



AIMS K-12 College Prep Charter District

Special Board of Directors Meeting

Date and Time

Friday May 4, 2018 at 5:00 PM PDT

Location

171 12th St., Oakland, CA 94607

AIMS does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. Marisol Magana has been designated to receive requests for disability-related modifications or accommodations in order to enable individuals with disabilities to participate in open and public meetings at AIMS. Please notify Marisol Magana at (510) 220-9985 at least 24 hours in advance of any disability accommodations being needed in order to participate in the meeting.

Agenda

	Purpose	Presenter	Time
I. Opening Items			5:00 PM
Opening Items			
A. Call the Meeting to Order			1 m
- Board President, Mr. Steven Leung			
B. Record Attendance and Guests	Vote		2 m
- Roll Call for the directors of the board, and opportunity for introduction of any guest presenters			

	Purpose	Presenter	Time
C. Adoption of Agenda	Vote		2 m
- Board President, Mr. Steven Leung			
D. Public Comment on Agenda Items			10 m
Public Comment on Agenda Items is set aside for members of the Public to address the items on the Board’s agenda prior to each agenda item. The Board of Directors will not respond or take action in response to Public Comment, except that the board may ask clarifying questions or direct staff. <u>Comments are limited to two (2) minutes per person, and a total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes per section).</u>			
II. Closed Session			5:15 PM
A. Public Comment on Closed Session Items	FYI		10 m
Public Comment on closed session items is set aside for members of the Public to address items on the Board’s agenda for closed session. The Board of Directors will not respond or take action in response to Public Comment, except that the board may ask clarifying questions or direct staff. <u>Comments are limited to two (2) minutes per person, and a total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes per section).</u>			
B. Recess to Closed Session	Discuss		45 m
1. Disciplinary Hearing Regarding Incident Involving Student			
C. Reconvene from Closed Session	Vote		2 m
Roll Call			
D. Report from Closed Session	FYI		3 m
- Board President, Mr. Steven Leung			
III. Closing Items			6:15 PM
A. Items for Next Agenda	Discuss		5 m
-			

	Purpose	Presenter	Time
-			
-			
-			
B. Adjourn Meeting	FYI		

Coversheet

Adoption of Agenda

Section: I. Opening Items
Item: C. Adoption of Agenda
Purpose: Vote
Submitted by:
Related Material: 2018-5-4 Special Board Meeting Agenda.pdf

American Indian Model Schools

SPECIAL BOARD MEETING AGENDA

Friday, May 4th, 2018 @ 5:00 pm

171 12th Street

Oakland, CA 94607

I. CALL TO ORDER

II. ROLL CALL

III. ADOPTION OF AGENDA



IV. PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items is set aside for members of the Public to address the items on the Board's agenda prior to each agenda item. The Board of Directors will not respond or take action in response to Public Comment, except that the board may ask clarifying questions or direct staff. **Comments are limited to two (2) minutes per person, and a total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes per section).**

V. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Public Comment on closed session items is set aside for members of the Public to address items on the Board's agenda for closed session. The Board of Directors will not respond or take action in response to Public Comment, except that the board may ask clarifying questions or direct staff. **Comments are limited to two (2) minutes per person, and a total time allotted for all public comment will not exceed thirty (20) minutes (10 minutes per section).**

VI. RECESS TO CLOSED SESSION

1. Disciplinary Hearing Regarding Incident Involving AIMS Student

VII. RECONVENE FROM CLOSED SESSION

VIII. ROLL CALL

XI. REPORT FROM CLOSED SESSION

XII. ADJOURNMENT

NOTICES: The next regular meeting of the Board of Directors Meeting will be held on May 15th, 2018 at 6pm. AIMS does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. Marisol Magana has been designated to receive requests for disability-related modifications or accommodations in order to enable individuals with disabilities to participate in open and public meetings at AIMS. Please notify Marisol Magana at (510)220-9985 at least 24 hours in advance of any disability accommodations being needed in order to participate in the meeting.

I, _____ hereby certify that I posted is agenda at the AIMS Campus 171 12th Street, Oakland, CA 94607 on, _____, at _____ PM Certification of Posting

Coversheet

Recess to Closed Session

Section: II. Closed Session
Item: B. Recess to Closed Session
Purpose: Discuss
Submitted by:
Related Material: HuaJun Situ Disciplinary Hearing Document.pdf
Notice of Disciplinary Hearing for HuaJun Situ.pdf
Certified Receipt for Notice of Disciplinary Hearing.pdf
Signed Notice of Disciplinary Hearing.pdf
Suspension & Expulsion Policy from AIMS Handbook.pdf
Family Handbook 2017-2018中文.pdf



American Indian
Model Schools
A School at Work!

AIPCS I & II
Downtown Oakland Campus

171 12th Street
Oakland, CA 94607

Phone: 510.893.8701
Fax: 510.893.0345
Website: aimschools.org

AIPHS
Lakeview Campus

746 Grand Avenue
Oakland, CA 94610

Phone: 510.893.8701
Fax: 510.893.0345
Website: aimschools.org

Huajun Situ, Yan Fang Chen, and HuanMing Situ
186 6th Street
Oakland, CA 94607

2018年3月22日 星期四

主题： HUAJUN SITU 停学的正式通知

亲爱的 Huajun Situ, Yan Fang Chen, and HuanMing Situ,

经过一番彻底的调查，我校确定你的儿子Huajun在学校被发现他携带一把刀。由于他的行为，我校在决定从3月23日星期五至3月29日星期四让Huajun停课5天。Huajun有可能被允许于4月9日星期一回到学校。

在Huajun的停课处分期间，他不得参与任何课内课外的教学活动，除非得到学校政教处的允许。但是，如果Huajun本人愿意，想要弥补在停课期间落下的功课和。他必须在返校之前到校长办公室报道。

附件是Huajun's的正式停课通知，以及来自我校的一份停课以及开除的规章制度。停课的通知和信函将会同时寄到您家，并且保存在他的学籍档案中。

诚挚的，

PETER HOLMQUIST.

6, 7, 8年级校长

同时发送至： Maya Woods-Cadiz, 政教主任；学籍档案处

附件包括 (2):

停学通知

美国印第安模范学校停学/开除制度,, 2017-2018年美国印第安模范学校教职工手册



美国印第安模范学校
加州奥克兰 94607
2018 年 4 月 3 日

1. 基本信息			
学生姓名:	Huajun	Situ	
家长:	HuanMing	Situ	Yan Fang Chen
地址:	186 6 th Street Oakland, CA 94607		
家庭电话:	(510) 590-8877	工作电话:	(510) 735-3888
年级:	6th	出生日期:	10/22/2006
特殊教育:	是 <input type="checkbox"/> 否 <input checked="" type="checkbox"/>		
入学时间:	08/21/2017		

2. 事实陈述:

在 2018 年三月 22 日星期四下午 1 点 30 左右, 我校教职工体育老师 David Henriquez 正带领他的体育课的学生在 Madison 公园上课。在一个游戏活动中, 一把刀从一个学生的口袋中掉落出来。

Henriquez 老师立即没收了小刀并把所有学生包括质疑藏刀的学生一并带回学校。Coach Henriquez 老师到校之后, 立即把发生的事故报告给中学部的 Holmquist 校。Henriquez 老师即后填写了一份事故的书面报告。带刀的学生被安排坐下, 并写一份事故报告以及带刀经过。同时我校也质问其他在场的学生关于事故的经过。

在学生写完书面报告之后, 中学部校长 Holmquist 跟学生进行一次谈话。并告知学生, 在不谈及用武器造成伤害, 或者意图造成伤害的情况之外。在学校携带武器已经触犯校规, 并导致停学甚至开除的处分。我校在 2018 年 3 月 22 日告知该学生, 他将会被停学 5 天。

因为打印机故障, 事故当天没有给家人发送纸质文件。但于 2018 年 3 月 23 日上午递交给家长。从 3 月 23 日开始, 学生被停学 5 天, 持续到 3 月 29 日, 允许学生可能 2018 年 4 月 9 日春假之后返校 (纪律记录 B. 1.)。 2018 年 3 月 28 日, 学生收到延期停学的通知 (纪律记录 B. 2)。

3. 证人

David Henriquez, 体育老师 (证人陈述 A. 1).
Huajun Situ (证人陈述 A. 2).

