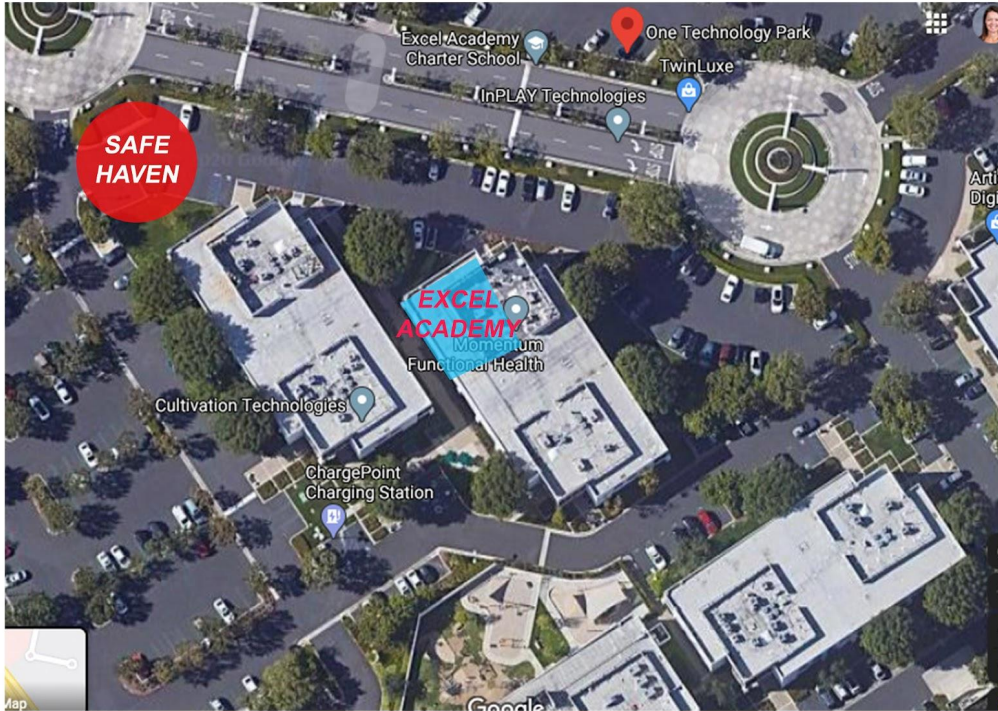
Relationship to the Employee

Appendix B: Irvine Executive Office Evacuation Map

In any hostile situation every individual should try to remain calm. If it becomes necessary to evacuate the Excel Academy office, exit the building safely and make your way to the safe haven (parking lot area in front of building J-see aerial map) as quickly as possible. Staff will gather on the lawn in front of the building. Call 911 as soon as you are clear of any danger (natural or otherwise).

If trapped inside the building, lock the main/front doors if possible and retreat to one of the interior offices together. Lock that door, barricade it with any heavy objects, turn off the lights, silence all cell phones and call 911.

**IN CASE OF EVACUATION DUE TO FIRE, NATURAL DISASTER OR OTHER-
ALL EMPLOYEES AND GUESTS PLEASE MEET AT SAFE HAVEN AREA
INDICATED ON THIS MAP.**



**Phone number for Hoag Urgent Care
949-557-0600
Hours: 8am-8pm (M-F)
8am-5pm (Sat/Sun)**

Hostage situation in main lobby (Building I):

If a hostage is held against their will in the lobby, the other employees in the private interior offices must close and lock their doors immediately, barricade their door with one of the large desks and call 911 immediately.

Hostage situation in one of the private interior offices:

If a parent or visitor is able to hold one of the employees hostage in their own private office, any employee who is able must evacuate quickly through the main office door, and get to the Safe Haven (South East end of parking lot - see map) and immediately call 911. Staff will gather on the lawn in front of the building.

If the other employees are unable to escape out the front door, they must close and lock their private, interior doors immediately, barricade their door, turn out the lights, silence their phones/pagers, and call 911.

Natural Disasters:

In southern California, the most likely natural disaster is an earthquake. In the event that an earthquake occurs at the Main Office, the following actions shall be taken:

1. Individuals must implement the Drop, Cover, and Hold action. Each individual must:
 - **Drop** to the ground. For those individuals who are physically unable to drop to the ground, they must remain seated and cover their heads with their arms and hands
 - **Cover** under or near desks, tables, or chairs in a kneeling position with their backs to the windows
 - **Hold** on to table or chair legs
 - Remain in the drop position until ground movement ends
2. Assess the situation
 - Severe structural damage
 - Fire
 - Toxic spill
 - Injuries (Render first aid if necessary)
3. Evacuate the room if necessary
4. For additional emergency treatment, call 911 immediately.

Concentra Urgent Care Address: 15751 Rockfield Blvd. (see map)

Please report any office or building damage to the Office Manager.