4. **学校传播关于规范学生行为的制度:**

我校已经在每个学年开学时候, 明确告知学生关于我校的校纪校规。与此同时, 我校也要求家长阅读并签署我校的学生家长手册

5. 学生 Hua Jun 触犯了以下的校纪校规, 该手册可以在第 4 部分特许学校学生或者家长手册中找到:

危险物品 拥有, 售卖或以其他方式提供枪支, 刀子, 爆炸物或其他危险物品, 除非, 在临时情况下携带该物品, 而且学生已从校长或负责人获得书面许可。

6. **违纪记录:**

该生之前在美国印第安纳特许学校没有违纪记录.

7. **出勤率记录:**

在 2017-2018 学年 Hua Jun 0 次缺课 (出勤记录 Record C.1).

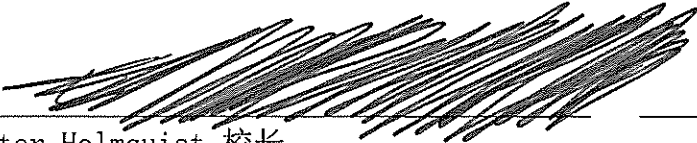
8. **成绩记录:**

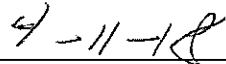
该生目前的加权平均分为 2.78 (成绩记录 D.1).

9. **处罚建议:**

1. 基于以上事实, 我校建议在还未得到医生提供的学生的精神评估之前, 先临时让你学生离开学校。
2. 我校还建议该学生接受合理的检查, 包括他的书包, 私人储物地方以确保没有携带任何伤及学生以及人员财产的武器。

我特此声明, 根据相关信息, 上述内容是真实和正确的。


Peter Holmquist, 校长


日期

附件:

- a) 证人证词
- b) 纪律处分记录
- c) 出勤记录
- d) 学科记录
- e) 停学和开除规定
- f) 证据

2018 年 4 月 3 日

有问题可能被开除的学生

Huajun Situ

一名在美国印第安模范学校第二校区就读的 6 年级学生 (“特许学校”) 由 美国印第安模范学校管理 (“AIMS”)

) 停学延期, 并且建议开除
)
) 联系方式: 电子邮件, 认证的邮件, 要求回函并且亲自递交回
) 函
)
)

致: 学生: Huajun Situ
家长/监护人: HuanMing Situ and Yan Fang Chen
地址: 186 6th Street, Oakland, CA 94607

鉴于, 从 2018 年 3 月 22 日起, 以上提及姓名的学生因为违反校规已经被特许学校停学五天; 并且

鉴于, 我校以告知学生以及学生家长, 该生的听课处分会被延期, 同时我校政教处主任建议开除该学生, 并且

鉴于, 以上提名的学生在该特许学校就读已经确定造成对人员或者财产安全的威胁并打扰到正常教学过程, 并且

鉴于, 我校政教主任建议以上提及姓名的学生因为违反校规校纪, 导致从特许学校开除, 并将学生的停学处分延期, 直到开出过程结束为止。并且,

目前, 以为诸上原因, 学校决定如下:

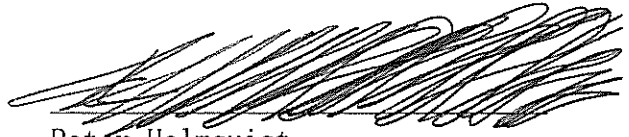
上述的停学处分将延期, 届时会有一个关于开除学生的听证会, 在学校同事会会议之前举行。

请注意 (1) 在处分延期期间, 并且处分之后学校会发放开除学生的通知, 那么学生

不得进入校园内，并且 (2) 学生的家长或者监护人会在开除听证会前的至少十个工作 (10) 日之前收到一份单独的通知告知听证会的时间地点。在听证会上，将会呈现一份处罚结果的文件，以及一些证词和相关的书面证据来指证该学生。

如果您有任何的疑问或者问题，请及时与我校相关负责人员联系。

日期: 4/11/18


Peter Holmquist
6, 7, 8 年级校长



American Indian
Model Schools
A School at Work!

**AMERICAN INDIAN MODEL SCHOOLS
NOTICE OF SUSPENSION**

THE FOLLOWING STUDENT HAS BEEN SUSPENDED FOR VIOLATION OF SCHOOL RULES:

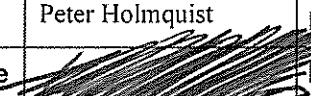
First Name	Huajun	Last Name	Situ
Date of Birth	10/22/2006	Grade	6th
Special Education	Yes__ No <u>x</u>	Sex	Male <u>X</u> Female__
Parent / Guardian	Yan Fang Chen & HuanMing Situ	Phone Number	510-590-8877
Street Address	186 6th st	City, State, Zip	Oakland, CA, 94607
Parent Notified By Phone __	Parent Requested to Call School __	Parent Conference <u>X</u>	
Statement of Facts:	On: 3/22/2018		

The student had a knife at school.

AS A RESULT, YOUR CHILD HAS BEEN SUSPENDED FOR THE FOLLOWING REASONS:

(B) Dangerous Object: 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 the principal or the designee of the principal.

Any of these above offenses may be grounds for expulsion.

Date(s) of suspension:	3/23-3/29/2018	Number of Days:	five (5)
Student may return to school on date:	4/9/2018		
Recommending Administrator	Peter Holmquist	Date	3/22/2018
Head of Division: 6, 7, 8 Signature		Date	04/09/18

AIMS School District Bullying Incident Report Form



For Completion By Student(s), Parent(s)/Guardian(s) and Staff

Directions: If you believe you have been bullied or witnessed bullying, and/or someone has reported to you that they are being bullied, please fill out the form below. If you need more space, please attach additional pages. Submit completed form to the main office of your school, at 171 12th St. Oakland, CA 94607.

Bullying is defined in Education Code 48900(r) as physical or verbal act(s) that is severe or pervasive AND causes one of the following effects on a reasonable student: (1) reasonable fear of harm to person or property; (2) a substantially detrimental effect on physical or mental health; or (3) Substantial interference with academic performance or the ability to participate in school activities.

Today's Date: 4/9/18 School: (AIPCS, AIPCS II, AIPHS) _____

Fields with * are required

PERSON REPORTING INCIDENT:

*Name: David Henriquez *Reporting Person is (place an in the appropriate box): Student Student (witness/bystander) Parent/guardian School staff other _____

*Telephone: () _____ - _____ *Email: david.henriquez@aimschools.org

Signature of person filing this report: _____ date: _____

Form Given to: Jemila Al-Ghani Title: clerk date: 4/9/18

Incident Information: *Describe what happened/what is happening?

Hajiun was at PE and while running a pocket knife fell out of his jacket. Also told and showed students he had it.

When did it happen? Before school During school After school or Unsure

*On what date(s) did the incident happen? Date: 03/22/18 Time: 4th period a.m./ p.m.

Where did it happen? Madison

*How long has this incident been going on? the whole day

Did anybody else witness this incident? If so, who? other students in his class.

Have you told anyone about the incident? Yes No If yes, whom? told administration

-----For Office Use Only-----

Name of person receiving form Jemila Al-Ghani Date received/Time 4/9/18 9:03

"A School At Work"

On Thu, Mar 22, 2018 at 3:34 PM, David Henriquez <david.henriquez@aimschools.org> wrote:

Today at fourth period pe. hua jun from the sixth grade carried and dropped a pocket knife he had in his pocket.

I was first alerted about a pocket knife when trillion (another sixth grader) told me he was threatened with a knife by hua jun.

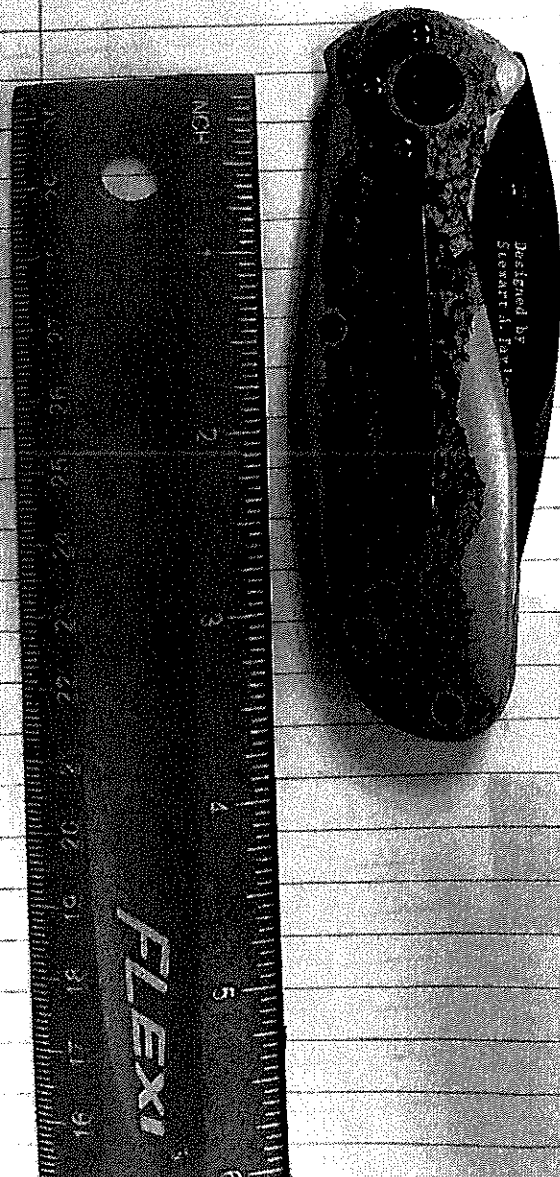
I continued to ask if he said this to trillion and he continued to lie about it, that's when I saw a knife fall from his pocket while he was playing. I confiscated it and immediately brought it to your attention

Thank you,

David

HuaJun Sity 2/23/18

I was at P.E. when I found my brother's pocket knife where my brother dropped it, then, I started to play football, I ran to catch the foot ball when the pocket knife fell out of my pocket.



- student said his brother dropped it on Saturday
- student found it at Madison park today (the following Thursday)
- CA Ed. Code - blades 2.5 or longer require expulsion ~~or~~ hearing.
- Knife blade is over 2.5 inches

3/23/2018

Log Entries

School: American Indian Public Charter School II Term: 17-18 Third Quarter

Log Entries

Situ, Huajun 6 12110 AIPC2

.....
Edit Discipline Alert

Date Description

03/23/2018 Al-Ghani, Jemila - **Weapon Possession** - "Today at fourth period pe, hua jun from the sixth grade carried and dropped a pocket knife he had in his pocket. I was first alerted about a pocket knife when trillion (another sixth grader) told me he was threatened with a knife by hua jun. I continued to ask if he said this to trillion and he continued to lie about it, that's when I saw a knife fall from his pocket while he was playing. I confiscated it and immediately brought it to your [Mr. Holmquist] attention" -David Henriquez (PE Coach)

3/22/2018

Meeting Attendance

School: American Indian Public Charter Sch

Attendance

Situ, Huajun 6 12110 AIPC2

Meeting

Course	Expression	8/21-8/25					8/28-9/1					9/4-9/8					9/11-9/15					9/18-9/22					9/25-9/29					10/2-10/6					10/9-10/13				
		M	T	W	H	F	M	T	W	H	F	M	T	W	H	F	M	T	W	H	F	M	T	W	H	F	M	T	W	H	F	M	T	W	H	F	M	T	W	H	F
Home Room 6 Sharpe, Charlton E: 08/21/2017 L: 08/15/2018	HR(MW-F)																																								
Math Sharpe, Charlton E: 08/21/2017 L: 08/15/2018	MAT(MW-F)																																								
Language Arts Vasquez, Morning Star E: 08/21/2017 L: 08/15/2018	ENG(MW-F)																																								
Science Sharpe, Charlton E: 08/21/2017 L: 08/15/2018	SCI(MW-F)																																								
Ancient Civilizations Vasquez, Morning Star E: 08/21/2017 L: 08/15/2018	HIS(MW-F)																																								
Physical Education Esola, Michael E: 08/21/2017 L: 08/15/2018	PE(MW-TTH)																																								
Mandarin Yu, Katherine E: 08/21/2017 L: 08/14/2018	FLA(MW)																																								
Elective Sharpe, Charlton E: 08/25/2017 L: 01/20/2018	ELC(F)																																								
Course	Expression	10/23-10/27					10/30-11/3					11/6-11/10					11/13-11/17					11/20-11/24					11/27-12/1					12/4-12/8					12/11-12/15				
Home Room 6 Sharpe, Charlton E: 08/21/2017 L: 08/15/2018	HR(MW-F)																																								
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Course	Expression	12/25-12/29					1/1-1/5					1/8-1/12					1/15-1/19					1/22-1/26					1/29-2/2					2/5-2/9					2/12-2/16				
Home Room 6 Sharpe, Charlton E: 08/21/2017 L: 08/15/2018	HR(MW-F)																																								
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3/22/2018

Meeting Attendance

Course	Expression	2/26-3/2		3/5-3/9		3/12-3/16		3/19-3/23		3/26-3/30		4/2-4/6		4/9-4/13		4/16-4/20					
		M	T	W	H	F	M	T	W	H	F	M	T	W	H	F	M	T	W	H	F
Physical Education Esola, Michael E: 08/21/2017 L: 06/15/2018	PE(MW-TTH)																				
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Mandarin Yu, Katherine E: 08/21/2017 L: 06/14/2018	FLA(MW)																				
Elective Sharpe, Charlton E: 08/25/2017 L: 01/20/2018	ELC(F)																				
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Science Sharpe, Charlton E: 08/21/2017 L: 06/15/2018	SCI(MW-F)																				
Ancient Civilizations Vasquez, Morning Star E: 08/21/2017 L: 06/15/2018	HIS(MW-F)																				
Physical Education Esola, Michael E: 08/21/2017 L: 06/15/2018	PE(MW-TTH)																				
Mandarin Yu, Katherine E: 08/21/2017 L: 06/14/2018	FLA(MW)																				
Elective Sharpe, Charlton E: 08/25/2017 L: 01/20/2018	ELC(F)																				