Appendix C: Child Abuse Report Form

Print

SUSPECTED CHILD ABUSE REPORT

Reset Form

To Be Completed by Mandated Child Abuse Reporters
Pursuant to Penal Code Section 11166

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY					
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS			Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO			
	REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE		TODAY'S DATE					
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY							
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)		ADDRESS		Street	City	Zip			
	OFFICIAL CONTACTED - TITLE		TELEPHONE		DATE/TIME OF PHONE CALL					
C. VICTIM One report per victim	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY				
	ADDRESS			Street	City	Zip	TELEPHONE ()			
	PRESENT LOCATION OF VICTIM			SCHOOL	CLASS	GRADE				
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)		PRIMARY LANGUAGE SPOKEN IN HOME					
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME			TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)					
	RELATIONSHIP TO SUSPECT			PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK					
D. INVOLVED PARTIES	VICTIM'S SIBLINGS									
	1. NAME		BIRTHDATE	SEX	ETHNICITY	NAME		BIRTHDATE	SEX	ETHNICITY
	2. _____		3. _____		4. _____					
	VICTIM'S PARENTS/GUARDIANS									
	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY				
	ADDRESS			Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()		
	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY				
	ADDRESS			Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()		
	SUSPECT									
	SUSPECT'S NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY				
ADDRESS			Street	City	Zip	TELEPHONE ()				
OTHER RELEVANT INFORMATION										
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____									
	DATE / TIME OF INCIDENT			PLACE OF INCIDENT						
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)									

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY-District Attorney's Office; YELLOW COPY-Reporting Party

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://www.leginfo.ca.gov/calaw.html> (specify "Penal Code" and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some of the requested information is not known. (PC Section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

- Mandated child abuse reporters include all those individuals and entities listed in PC Section 11165.7.

II. TO WHOM REPORTS ARE TO BE MADE ("DESIGNATED AGENCIES")

- Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC Section 11165.9.)

III. REPORTING RESPONSIBILITIES

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

IV. INSTRUCTIONS

- **SECTION A - REPORTING PARTY:** Enter the mandated reporter's name, title, category (from PC Section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes-no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (Continued)

- **SECTION B - REPORT NOTIFICATION:** Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.
- **SECTION C - VICTIM (One Report per Victim):** Enter the victim's name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes-no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes-no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes-no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.
- **SECTION D - INVOLVED PARTIES:** Enter the requested information for: Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).
- **SECTION E - INCIDENT INFORMATION:** If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

V. DISTRIBUTION

- **Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
- **Designated Agency:** *Within 36 hours* of receipt of Form SS 8572, send **white copy** to police or sheriff's department, **blue copy** to county welfare or probation department, and **green copy** to district attorney's office.

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

Appendix D: Excerpt from EACS Employee Handbook: “Section I: Nondiscrimination Policies”

A. Equal Employment Opportunity

The School is an equal opportunity employer and makes employment decisions on the basis of merit. We strive to have the most highly qualified people in every position. School policy prohibits unlawful discrimination based on actual or perceived race, color, creed, actual or perceived gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices), marital status, registered domestic partner status, status as a victim of domestic violence, assault or stalking, age, ethnicity, national origin or ancestry, citizenship, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or a related medical condition), genetic information, sexual orientation, political affiliation, military and veteran status or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Discrimination will also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

The School’s management is responsible for adherence to this policy. But in the final analysis, attainment of The School’s goal of equal employment opportunity and enrichment through diversity depends on the commitment and good faith effort of all of you.

The School will comply with all applicable equal employment and discrimination laws, including Title IX, the California Fair Employment and Housing Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, and all other applicable laws.

Additionally, Title IX prohibits discrimination on the basis of sex in education programs or activities by recipients of federal financial assistance. The School does not discriminate on the basis of sex in the educational program or activity which it operates, including employment in such programs and activities.

In accordance with the Schools Equal Employment and Nondiscrimination Policies, the School designates the following position(s) as the Title IX Coordinator and Coordinator for Nondiscrimination in Employment:

Ms. Megan Anderson, Assistant Director of Human Resources
Title IX/Uniform Complaint Procedure Coordinator
(714) 336-4220
manderson@excelacademy.education
1 Technology Dr, Ste I-811

Any employee or job applicant who believes they have been or are being discriminated against or harassed in violation of School policy must, as appropriate, immediately contact their supervisor, the coordinator, or the CEO who shall advise the employee or applicant about the School's procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with School policy and regulation. Individuals may use the School's Uniform Complaint Procedures to address complaints of discrimination and harassment, including sex discrimination under Title IX. Annual notice of such policies will be provided to all employees, and a copy of such policies and procedures are available by contacting the Coordinator listed above or Human Resources.

Discrimination is considered a form of employee misconduct. Disciplinary action, up to and including dismissal, will be taken against any employee engaging in this type of behavior. Any lead, supervisor or manager who has knowledge of such behavior, yet takes no action to end it, is also subject to disciplinary action.

B. Disability Accommodation

To comply with the Americans with Disabilities Act and all applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the School will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job as outlined in the applicable job description must contact the HR department and discuss the need for an accommodation. The School will engage

in an interactive process with the employee to identify possible accommodations, if any, which will help the applicant or employee perform the job. An applicant or employee who requires accommodation due to a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) must also contact the HR department and discuss the need for accommodation. If the accommodation is reasonable and will not impose an undue hardship, the School will work to make the accommodation.

C. Anti-Harassment

The School is committed to providing a work environment free of harassment and abusive conduct as that term may be defined by statute or regulation then in effect at the time of the conduct. School policy prohibits conduct that is disrespectful, unprofessional as well as harassment based on actual or perceived race, color, creed, actual or perceived gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices), marital status, registered domestic partner status, status as a victim of domestic violence, assault or stalking, age, ethnicity, national origin or ancestry, citizenship, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or a related medical condition), genetic information, sexual orientation, political affiliation, military and veteran status or any other basis protected by federal, state or local law or ordinance or regulation. All such conduct violates school policy. The School's anti-harassment policy applies to all persons involved in the operation of the School and prohibits harassment, disrespectful or unprofessional conduct by any employee of the School, including supervisors and managers, as well as vendors, customers, independent contractors and any other persons. It also prohibits harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;

- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law, or by company policy.
- Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender will amount to sexual harassment, regardless of whether the treatment is motivated by any sexual desire.