Attendance Codes:
 =Present | T=Tardy | A=Absent | AE=Absent Excused | TE=Tardy Excused | TT=Tardy Truant | IS=In School Suspension | OS=Out of School Suspension |



**TRANSCRIPT OF STUDENT PROGRESS
2017-2018**

American Indian Public Charter School II
171 12th Street, Oakland, CA 94607
510-893-8701
<http://www.aimschools.org/>

Huajun Situ	Course Name	Grade	S1	Credit	S2	Credit
Student Number: 12110 Birth Date: 10/22/2006 Gender: M Address: 186 6th st City: Oakland Zip: 94607 Home Phone: Mother: Chen, Yan Fang Father: HuanMing Situ Guardian: Current Teacher: Grade: 6	17-18 American Indian Public Charter School II Ancient Civilizations Language Arts Mandarin Math Physical Education Science	6 6 6 6 6 6 6	C B- C B A- A	5 5 5 5 5 5		
Current Yr Attendance						
Days Enrolled: 128 Absences: 0 Tardies: 3						
Test Scores						

School Official

Run Date: 03/22/2018

American Indian Model Schools

4/24/2018

In the Matter of the Possible Expulsion of)	NOTICE OF DISCIPLINARY
)	HEARING
Huajun Situ)	
)	
a 6 th grade pupil enrolled at AMERICAN INDIAN)	
PUBLIC CHARTER SCHOOL II , (“Charter School”))	<u>SENT VIA: REGULAR AND</u>
administered by American Indian Model Schools)	<u>CERTIFIED MAIL, RETURN-</u>
(“AIMS”))	<u>RECEIPT REQUESTED</u>
)	

To: Pupil: **Huajun Situ**
Parent/Guardian: **Yan Fang Chen & HuanMing Situ**
Address: **186 6th Street Oakland, CA 94607**

PLEASE TAKE NOTICE that the Governing Board (“Board”) of the Charter School intends to convene a hearing closed to the public on **Friday, May 4th, 2018 at 5:00 pm** in **The Board Meeting Room** located on the 3rd floor at **171 12th St. Oakland CA, 94607** for the purpose of considering the possible expulsion of the above-named pupil, **Huajun Situ**, (hereinafter “Pupil”). The recommendation for possible expulsion is based upon the pupil’s violation of the suspension/expulsion rules as set forth in the Charter School’s suspension/expulsion rules contained within the Charter and Student/Parent Handbook.

The facts supporting the recommendation are as follows:

The pupil had a knife at school

Based upon the foregoing facts, the above constitute violations of the Charter School’s suspension/expulsion rules contained with the Charter and Student/Parent Handbook, specifically:

- 1. Dangerous Object: 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 the principal or the designee of the principal.**

If you desire the hearing to be open to the public, you or any of you may, within five (5) days of the scheduled date for the hearing, serve upon the Superintendent or Designee, a request, in writing, that the hearing of the Board be open to the public. The person representing the Pupil may request one continuance and reset the hearing date for not more than thirty (30) calendar days from the date of the original hearing. Immediately after the granting of a continuance, the Executive Director or Designee shall confirm the new hearing date in writing to the pupil and his parent or guardian, or his attorney, or other representative, if any.

YOU AND EACH OF YOU ARE INVITED TO BE PRESENT at the hearing, whether it be conducted as a

closed or a public meeting. You will be given a full opportunity to question any witness who gives oral testimony against the Pupil and may present witnesses and/or written evidence on behalf of the Pupil. The Pupil may, but need not be, represented by an attorney at the hearing. If an attorney is to represent the Pupil you shall notify the Executive Director or Designee at least seventy-two (72) hours before the hearing.

You have the right to inspect and obtain copies of all documents to be used at the hearing. For your convenience, a copy of these documents is enclosed with this Notice as Exhibit A. The person(s) who made the written declaration(s), or who orally gave information contained in the reports, or who gave the information contained in the other documents may not necessarily be present at the hearing to testify orally. You will not be able to question them unless, within four (4) days after the receipt of this notice, you file with the Executive Director or Designee a written request that the Charter School issue an invitation to these persons to be present at the hearing to testify orally. You must set forth the name, and if possible, the address of each person to be invited. However, under no circumstances can a witness be made to testify.

Where the hearing is conducted in closed or open session, a record of the oral proceedings, but not the deliberations of the Board, shall be preserved. Preservation may be by means of a tape recorder. If a tape recorder is used, those present shall be required to give their names. The minutes of the meeting shall contain a record of all persons present at the hearing.

Whether the hearing is conducted in closed or public session, a final action to expel shall be taken by the Governing Board of the Charter School at a public meeting.

The Charter School will serve the Pupil and his parent or guardian with a notice of the action taken by the Board. Such notice will be sent by certified mail, return-receipt requested, addressed to them at the latest address on file with the Charter School.

If at any time you opt to enroll Pupil in a different school, please be advised that you have an obligation to provide information about Pupil’s status at the Charter School to any other school district or school in which Pupil seeks enrollment, including that Pupil has been recommended for expulsion.

Attached and incorporated herein as “Exhibit A, Documentary Evidence,” you will find copies of all relevant documentary evidence to be introduced at the hearing by the School.

Dated: _____

Signed: _____

Peter Holmquist

Attachments:

- 1) Documentary Evidence
 - a) Notice of Suspension
 - b) Recommendation for Expulsion
 - c) Notice of Extension of Suspension
 - d) Incident Report
 - e) Written Statements
 - f) Pupil Statement
 - g) Photographic Evidence
- 2) Disciplinary Record
- 3) Attendance Record
- 4) Academic Record
- 5) Charter School Disciplinary Policy as set forth in the Charter and/or Student/Parent Handbook

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YOUR OPINION COUNTS

Bill #: 840-59450096-6-2874497-2
 Clerk: 26

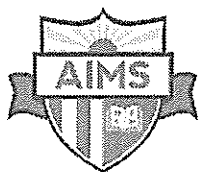
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(Thursday 04/26/2018)
 First-Class 1 \$2.89
 Mail
 Large Envelope
 (Domestic)
 (OAKLAND, CA 94607)
 (Weight:0 Lb 9.60 Oz)
 (Estimated Delivery Date)
 (Thursday 04/26/2018)
 First-Class 1 \$2.05
 Mail
 Large Envelope
 (Domestic)
 (RICHMOND, CA 94801)
 (Weight:0 Lb 5.40 Oz)
 (Estimated Delivery Date)
 (Thursday 04/26/2018)
 First-Class 1 \$2.05
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 (Domestic)
 (OAKLAND, CA 94607)
 (Weight:0 Lb 5.30 Oz)
 (Estimated Delivery Date)
 (Thursday 04/26/2018)
 Certified 1 \$3.45
 (@@USPS Certified Mail #)
 (70171450000184905082)

Total \$12.28
 Credit Card Remitd \$12.28
 (Card Name:VISA)
 (Account #:XXXXXXXXXXXX8014)
 (Approval #:079087)
 (Transaction #:401)
 (Entry Mode:Chip)
 (AID:A000000003101001)
 (Application Label:VISA CREDIT)
 (PIN:PIN Not Required)
 (Transaction ID:AF452568BFD50F6A)



American Indian Model Schools

A School at Work!

AIPCSI & II

AIPHS

Downtown Oakland Campus

Lakeview Campus

171 12th Street
Oakland, CA 94607

746 Grand Avenue
Oakland, CA 94610

Phone: 510.893.8701

Phone: 510.893.8701

Fax: 510.893.0345

Fax: 510.893.0345

Website: aimschools.org

Website: aimschools.org

4/24/2018

In the Matter of the Possible Expulsion of)
)
Huajun Situ)
)
a 6th grade pupil enrolled at AMERICAN INDIAN)
PUBLIC CHARTER SCHOOL II, ("Charter School"))
administered by American Indian Model Schools)
("AIMS"))
)

NOTICE OF DISCIPLINARY HEARING

SENT VIA: REGULAR AND CERTIFIED MAIL, RETURN-RECEIPT REQUESTED

To: Pupil: **Huajun Situ**
Parent/Guardian: **Yan Fang Chen & HuanMing Situ**
Address: **186 6th Street Oakland, CA 94607**

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YOU AND EACH OF YOU ARE INVITED TO BE PRESENT at the hearing, whether it be conducted as a closed or a public meeting. You will be given a full opportunity to question any witness who gives oral testimony against the Pupil and may present witnesses and/or written evidence on behalf of the Pupil. The Pupil may, but need not be, represented by an attorney at the hearing. If an attorney is to represent the Pupil you shall notify the Executive Director or Designee at least seventy-two (72) hours before the hearing.

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Whether the hearing is conducted in closed or public session, a final action to expel shall be taken by the Governing Board of the Charter School at a public meeting.

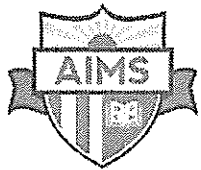
The Charter School will serve the Pupil and his parent or guardian with a notice of the action taken by the Board. Such notice will be sent by certified mail, return-receipt requested, addressed to them at the latest address on file with the Charter School.

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Attached and incorporated herein as "Exhibit A, Documentary Evidence," you will find copies of all relevant documentary evidence to be introduced at the hearing by the School.

Dated: 4/24/18

Signed: 
Peter Holmquist, Head of Division: 6th, 7th, 8th



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Model Schools
A School at Work!

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- 5) Charter School Disciplinary Policy as set forth in the Charter and/or Student/Parent Handbook

SUSPENSION & EXPULSION POLICY

All schools within the AIMS family (AIPCS, AIPCS II, and AIPHS) adhere to the following procedures with regard to student suspension and expulsion. Though the AIMS administration is permitted a certain level of discretion in determining the appropriate disciplinary actions on a case-by-case basis, all schools operate within certain parameters. Those parameters are outlined in this policy and are aligned with Section 48900 and 48915 of the California Education Code.

A pupil may be suspended or expelled for acts that are enumerated herein and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

1. While on school grounds.
2. While going to or coming from school.
3. During the lunch period whether on or off the campus.
4. During, or while going to or coming from, a school-sponsored

activity. Suspension/Discretionary Expulsion Conduct

- I. The Head of School or designee may suspend from school or recommend for expulsion a pupil if he or she determines that the pupil has committed one of the following acts:
 - (A) **Physical Injury or Violence:** Caused, attempted to cause, or threatened to cause physical injury to another person; or willfully used force or violence upon another person, except in self-defense. A pupil who aids or abets in infliction of physical injury to another may be suspended but not expelled.
 - (B) **Dangerous Object:** 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 the principal or the designee of the principal.
 - (C) **Drugs or Alcohol:** 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.
 - (D) **Look-Alike Substance:** 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 a replica substance.
 - (E) **Robbery/Extortion:** Committed or attempted to commit robbery or extortion.

- (F) Property Damage/Vandalism: Caused or attempted to cause damage to school property or private property, including electronic files and databases.
- (G) Theft: Stolen or attempted to steal school property or private property.
- (H) Tobacco: 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.
- (I) Obscenity/Profanity/Vulgarity: Committed an obscene act or engaged in habitual profanity or vulgarity.
- (J) Drug Paraphernalia: Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia.
- (K) Disruption: 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.
- (L) Receipt of Stolen Property: Knowingly received stolen school property or private property.
- (M) Imitation Firearm: Possessed an imitation firearm. As used in this section, “imitation firearm” means 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) Sexual Assault/Battery: Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (O) Witness Harassment or Intimidation: Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (P) Prescription Drug Soma: Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (Q) Hazing: Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.

For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

- (R) **Bullying/Electronic:** Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined herein, directed specifically toward a pupil or school personnel.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils directed toward one or more pupils or school personnel that has or can be reasonably predicted to have the effect of one or more of the following:
 - a. Placing a reasonable pupil or school personnel in fear of harm to that pupil’s or school personnel’s person or property.
 - b. Causing a reasonable pupil or school personnel to experience a substantially detrimental effect on his or her physical or mental health.
 - c. Causing a reasonable pupil to experience substantial interference with his or her academic performance, or school personnel with his or her job performance.
 - d. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - 2) “Electronic act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - a. A message, text, sound, 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. “Burn page” means an Internet Web site created for the purpose of bullying.
 - ii. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “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 paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- 3) “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 his or her age, or for a person of his or her age with his or her exceptional needs.
- (S.) Sexual Harassment. The pupil has committed sexual harassment. The harassing conduct 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.
 - (T.) Hate Violence. The pupil has caused, attempted to cause, threatened to cause, or participated in a “hate crime.” “Hate crime” means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: disability, gender, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.
 - (U.) Harassment, Threats, or Intimidation. The pupil has intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment.
 - (V.) Terroristic Threats: The pupil has made terroristic threats against school officials or school property, or both. For the purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

- II. Parent/Guardian will be notified in all cases of violations.

- III. Administration will determine punishment based upon the following criteria:
 - A. Seriousness of offense
 - B. Circumstances of situation
 - C. Student's prior disciplinary records
 - D. Any other extenuating circumstances

Suspension Procedures

1. The site leaders are afforded a great deal of discretion by the AIMS Governance Board and the Superintendent in determining appropriate punishments, unless a mandatory expulsion offense is identified. Even if suspension is deemed appropriate, the site administrator may opt for supervised in-school suspension.
2. If the Head or designee determines that suspension is appropriate, a school employee shall make a reasonable effort to contact the pupil's parent or guardian in person or by telephone. Whenever a pupil is suspended from school, the parent or guardian shall be notified in writing of the suspension.
3. The Head or designee shall report the suspension of the pupil, including the cause therefore, to the Superintendent and AIMS governing board.
4. A parent conference will be scheduled to discuss the matter with the Head of Schools or designee. Whenever practical, the teacher or staff member who witnessed the offense will also be present. At this conference, the administration and the parent or guardian will discuss the causes, duration, school policy involved, and any other matters pertinent to the suspension.

Any pupil who is suspended for five days or fewer must complete all assignments and tests missed during the suspension within three school days of their return. Any pupil who is suspended for more than five days will have five school days after their return to complete all assignments and tests missed during suspension. **Administration has the authority to lengthen the amount of time a pupil has to make-up his or her work, as appropriate in a given situation.** Assignments submitted late will receive **no credit**.

Recommended Expulsion

The Head will recommend the expulsion of any pupil who commits any of the following acts at school or at a school activity off school grounds, unless he or she determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any controlled substance, except for either of the following:
 - a. The first offense for the possession of not more than one ounce of marijuana.
 - b. The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
4. Robbery or extortion.
5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

Mandatory Expulsion

The Head or designee must immediately suspend and recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of the school. The act of possessing an imitation firearm is not an offense for which suspension or expulsion is mandatory but it is an offense for which suspension, or expulsion may be imposed.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

The governing board shall order a pupil expelled upon finding that the pupil committed an act requiring mandatory expulsion.