The School is committed to compliance with all applicable laws providing equal employment opportunities and is dedicated to ensuring a culture free of harassment. This commitment applies to all persons involved in School operations and prohibits unlawful discrimination by any employee of the School, including supervisors and coworkers as well as prohibiting harassment and prohibited conduct.

Harassment is considered a form of employee misconduct. Disciplinary action, up to and including dismissal, will be taken against any employee engaging in this type of behavior, yet takes no action to end it, is also subject to disciplinary action.

It is the policy of the School that no one will be retaliated against for making a good faith complaint of harassment or for cooperating in the investigation of a complaint.

An employee who believes they have been harassed, discriminated against or retaliated against may initiate the reporting process by contacting their supervisor, or, if appropriate, the next level of management (see Reporting procedure, which follows). You may at any time contact your HR department. All discrimination, harassment and retaliation complaints will be promptly investigated and will be treated confidentially to the extent possible and appropriate action taken where warranted. Complaints made in good faith will in no way be held against the employee.

Sexual Harassment

The School is committed to providing a work environment that is free from sexual harassment and retaliation. Under no circumstances will sexual harassment be tolerated.

"Sexual harassment" means any unwelcome sexual advance, unwelcome requests for sexual favors, or other unwelcome verbal, visual, or physical conduct of a sexual nature made by someone from or in the educational or work setting, whether it occurs between individuals of the same sex or individuals of opposite sexes, under any of the following conditions:

(1) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's academic status, employment, or progress.

(2) Submission to, or rejection of, the conduct by the individual is used as the basis of academic or employment decisions affecting the individual.

(3) The conduct has the purpose or effect of having a negative impact upon the individual's academic performance, work, or progress or has the purpose or effect of creating an intimidating, hostile, or offensive educational or working environment. The conduct is sufficiently severe, persistent, pervasive or objectively offensive, so as to create a hostile or abusive educational or working environment or to limit the individual's ability to participate in or benefit from an education program or activity.

(4) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the local agency.

"Verbal sexual harassment" includes, but is not limited to, unwelcome epithets, comments, or slurs of a sexual nature.

"Physical sexual harassment" includes, but is not limited to, assault, impeding or blocking movement, or any physical interference with work or school activities or movement when directed at an individual on the basis of sex.

"Visual sexual harassment" includes, but is not limited to, derogatory posters, cartoons, drawings, obscene gestures, or computer-generated images of a sexual nature.

"Educational environment" includes, but is not limited to, the following:

(1) The campus or school grounds of the local agency.

(2) Properties controlled or owned by the local agency.

(3) Off-campus, if such activity is sponsored by the local agency, or is conducted by organizations sponsored by or under the jurisdiction of the local agency.

Sexual harassment has no place in the work environment and is prohibited by the School. Specifically, it must in no way be exercised for purposes of an intimidating effect on employment decisions such as promotion, dismissal, hiring, training, wage and salary increases, transfer, or any other matter that affects the ability of an employee to perform job duties.

Any employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment or retaliates against another individual is in violation of this policy and subject to disciplinary action up to and including dismissal. Leads, managers and supervisors are to ensure that no such intimidation or harmful atmosphere of unwelcome sexual overtones exist in their workplaces. Every effort must be made to sensitize themselves and their employees to the differences between purely social overtones and those intended to affect working conditions. Also, employees are responsible for respecting the rights of their co-workers. Any employee who feels they have been harassed or retaliated against, or has knowledge of any incident of harassment or retaliation on any protected basis shall immediately report such incidents to their immediate supervisor, Human Resources, the CEO or Title IX Coordinator and Coordinator for Nondiscrimination in Employment. If the supervisor is the harasser or has not responded to the complaint, or if not an employee, then the complainer must complain to any administrator without fear of reprisal. Employees may also report instances of sexual harassment through the School's Uniform Complaint Procedure without fear of reprisal.

Reporting

The School has an affirmative duty to take reasonable steps to prevent and correct discrimination and harassment. Supervisors, co-workers, and third parties are prohibited from engaging in unlawful behavior under the Fair Employment and Housing Act or any other applicable law. Protected groups under the law include the following:

- Age (40 and over)
- Ancestry
- Color
- Religious Creed (including religious dress and grooming practices)
- Denial of Family and Medical Care Leave
- Disability (mental and physical) including HIV and AIDS
- Marital Status
- Medical Condition (cancer and genetic characteristics)
- Genetic Information

- Military and Veteran Status
- National Origin (including language use restrictions)
- Race
- Sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding)
- Gender, Gender Identity, and Gender Expression
- Sexual Orientation

The School encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct must discuss their concerns with their immediate lead, supervisor, manager, office manager, or HR and may file a complaint. The Uniform Complaint Procedures may be used for this purpose. Employees are entitled to report harassment to someone other than their direct supervisor. Supervisors are required to report all complaints to Human Resources. In addition, the School encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that their behavior is unwelcome and request that it be discontinued. The School recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures. Every effort will be made to keep such reports as confidential to the extent possible, although it is understood that an investigation will normally require the involvement of third parties. The School is serious about enforcing its policy against harassment. However, the School cannot resolve a harassment problem that it does not know about. Therefore, employees are responsible for bringing any such problems to the School's attention so it will take whatever steps are necessary to correct the problem.

Investigation/Complaint Procedure

All complaints of harassment, including sexual harassment, may be addressed through the School's Uniform Complaint Procedures. A complaint will be followed by a fair, complete and timely investigation conducted by an impartial and qualified individual. If the investigation substantiates the accusations, the appropriate corrective action will be taken. This may include, but not be limited to, reprimand, suspension or dismissal, depending on the nature and severity of the offense.

Complaints will be documented and the School will designate a qualified individual to track the complaint process.

Informal Procedure

If for any reason an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual must notify their immediate supervisor and/or the HR department who may, if the individual so requests, talk to the alleged offender on the individual's behalf. In addition, there may be instances in which an individual seeks only to discuss matters with one of the HR designated representatives, and such discussion is encouraged. An individual reporting harassment, discrimination or retaliation must be aware, though, that the School may decide it is necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual. The best course of action in any case will depend on many factors and, therefore, the informal procedure will remain flexible. Moreover, the informal procedure is not a required first step for the reporting individual.

Formal Procedure

As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct must discuss their concerns with their supervisor or the HR department. The School encourages the prompt reporting of complaints or concerns so that rapid and constructive action will be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigation process to the extent consistent with adequate investigation and appropriate corrective action. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as the School believes appropriate under the circumstances. If a party to a complaint does not agree with its resolution, that party may appeal to the CEO.

Retaliation

Employees will not be retaliated against for complaining or participating in an investigation. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation must be reported immediately and will be promptly investigated and addressed.

Conclusion

This policy was developed to ensure that all employees will work in an environment free from harassment, discrimination and retaliation. The School will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately. Any employee who has any questions or concerns about these policies must talk with their supervisor or the HR department. Finally, these policies will not be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one will make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of the School prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

None of the procedures below are intended to preclude an employee from pursuing claims of discrimination and/or harassment in any other forum available to the employee, including making reports of discrimination, harassment, and/or retaliation to the Department of Fair Employment and Housing and the U.S. Equal Employment Opportunity Commission.

Appendix E: Civility Policy

School personnel, parents, and students are required to be civil in all of their interpersonal school-related interactions. Civility does not require unqualified agreement or conformity of opinion. An expression of disagreement or a discussion of a controversial viewpoint is not uncivil if such expression or discussion is appropriately and respectfully presented and does not disrupt a school-related activity.

For purposes of this policy, to be civil means to act with self-discipline in a courteous, respectful and orderly way in every interpersonal communication and behavior with the goal of providing a safe and harassment free environment for the students and staff while maintaining individual rights to freedom of expression.

Examples of uncivil conduct includes, but is not limited to:

- using an inappropriately loud voice;
- using profane, vulgar, or obscene words or gestures;
- belittling, jeering, or taunting;
- using personal epithets;
- using violent or aggressive gestures or body-language;
- repeatedly and inappropriately interrupting another speaker;
- repeatedly demanding personal attention at inappropriate times;
- purposefully and inappropriately invading personal space;
- purposefully ignoring appropriate communications;
- wrongfully interfering with another person's freedom of movement;
- wrongfully invading another person's private possessions; or;
- any other behavior that inappropriately disrupts school-related activities.

In the event that any party is uncivil during a school-related activity, the following steps will occur:

1. **Communicate** - The party experiencing the uncivil behavior will communicate that the behavior is not civil and that the uncivil behavior must cease immediately.
2. **End Activity/Meeting** - If the uncivil party fails to correct the uncivil behavior as directed, the affected party shall end the activity/meeting.
3. **Referral** - The reporting party shall refer the situation to school administration with a written summary of the uncivil behavior and how they responded.
4. **Determination** - If it is determined that uncivil behavior occurred, proper disciplinary action will be taken, which may include suspension or expulsion.

Appendix F: Excerpt from the EACS Employee Handbook: “Section III: Standards of Conduct”

The School expects all employees to comply with School rules, policies, and regulations as set forth in this handbook. Any employee who fails to do so will be subject to whatever disciplinary action the School, in its sole discretion, deems appropriate under the circumstances. Such disciplinary action may include, but is not limited to, oral and written warnings, mandatory training, or termination of employment. Any employee’s receipt of, participation in or completion of School-required disciplinary action shall not, under any circumstances, limit or alter the School’s at-will employment policy which allows either the School or the employee to terminate the employment relationship at any time, with or without notice, and with or without cause.

A. Freedom from Violence

The School is concerned about violence in society. The School expressly prohibits any acts or threats of violence by any School employee or former employee against any other employee. The School will also not condone any acts or threats of violence against school employees or customers while engaged in business with or on behalf of the School.

The School has developed guidelines to help maintain a secure workplace. It is important to be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to the Executive Director or their designee. Secure the desk or office at the end of the day. When called away from the work area for an extended length of time, do not leave valuable and/or personal articles in or around the workstation that may be accessible. The security of facilities as well as the welfare of the employees depends upon the alertness and sensitivity of every individual to potential security risks.

The employee must immediately notify the Executive Director or designee when other employees or outsiders express anger and make threats against the School or behave in a manner suggesting the possibility of violent activity.

All threats or perceived threats of violence against any person or property are considered serious. Staff who are alerted to or observe any threat or perceived threat shall immediately report the threat or perceived threat to law enforcement. The School will support the local law enforcement in the immediate investigation and threat assessment, as needed. The very act of a threat shall be cause for discipline against a student or staff member and immediate removal of a visitor.

In keeping with the spirit and intent of this policy, and to ensure that the School’s objective in this regard is attained, it is the commitment of the School:

- To provide a safe and healthy work environment, in accordance with the School's safety and health policy.
- To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.
- To take appropriate action when dealing with customers, former employees, or visitors to school functions who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- To prohibit employees, former employees, customers, and visitors from bringing unauthorized firearms or other weapons to school work and non-work related gatherings, meetings and functions.
- To establish viable security measures to ensure that school meetings and gatherings are safe and secure to the maximum extent possible and to properly handle access to school facilities by the public, off-duty employees, and former employees.