Recommended vs. Mandatory Expulsion

<i>Recommendation for expulsion</i>	<i>Mandatory Expulsion</i>
Causing serious physical injury to another person, except in self-defense.	Possessing, selling, or otherwise furnishing a firearm.
Possession of any knife or other dangerous object of no reasonable use to the pupil.	Brandishing a knife at another person.
Unlawful possession of a controlled substance.	Unlawfully selling a controlled substance.
Robbery or extortion.	Committing or attempting to commit a sexual Assault.
Assault or battery upon any school employee.	Possession of an explosive.

Administrative Procedures and Investigation of Pupil Offenses

1. Students who commit offenses that result in a recommendation for expulsion or mandatory expulsion, or whose conduct falls under “Suspension/Discretionary Expulsion” (excluding disruption or defiance) will be referred to the Head of Schools or designee. If a teacher observes disruptive or defiant conduct, the teacher will make a determination as to whether or not administrative intervention is required. Otherwise, they may follow the school’s discipline policies to ensure proper student conduct.
2. To determine whether or not an offense meets the guidelines for suspension or expulsion, the Superintendent and the Head of School or designee will meet with the pupil and school employee who referred the pupil for discipline. At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to respond. If an “emergency situation” exists, the pupil may be excluded from this meeting. “Emergency situation” means a situation determined by the Head of School or designee to constitute a clear and present danger to the life, safety, or health of pupils or school personnel. If a pupil is suspended without a conference before suspension, both the parent and the pupil shall be notified of the pupil’s right to a conference.
3. Unless an offense results in a recommendation for expulsion or mandatory expulsion, as a matter of policy, American Indian Model Schools consider suspension and discretionary expulsion a punishment of last resort. Suspension and discretionary expulsion shall be imposed only when other means of correction fail to bring about proper conduct. Therefore, our schools will first consider the appropriateness of other disciplinary avenues before suspending or expelling a student.
4. If a pupil has committed a suspension-eligible offense, then the Head s has the authority to recommend expulsion. Expulsion will be used as a tool of last resort for students whose conduct is so egregious that it is unlikely to be changed by any other means and whose behavior poses a threat to the safety of a member of the school community or significantly limits the ability of other students to effectively learn.
5. In addition to any school action, suspected criminal activity will be reported to the police and appropriate legal consequences may result.
6. For purposes of notification to parents, and for the reporting of expulsion or suspension offenses to the CDE, American Indian Model Schools will identify, by offense committed, in all appropriate records of a pupil each suspension or expulsion of that pupil.

7. AIMS will notify the District of Residence within 30 days of all transfers, disciplinary or not. For all students who are expelled, the school will contact the District of Residence to notify them of the terms of the expulsion.

Expulsion Hearings and Process

1. The Superintendent decides whether or not to recommend expulsion to the Board.
2. Within 30 school days of a recommendation for expulsion, the Board will hold a hearing to determine if it is appropriate to expel the pupil. The pupil may request, in writing, a postponement of no more than 30 calendar days. Any additional postponement may only be granted at the discretion of the Board.
3. Within 10 school days after the conclusion of the hearing, the Board shall decide whether to expel the pupil.
4. If compliance by the Board with the time requirements for the conducting of an expulsion hearing under this subdivision is impracticable, the Superintendent may, for good cause, extend the time period for the holding of the expulsion hearing for an additional 5 school days.
5. Written notice of the hearing shall be forwarded to the pupil at least 10 calendar days prior to the date of the hearing and shall include:
 - a. The date and place of the hearing.
 - b. A statement of the specific facts and charges upon which the proposed expulsion is based.
 - c. A copy of the disciplinary rules of the school district that relate to the alleged violation.
 - d. A notice of the parent, guardian, or pupil's obligation upon enrollment in another school district to inform the receiving school district of his or her status with the previous school.
 - e. Notice of the opportunity for the pupil or the pupil's parent or guardian to appear in person or to be represented by legal counsel or by a non-attorney adviser, to inspect and obtain copies of all documents to be used at the hearing, to confront and question all witnesses who testify at the hearing, to question all other evidence presented, and to present oral and documentary evidence on the pupil's behalf, including witnesses.

6. The Board shall conduct a hearing to consider the expulsion of a pupil in a session closed to the public, unless the pupil requests, in writing, at least five days before the date of the hearing, that the hearing be conducted at a public meeting. Regardless of whether the expulsion hearing is conducted in a closed or public session, the Board may meet in closed session for the purpose of deliberating and determining whether the pupil should be expelled.
7. A record of the hearing shall be made. The record may be maintained by any means, including electronic recording, so long as a reasonably accurate and complete written transcription of the proceedings can be made.
8. Technical rules of evidence shall not apply to the hearing, but relevant evidence may be admitted and given probative effect if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. A decision of the Board to expel must be supported by substantial evidence showing that the pupil committed the act(s) of which he or she is accused.
9. The final action to expel a pupil shall be taken only by the Board in a public session. Written notice of any decision to expel or to suspend the enforcement of an expulsion order during a period of probation must be sent by the superintendent or his or her designee to the pupil or the pupil's parent or guardian.
10. The Board shall maintain a record of each expulsion, including the cause therefore. Records of expulsions shall be a non-privileged, disclosable public record. The expulsion order and the causes therefore shall be recorded in the pupil's mandatory interim record and shall be forwarded to any school in which the pupil subsequently enrolls upon receipt of a request from the admitting school for the pupil's school records.

Suspending an Expulsion Order

- The Board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the pupil has satisfactorily completed the rehabilitation program.

- During the period of the suspension of the expulsion order, the pupil is deemed to be on probationary status. The Board may revoke the suspension of an expulsion order under this section if the pupil commits any of the acts designated as Suspension/Discretionary Expulsion Conduct or violates any of the school's rules and regulations governing pupil conduct. When the Board revokes the suspension of an expulsion order, a pupil may be expelled under the terms of the original expulsion order.
- Upon satisfactory completion of the rehabilitation assignment of a pupil, the Board shall reinstate the pupil and may also order the expungement of any or all records of the expulsion proceedings.

Readmission to the Charter

- An expulsion order shall remain in effect until the Board orders the readmission of a pupil. At the time an expulsion of a pupil is ordered for an act other than Mandatory Expulsion Conduct, the Board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred, when the pupil shall be reviewed for readmission. For a pupil who has been expelled for an act of Mandatory Expulsion Conduct, the Board shall set a date of one year from the date the expulsion occurred, when the pupil shall be reviewed for readmission, except that the Board may set an earlier date for readmission on a case-by-case basis.
- The Board shall recommend a plan of rehabilitation for the pupil at the time of the expulsion order, which may include, but not be limited to, periodic review as well as assessment at the time of review for readmission. The plan may also include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs.
- Any pupil who has been expelled and who seeks readmission, must submit a request to the Superintendent in writing no more than 21 (but no less than 7) calendar days before the end of the term of the expulsion. In addition, the pupil must provide documentation that all conditions for rehabilitation set by the Board have been met.

- Upon completion of the readmission process, the Board shall readmit the pupil, unless the Board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other pupils or employees of the school. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered.

- If the Board denies the pupil's request for readmission, the Board shall provide written notice to the expelled pupil and the pupil's parent or guardian describing the reasons for denying the pupil readmittance into the school.