The School will not tolerate any type of workplace violence committed by or against its employees. The School's employees that violate this policy will be subject to disciplinary action, up to and including discharge. Prohibited conduct includes, but is not limited to:

- Causing physical injury to another person.
- Making threatening remarks.
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another person to emotional distress.
- Possession or threat of using a weapon on the premises and/or at work related events, meetings and gatherings.

Employees who display a tendency to engage in violent, abusive, or threatening behavior, as determined by the School, in its sole discretion, may be referred for counseling or other appropriate treatment.

In furtherance of this policy, employees have a "duty to warn" their supervisors or human resources representative of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve other employees, former employees, customers, or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, discussion of bringing weapons into the workplace, threatening or offensive comments or remarks, and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The School will not condone any form of retaliation against any employee for making a report under this policy.

B. Prohibited Conduct

Employees are expected to conduct themselves in a manner to further the School's objectives.

The following conduct is prohibited and will not be tolerated by the School. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and School operations also may be prohibited and will result in disciplinary action up to and including termination.

- Falsifying employment records, employment information, or other School records;
- Inefficient or careless performance of job responsibilities or inability to perform job duties satisfactorily;
- Recording the work time of another employee or allowing any other employee to record another employee's work time, or falsifying any time card, either one's own or another employee's;
- Theft and deliberate or careless damage or destruction of any School property, or the property of any employee or customer;
- Removing or borrowing School property without prior authorization;
- Unauthorized use or misuse of School equipment, time, materials, or facilities;
- Provoking a fight or fighting during working hours or on School property;
- Participating in horseplay or practical jokes on School time or on School premises;
- Carrying firearms or any other dangerous weapons on School premises at any time;
- Engaging in criminal conduct whether or not related to job performance;
- Causing, creating, or participating in a disruption of any kind during working hours on School property;
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a colleague;
- Using abusive, threatening or intimidating language at any time on School premises;
- Failing to notify a supervisor when unable to report to work;
- Unreported absence of three (3) days;
- Failing to obtain permission to leave work for any reason during normal working hours;
- Failing to observe working schedules, including rest and lunch periods;
- Failing to provide a physician's certificate when requested or required to do so;
- Sleeping or malingering on the job;
- Making or accepting personal telephone calls, including cell phone calls, of more than three minutes in duration during working hours, except in cases of emergency or extreme circumstances;
- Working overtime without authorization or refusing to work assigned overtime;
- Violation of dress standards;

- Violating any safety, health, security or School policy, rule, procedure or violation of the School's drug and alcohol policy;
- Committing a fraudulent act or a breach of trust under any circumstances;
- Committing or involvement in any act of unlawful harassment of another individual;
- Failing to promptly report work-related injury or illness;
- Any other action or behavior, which could harm the Schools, parents, or students interest.

This statement of prohibited conduct does not alter the School's policy of at-will employment. Either the employee or the School remains free to terminate the employment relationship at any time, with or without reason or advance notice.

C. Physical Contact with Students and Other Staff Members

It is the policy of The School that no teacher or staff member will use corporal punishment against a student. This prohibition includes spanking, slapping, pinching, hitting or the use of any other physical force as retaliation or correction for inappropriate behavior. While the use of appropriate touching is part of daily life and is important for student development, a teacher and staff member must ensure that they do not exceed appropriate behavior. If a child or other staff member specifically requests that they not be touched, then that request must be honored without question.

The following forms of touching are never appropriate:

- Inappropriate or lengthy embraces
- Kisses on the mouth
- Corporal punishment
- Sitting student on one's lap (grades 3-8)
- Touching buttocks, chests or genital areas
- Pushing a person or another person's body part (other than in self-defense, defense of another, or property)
- Showing affection in isolated areas
- Wrestling with students or other staff members
- Bench-pressing another person
- Tickling
- Piggyback rides
- Massages
- Any form of unwanted affection
- Any form of sexual contact
- Poking fingers at another person that results in an offensive contact

This policy does not prevent appropriate forms of touching a student, including for the purpose of guiding them along a physical path, helping them up after a fall, engaging in

a rescue or the application of Cardiopulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another.

Restraining a child who is trying to engage in violent or inappropriate behavior may also be permitted. Only such force as necessary to defend one's self or another or to protect property is legally allowed. Excessive force is prohibited. Violation of this policy could subject the teacher or staff member to discipline to include termination for cause. The victim may also choose to bring civil or criminal charges against the violator. This policy must necessarily be somewhat flexible. Sometimes, especially when dealing with younger children or children with a disability, touching is more appropriate. A touch for the purpose of helping (i.e.: cleaning up a small child after a bathroom accident) may be appropriate in limited circumstances although clearly inappropriate in more general circumstances. It is impossible to define each and every instance when touching is inappropriate. Teachers and staff members must apply the rules of common sense in the circumstances they find themselves.

D. Off-duty Conduct

While the School does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the School's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the School's or their own integrity, reputation or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the School's legitimate business interests or the employee's ability to perform their job may result in disciplinary action as allowed by law.

E. Drug and Alcohol Free Workplace and Awareness Program

The School will comply with all federal and state regulations regarding drug and alcohol use while employees are on the job. This policy covers all School employees and violation of the School's policy related to drug use is grounds for immediate termination.

The School is concerned about the use of alcohol, illegal drugs and controlled substances as it affects the workplace, the School community and students. Use of these substances whether on or off the job will adversely affect an employee's work performance, efficiency, safety, and health and therefore seriously impair the employee's value to the School and its students. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and students and exposes the School to the risks of property loss or damage or injury to other persons. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace.

Conduct against this policy includes, but is not limited to, the following:

- Drive a company vehicle, or a vehicle designated for school business, while under the influence of alcohol or an illegal or controlled substance;
- Sell or purchase an illegal or controlled substance, including while on the job, on the School's property, or in the presence of students;
- Possess or use alcohol or an illegal or controlled substance while on the job, on school property, or in the presence of students,
- Be under the influence of alcohol or an illegal or controlled substance while on the job, or on the School's property

The School will establish a drug-free awareness program to inform employees about:

- The dangers of drug abuse in the workplace;
- The policy of maintaining a drug-free workplace;
- Any available drug counseling, rehabilitation, and employee assistance programs; and
- The penalties that the School may impose upon them for drug abuse violations occurring in the workplace.

Violation of these rules and standards of conduct will not be tolerated and may result in disciplinary action, up to and including termination of employment. The School may also bring the matter to the attention of appropriate law enforcement authorities. The School may terminate an employee who is convicted of a controlled substance offence to the extent allowed by law. Alternatively, the School may, as required or allowed in accordance with applicable law, require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency. As a condition of employment, employees are required to notify the School in writing of any conviction for a violation of a criminal drug statute occurring in the workplace. Such notification must be made no more than five (5) calendar days after the conviction. The School may, as required by applicable law, notify federal or state agencies of any applicable employee convictions if such a report is required by law.

In order to enforce this policy, the School reserves the right to conduct legal searches of school property and to implement other measures which are in accordance with law and necessary to deter and detect violation of this policy. As a condition of employment, the employee agrees to abide by the terms of this policy.

School will abide by all relevant laws, including laws regarding employee disability and reasonable accommodations in implementing this policy.

F. Tobacco Free Workplace

The School is a tobacco free workplace. No tobacco products are to be used in the workplace or at work functions. This includes all VAPE products.

G. Punctuality and Attendance

You are part of a team, and getting the work done depends on everyone being in the right place at the right time. As an employee, you must be conscientious about your attendance and punctuality at work. Attendance is also an important measure of your overall performance on the job. Employees are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for students and fellow employees. To avoid conflict with the daily operations of the School, employees must schedule personal affairs outside of regular working hours. When an employee is absent, others must perform their assigned work. Employees are expected to report to the workplace and be prepared to begin work at their scheduled reporting times.

If the employee is unable to report for work on any particular day, they must under all but the most extenuating circumstances call their supervisor or Human Resources at least one hour before the time they are scheduled to begin working on that day, and must obtain approval for their absence from the Executive Director or designee. In all cases of absence or tardiness, employees must provide the School with an honest reason or explanation.

Employees also must inform Human Resources or designee of the expected duration of any absence. Excessive absences, lateness or failure to give your supervisor advance notice for absence or lateness will result in disciplinary action or dismissal from employment. absenteeism or tardiness, whether excused or not, will not be tolerated.

If the employee fails to report for work without any notification to their supervisor or to Human Resources and the absence continues for a period of three days, the School will consider it a voluntary resignation unless a written medical excuse is provided by a physician to determine that the employee has abandoned their employment.

Employees with emergencies or situations that do not allow them to do their job must inform their supervisor or Human Resources within 24 hours. Failure to return phone calls or emails within 24 hours during workdays requires an explanation to the employee's supervisor. Failure to inform a supervisor of an expected absence, failure to return phone calls or emails for three workdays without notice, and missing required deadlines/meetings constitutes abandonment of employment.

H. Professionalism

The success of the School depends upon the quality of the relationships between the School, its employees, students, parents and the general public. The public impression of the School and its interest will be formed, in part, by the employees; employees are ambassadors. The more goodwill an employee promotes, the more employees, students, parents and the general public will respect and appreciate the employee, the School, and the Schools' services.

Below are several things employees will do to help leave people with a good impression of the School. These are the building blocks for the school's continued success.

- Communicate with parents regularly.
- Act competently and deal with others in a courteous and respectful manner.
- Communicate pleasantly and respectfully with other employees at all times.
- Follow up on requests and questions promptly, provide businesslike replies to inquiries and requests, and perform all duties in an orderly manner.
- Respond to email and voicemail within 24 hours during the workweek.
- Take great pride in their work and enjoy doing their very best.

The employee may not bring their own children to school events (learning plan meetings, CAASPP testing, school meetings, etc.) unless they are participants in the events or it is a general school event open to all students or employee families. The Executive Director or designee may grant an exception.

I. Dress Code

Each employee is a representative of the School in the eyes of the public. Each employee must report to work properly groomed and dressed in professional attire. Employees are expected to dress appropriately and in a manner consistent with the nature of the work performed.

Employees who report to work inappropriately dressed may be asked to clock out and return in acceptable attire.

Violation of the dress code is determined by the Executive Director or designee. The Executive Director or designee may issue more specific dress code guidelines at any time, which shall be in accordance with law.

J. Gifts to Employees

It is the policy of the School that no employee may accept any gift from an outside party, client, contractor, vendor, community provider, business associate, parent or student that is of such nature that it could affect impartiality with regard to decisions or action affecting School operations. Gifts with a value of less than \$50 are excluded from this policy.

K. Fee and Cash Collection


No staff member, other than specifically authorized individuals, is permitted to accept cash and/or checks. All school events, for which money is collected, must be

approved by the Executive Director. The Executive Director will supervise the collection of all fees and will be responsible for managing the receipts with student services Purchasing. Teaching staff and students are not permitted to do fundraising or fee collection; rather, all financial transactions must be coordinated with the Executive Director. Teachers and staff are not permitted to conduct personal sales or fundraising (such as Avon, bath/beauty products, etc.). Cash and/or checks must not be stored or locked in staff offices or desks.