停课以及开除规定

所有美国印第安模范学校包括第一第二校区以及高中部都将严格遵守学生休学或者开除的程序，尽管每个学校的管理人员都有权给予学生特定的纪律惩罚，但是每个具体情况还需要按照第48900和48915来决定

学生被开除的时间会被包括上课间活动，以及任何的出勤，但不限于以下任何一项：

1. 在校内。
2. 上学去或放学。
3. 在午餐时间或校外。
4. 在即将或者正在进行的学校举办的活动

停学/违纪处分，开除条款

I. 如果学生触犯以下行为，学校校长有权劝退或者开除学生：

- (A) 人身伤害或暴力：引起，或者试图引发，以及造成或威胁到他人身体健康，或者故意使用武力或者暴力除了正当防卫之外，学生协助或者教唆对他人造成人生伤害的，会被休学但并不会被开除。
- (B) 危险物品：聚众，出售，或以其他方式提供枪支，刀，易爆或其他危险物体除非在需要使用该物品的情况下，学生必须向校长获取书面的许可。
- (C) 毒品或酒精：擅自占有，使用，销售或以其他方式私藏，或者导致毒瘾发作或者酒醉。
- (D) 外观类似物危险质：擅自提供，安排，或协商出售受控物质，酒精饮料，或任何形式的含酒精饮品，要么和出售，交付或以其他方式给人发放类似危险品。
- (E) 抢劫/敲诈：或企图实施抢劫勒索等。
- (F) 财产损失/破坏行为：造成或企图导致学校财产或私人财产，包括电子文件和数据库的破坏。
- (G) 盗窃：盗窃或试图盗窃学校财产或私人财产。
- (H) 烟草：管有或使用烟草或含有烟草或尼古丁产品，包括但不限于香烟，雪茄，雪茄，丁香香烟，无烟烟草，鼻烟，嚼包。
- (I) 猥亵/亵渎/引起不适的行为：犯有猥亵行为或从事习惯性的亵渎或粗俗。
- (J) 吸毒用具：擅自占有或非法提供，安排，或协商出售吸毒用具。

- (K) 干扰：打乱学校的活动或以其他方式故意违抗，教师，管理人员，学校教职，或从事其履行职责的其他学校人员的有效授权。
- (L) 失物收据：明知收到被盗学校财产或私人财产扔占为己有。
- (M) 仿制火器：仿制枪支。在本节中，“仿制火器”是指枪支等有类似功能的武器，并引起恐慌。
- (N) 性侵害犯罪/殴打：或企图犯下如刑法第261, 266C, 286, 288, 288A, 289或定义或承诺性的电池作为刑法第243.4定义的性侵犯。
- (O) 见证骚扰和恐吓：骚扰，威胁或恐吓的学生谁是抱怨证人或在学校纪律处分程序为目的的证人要么阻止该学生从一个证人或打击报复的学生，作为一个见证者，或两者。
- (P) 处方药：擅自提供，安排销售，谈判出售，或出售处方药。
- (Q) 折磨：从事或企图，参与折磨学生。对于这个定义的分， “折磨”是指启动或预启动的方法进入学生组织或机构，不论该组织或机构是否是一个教育机构，一旦给学生带来身体或者精神上的伤害。也包括在该事件发生之前，之时或者之后收到伤害的学生。但是不包括学生在体育赛事或者体育制裁事件。
- (R) 欺凌/网络霸凌：欺凌，包括行为，但不限于，通过电子行为的手段欺凌，如本文所定义，特别是对学生或学校工作人员。包括以下一个或者多个行为：
 - a. 使学生或学校人员身处一个害怕自身财产和安全收到威胁的处境。
 - b. 事件后果造成学生或者学校工作人员时候有身心不适的影响。
 - c. 影响到学生的学习成绩学习过程或者教职人员的工作。
 - d. 阻碍学生从活动，学习，服务或者各类事件中获得本该获取的利益。

- 2) “电子的行为网络霸凌”是指创建或者传播在校内外网站上，由电子设备的装置，包括但不限于电话，无线电话，或其他无线通信设备，计算机，或寻呼机，通信工具，包括但不限于以下任一：
- i. 消息，文字，声音或图像。
 - ii. 上社交网络的互联网网站，包括但不限于：
 - iii. 发布或创建一个很火爆的页面。并以欺凌的目的而创建一个互联网网站。
 - iv. 以冒名顶替的方式，对一个学生造成以上影响之一。冒名顶替定义为在未告知或者未经别人允许的情况下。学生冒充另外一名学生对其它学生欺凌的行为。
 - v. 创建虚假的个人主页并有一个或者多个段落不实的介绍或者编造一些类似甚至虚假的信息。

(S) 性骚扰。学生造成性侵犯行为。指的是同性学生之间，受害者受到严重的负面影响导致成绩下降，学习退步。侵犯的一方激怒，敌对，以及影响对方学习环境。

(T) 仇视暴力。学生已经造成，企图造成，威胁造成，或参与了“仇恨犯罪”，“仇恨犯罪”是指犯罪行为犯，在全部或部分，因为一个或多个以下的实际或感知的特征受害者：残疾，性别，国籍，种族或民族，宗教，性取向，或联合的个人或团体与一个或多个的行为特征。

(U) 骚扰，威胁，或恐吓。学生有意从事骚扰，威胁或恐吓，针对一名学生或一群学生。这是足够严重或普遍有实质性破坏的。打扰课堂活动，制造严重秩序混乱，影响正常教学秩序，并制造敌对环境的行径。

(V) 恐怖威胁：学生已造成对抗学校官员或学校财产，或两者恐怖威胁。就本条而言，“恐怖威胁”应包括任何声明，无论是书面的还是口头的，由个人引起故意威胁犯罪，导致死亡，重大人身伤害他人，或财产损失超过一千美元（\$ 1,000），与特定意图的声明被视为一种威胁，即使没有实际执行它，它在表面或者事故的后果，结果都是一样的。无条件，立即和具体的传达给受到威胁的人，目的重力和威胁执行，从而会导致他人合理地在持续的恐惧，他或她自己的安全或他或她的直系亲属的安全，或为保护学校小区物业的，或该人的个人财产受到威胁或他或她的直系亲属。

II. 家长或者监护人必须通知学校任何程度的暴力行为

III. 学校领导将按照以下标准对学生进行处罚

- (A) 犯罪的严重性
- (B) 形势情况
- (C) 学生事先纪律记录
- (D) 任何其他情有可原的原因

休学程序

1. 学校校长对我校的管理以及学生惩处有着决定性权利。除非有其它强制性异议。即便校长已经做出合理的开除程序，学校政教主任仍有权利选择对学生留校察看。
2. 如果校长或者负责人决定休学学生是合理的处理方法，那么教职员需要立即与学生家长电话联系。无论学生是否已经被学校休学，学校应该以书面的形式通知家长该生被休学的事宜。
3. 校长和负责人应该把休学学生的原因和被休学学生的信息报告给学校董事会以及政教主任。
4. 我校将会针对被休学的学生召开家长会。会上，我校会邀请老师，教职员或者是相关证人出席。在会议上，学校负责人将会和学生家长讨论整件事情的原因经过以及触犯了那些校纪校规。

任何休学五天以内的学生，在返校后三天之内必须完成错过的考试和测验。如果学生休学超过五天以上将会有五天的时间去完成错过的考试和测验。在补考时，学校管理人员将有权决定学生的考试时间。**如果学生在规定时间之内未能完成考试的，将无法拿到成绩。**

建议开除

如果任何学生有下列行为的，在校违反校规校纪或者在课外活动上有违纪行为，我校校长将会建议开除此学生，除非该学生因为学习因素需要考虑不被开除或者学生做出有意义的改正行为：