L. Building Security

All employees who are issued keys to the office are responsible for their safekeeping. These employees will sign a Building Key Disbursement form upon receiving the key. The last employee, or a designated employee, who leaves the office at the end of the business day assumes the responsibility to ensure that all doors are securely locked, the alarm system is armed, thermostats are set on appropriate evening and/or weekend setting, and all appliances and lights are turned off with exception of the lights normally left on for security purposes. Employees are not allowed on properties or leased facilities after hours without prior authorization from the Executive Director or CEO.

Appendix G: CAASPP Testing Security Form


EXCEL ACADEMY'S CAASPP TEST SECURITY FORM (ONE per family)

Family's Last Name _____
Test Site/Location _____ ToR Name _____

Student Information Cell Phone at Test Site Y/N

Student's Name _____ Grade _____ Y or N
Student's Name _____ Grade _____ Y or N
Student's Name _____ Grade _____ Y or N
Student's Name _____ Grade _____ Y or N

Parent's Name _____ Cell Phone # _____

List student's name and allergies (if applicable) and important details for test site lead -

In case of an emergency, please contact _____
Phone Number(s) _____

The following individual(s) have my permission to drop off/pick up my child(ren).
1. Name _____ Phone _____
2. Name _____ Phone _____

If you have a high school student that will be driving to the test site on his/her own, and wish to allow your student to sign in/out for himself/herself, please complete this portion.
_____ My high school student has my permission to sign himself/herself in and out.
_____ My high school student has my permission to sign his/her siblings in and out.

NOTE - I understand that cell phones/smart watches might be collected at the start of each testing day and returned to the student(s) at the end of each testing day. Cell phones/smart watches must be turned off during testing. For safety purposes, I understand that backpacks are not allowed. Please bring lunch/snack in a clear bag.

Parent's Signature _____ Date _____

Appendix H: Triage Guidelines

Immediate Classification

These students get priority medical care and transportation to an advanced care facility. These victims are critically injured, life threatened, but salvable. They will die within one hour or less without further treatment and require immediate field intervention to survive.

After assignment to the immediate classification, the students are then further divided into two additional groups. The two subgroups are the immediate life threatened, and the potentially life threatened. Injury patterns seen in this group include:

- Head injuries with decreasing level of consciousness:
- Airway/chest injuries with associated cardiorespiratory or respiratory compromise:
- Shock associated with hemorrhage:
- Blunt or penetrating abdominal trauma;
- Life threatening fractures such as femur, pelvic, etc.
- Third degree burns over 25% BSA (body surface area) but under 50% BSA, excluding facial involvement.

Medical problems assigned to the immediate classification include:

- Chest pain not associated with blunt trauma:
- Suspected hypo/hyperglycemia:
- Unconscious without associated trauma:
- Obstetrical problems:
- Seizures with or without trauma:
- Hysterics requiring isolation from others:
- Hypothermia
- Hyperthermia

Delayed Classification

Anyone in this classification is considered to be a lower priority victim. Since this is a two-tiered system, the “delayed” group is a catchall for any victims other than those who are life-threatened or with salvable injuries. Therefore, the injuries seen in this classification include:

- Serious injuries, non-life-threatening, including:
 - Fractures with distal pulse
 - Serious lacerations requiring repair
 - Third-degree burns less than 25% BSA
 - Second-degree burns of any percentage
 - Injuries to the eye
 - Spinal cord injuries
- Minor injuries requiring first aid treatment only and the non-injured. This group will be transported to an ambulatory holding or evacuation center. They do not need to tie up hospital facilities.
- The dead at the scene. These are sent to a common morgue area.
- Critically injured, seriously life-threatened, non-salvable patients.

Appendix I: Suicide Prevention

The publications of many organizations and governmental agencies contain advice for people who are faced with suicidal people. That advice is summarized below.