5. 在非正当防卫的情况下，导致他人受伤

- 6. 在无理由的情况下，携带刀具或者危险物品
- 7. 非法使用以下物品，但不包括：
 - a. 第一次携带不超过一盎司的大麻
 - b. 使用非处方或者处方类适龄学生用药
 - c. 抢劫和勒索。
- 8. 攻击或者殴打任何教职员，校规第 240 和 242 条

强制开除

学校领导应立即将在校内或者校外触犯以下行为的学生开除。

- 9. 持有，出售，或以其他方式持有家用枪支。除非持有的枪支得到学校的工作人员的许可，允许带入学校。使用仿真枪支虽然不构成强制开除的违纪，但是如果仿真枪支造成对他人伤害也会导致强制开除。
- 10. 对他人挥舞刀具
- 11. 非法销售受管制物品。
- 12. 行为触犯48900条规定，试图或者已经对他人性侵，以及殴打他人
- 13. 藏炸药
- 14. 理事会将会对违纪的学生颁布开除令

建议vs. 强制开除

建议开除	强制开除
对他人造成严重肢体伤害，除正当防卫之外	持有，出售，或以其他方式持有家用枪支
无理由私藏刀具或者危险物品。	对他人挥舞刀具
非法藏有受管制物质	非法销售受管制物品

抢劫或敲诈勒索	试图或者已经对他人性侵，以及殴打他人
骚扰或者殴打教职人员	藏炸药

学生违规行政调查程序

1. 凡是犯了导致开除或强制的开除，或者其行为下的“停学/开除”（不包括反抗或蔑视教职人员）的学生将交由学校负责人或校长。如果老师的教导仍有破坏性或挑衅行为，老师会作出决定，以是否需要行政干预。否则，他们可能会按照学校的纪律政策处理，以确保学生纠正行为。
2. 要确定一项违纪行为是否不符合停学或开除的指导方针，学校的院长或主管将与纪律的学生和学校职员见面。在这次会议上，学生应为纪律处分的原因，对他或她的证据被告知并给予回应的机会。如果发生“紧急情况”的存在，学生可能被排除在本次会议。“紧急情况”是指由学校或指定的团长确定构成明显的威胁到生命，安全，或学生或学校工作人员的健康情况。如果学生被停学在没有的参加会议之前，无论是家长和学生应通知的学校学生有权利参与会议。
3. 除非一项罪违纪行导致的停学或强制开除的决定，作为我校政策，美国印第安模范学校考虑休学和开除作为不得已的惩罚，当教导以及的其他手段不能停止学生触犯校纪校规时。因此，我们的学校在开除和让学生停学之前，会考虑其他纪律渠道与学生沟通。
4. 如果学生犯了校纪校规需被停学，那么学校的负责人有权建议开除的权力。如果学生屡教不改，开除将作为最后的手段。譬如其行为构成了对学校社区成员的安全造成威胁，或显著的限制或影响其他学生有效地学习。
5. 在学校校规规定之外，涉嫌犯罪活动将被报告给警方，并需要学生承担法律后果。
6. 为了方便通知家长以及报告给CDE，美国印第安模范学校将登记，对违纪，每个停学或开除的学生做所有适当的记录。
7. 美国印第安人模范学校将在30天内对开除或者转移以及受到校纪校规处罚的学生居住区给予通知。

开除听证会流程

8. 政教主任有权向董事会决定是否建议开除学生。
9. 在颁布开除建议的30天内，董事会将举行听证会，以确定它是否适合开除学生。学生可以书面要求延迟开除，不超过30天延期。任何额外的延迟只能在董事会决定下酌情批准。

10. 在会议结束的10天之内，董事会需要决定是否开除学生。
11. 如果董事会因为时间的要求而无法决定听证会按时进行，政教主任可以把有关开除的听证会延期5个工作日。
12. 在听证会前十天学校必须书面通知学生来参与听证会，信函内容包括以下信息：
 - a. 听证会时间和地点。
 - b. 一份关于开除的称述包括具体事实和违纪行为。
 - c. 一份关于被触犯的校纪校规的副本。
 - d. 一份关于学生目前学籍状况的通知，告知家长，监护人或者学生以前学校的。
 - e. 通知学生或者学生家长监护人有权要求律师或者非法律顾问代理人出席。检查并向现场当事人提问事情经过，以及以学生或者证人的身份来称述证词或者证据。董事会应进行聆讯，以考虑在会话中开除的学生不对公众公开，除非学生的要求。听证会的日期前至少五天，需要召开公开会议，决定该听证会是否进行。不管开除听证会是否是在一个保密或公开会议进行的，学校委员会可在非公开会议中审核并决定学生是否应该开除。
13. 听证会的内容可进行记录。该记录可以通过任何手段，包括电子设备，只要程序合理准确并完成合理的书面流程填写即可。
14. 技术规则的证据并不适用于听证会，但相关证据可接纳，例如有足够的证据证明学生严重违反校纪校规，董事会开除结果必须充分证明学生触犯了相关的校纪校规。
15. 应在公开会议上通过的董事会来执行开除学生的最后行动。任何关于开除或试读期，中止开除令的执行通知书必须向校长或学生的父母或监护人发送。
16. 董事会保存每个开除记录，包括开除愿意，因此。开除记录应是一个非特权的公开记录。该开除令和原因需要归入学生的档案，并应提交其学生之后申请就读的任何一所学校。

终止开除令

- 理事会根据投票决定是否开除的学生，可暂停开除令的执行期限，但不超过一年，并可以作为暂停执行的条件，分配学生到特定的学校，班级，或这被认为是适合学生的改正错误的项目。学生需要分配到父母或监护人能为学生提供的教育支持的项目中。如果父母或监护人拒绝参加纠正教育项目，董事会将裁定学生未能完成纠正教育项目而应重新作出决定。

- 在暂停开除令期间，学生被认为是在试读状态。如果学生违反定休学/开除令，或违反任何学校的规章制度，管理学生行为的董事局可撤销根据本条终止开除程序。当董事会撤销开除令暂停，一个学生可根据原来的开除令的条款被强制劝退。
- 当一个学生的行为纠正项目圆满完成，董事会应恢复学生学籍并可以下令删去开除过程中的所有记录。

重新返校

- 开除责令应继续有效，直至委员会决定学生可以重新入学。在一个学生的开除责令不是强制性的开除时，董事会应设定一个期限，不得迟于在其中发生的开除学期后一学期的最后一天，当学生申请重新入学时，学生应该被重新审核所有入学条件。对于被处罚强制开除纪律行为的学生，董事会应当发布开除日期。当学生申请重新入学时，董事会会考虑学生被开除一年后的行为表现。但也会因为个案不同而设定更早的审核期限。
- 董事会应建议在颁布开除令的同时，给学生提供适当的修正项目，该项目包括但不限于定期审查和评估。该计划还可能包括提高学习成绩，课外辅导，特殊教育评估，职业培训，辅导，就业，社区服务，或其他更生计划的建议。
- 任何被开除并想重新入学的学生，必须在开除期限结束之前写不超过21（但不低于7）个工作日内向政教主任提出申请要求。此外，学生必须提供已达到董事会纠正计划要求的相关文件记录。
- 一旦重新入学过程完成后，董事会应重新接纳的学生，除非委员会作出学生没有达到修正计划的条件，裁定或继续对校园安全有威胁，或对学校的其他学生或员工有潜在危险。该处理程序需要在学生被开除时向学生以及学生父母说明。
- 如果董事会拒绝该学生的重新入学的要求，董事会应当向被开除的学生或者学生父母或监护人，描述否认重新接纳学生入校的原因并提供书面通知。