Do's

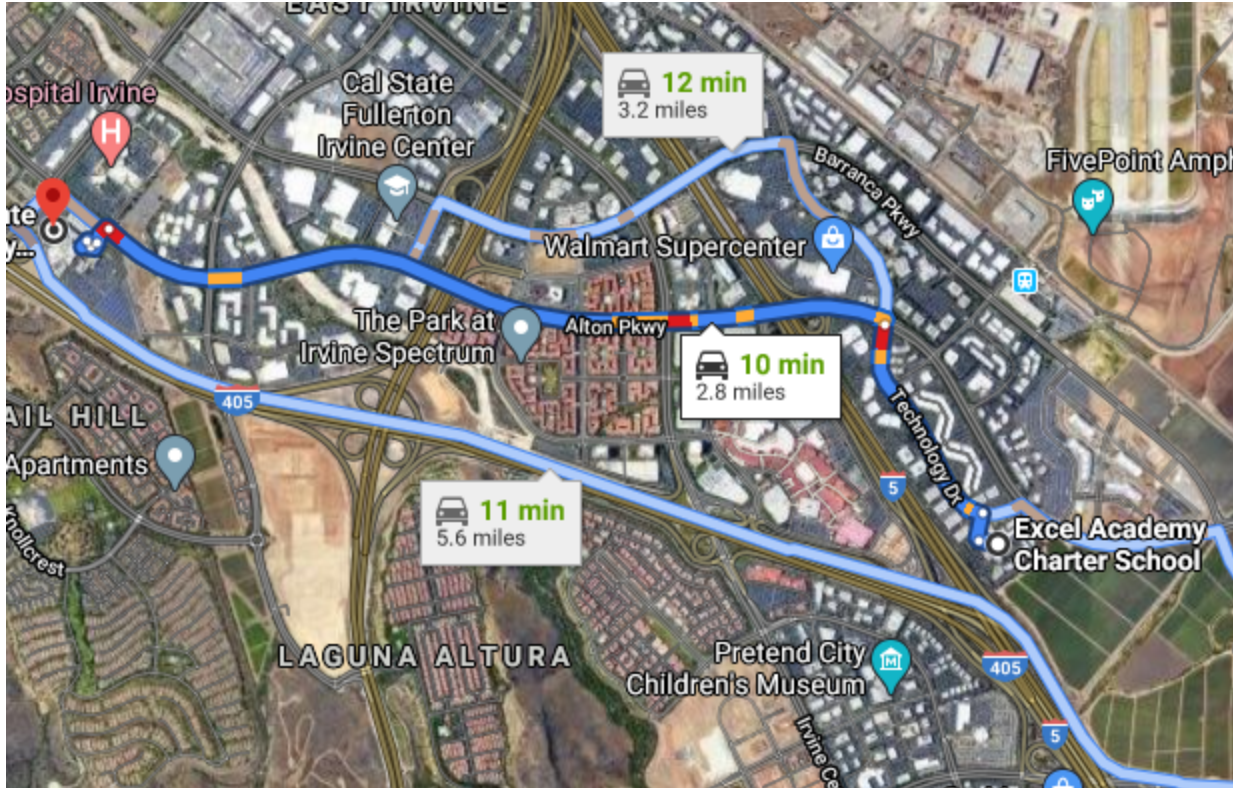
- **Listen** to what the person is saying and take suicidal threats seriously. Many times a person may be looking for just that assurance.
- **Observe** the person's nonverbal behavior. In children and adolescents, facial expressions, body language, and other concrete signs often are more telling than what the person says.
- **Ask** whether the person is really thinking about suicide. If the answer is "YES," ask how they plan to do it and what steps have already been taken. This will convince the person of your attention and let you know how serious the threat is.
- **Get Help** by contacting an appropriate Crisis Response Team member. Never attempt to handle a potential suicide by yourself.
- **Stay** with the person. Take the person to a CRT member and stay with that person for a while. The person has placed trust in you, so you must help transfer that trust to the other person.

Don'ts

- **Don't** leave the person alone for even a minute.
- **Don't** act shocked or be sworn to secrecy.
- **Don't** underestimate or brush aside a suicide threat ("You won't really do it; you're not the type"), or to shock or challenge the person ("Go ahead. Do it"). The person may already feel rejected and unnoticed, and you must not add to the burden.
- **Don't** let the person convince you that the crisis is over. The most dangerous time is precisely when the person seems to be feeling better. Sometimes, after a suicide method has been selected, the person may appear happy and relaxed. You must, therefore, stay involved until you get help.

- **Don't** take too much upon yourself. Your responsibility to the person in a crisis is limited to listening, being supportive, and getting them to a trained professional. Under no circumstances must you attempt to counsel the person.





Appendix J: Excel Academy Office Contact Information

School Year: 2021-2022

Site Name: Excel Academy Charter School

Purpose: Main Excel Academy Offices

Location: 1 Technology Drive Suite I-811 Irvine, CA 92618

Phone: (949) 387-7822

Website: www.excelacademy.education

Email: admissions@excelacademy.education

Site Description:

- Monday through Friday 7am to 4:30pm. Closed all Federal holidays.

Property Managed by:

The Irvine Company
7525 Irvine Center Drive
Irvine, CA 92618
M-F 8am-5:30pm
949-398-8900

24 Hour Security & After Hours: (866) 234-9851
Hazardous Material Reporting: (714) 433-6240
Orange County Fire Authority: (714) 573-6000
Irvine Police Dept. (949) 724-7200
Poison Control (949) 222-1222

Appendix K: Emergency Contact Phone Numbers

1. POISON CONTROL HOTLINE.....(800) 222-1222
2. LA COUNTY DISASTER HOTLINE.....(800) 980-4990
3. AMERICAN RED CROSS.....(661) 267-0650
4. SOUTHERN CALIFORNIA EDISON.....(800) 611-1911
5. SUBURBAN PROPANE.....(661) 942-5117
6. LOS ANGELES COUNTY WATERWORKS.....(877) 637-3661
7. ORANGE COUNTY SHERIFF'S DEPT..... (714) 647-7000
8. LA COUNTY SHERIFF'S DEPARTMENT..... (213) 229-1700

Appendix L: Incident Report



California Pacific Charter Schools • Community Collaborative Schools
Keppel Partnership Academy

EXCEL ACADEMY INCIDENT REPORT

Circle Location of Incident: School Office Test Site Field Trip
 Name of Test Site or Field Trip: _____

Date of Incident:		Student's Name:	Grade:
DOB:	Education Specialist:		School:
Description of Incident:			
Student's signs and symptoms:			
If allergic reaction, actions taken before medication was administered:			
Actions taken, if NOT allergic reaction:			

Person (and title) who called 911:	Time of call to 911:
Medication administered (if allergic reaction):	Dose:
Route:	Time:
Student's response to medication (if allergic reaction):	
Other Medications administered (if allergic reaction):	Dose:
Route:	Time:
Other Interventions or occurrences (if any):	
Time paramedics arrived:	Incident information given by (to paramedics):
Time emergency contact was notified (parent/guardian/etc.):	Name of emergency contact (Parent/guardian/etc.):
Method of notification (phone, text, email, in-person, etc.):	Emergency contact notified by:
Time person was transported to emergency room:	

Parent contacted (phone or in person)	Parent Name:
Parent contact on...	Date: Time:
Report completed by (Print clearly):	
Report completed by (Signature):	
Report completed on (Date):	