



# Elevate School

## Board Retreat and Regular Board Meeting

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### Date and Time

Saturday August 20, 2022 at 8:00 AM PDT

### Location

8404 Phyllis Place, San Diego CA 92123

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The public comment portion of the meeting is set aside for members of the audience to make comments or raise issues that are not specifically on the agenda or those items that are on the agenda. These presentations are limited to three (3) minutes per person and the total time allotted to non-agenda items will not exceed fifteen (15) minutes. Individuals wishing to speak please complete a [Public Comment Request Form](#) by 10:00am on the day before the meeting.

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### Agenda

	Purpose	Presenter	Time
<b>I. Opening Items</b>			<b>8:00 AM</b>
Opening Items			
<b>A. Record Attendance and Guests</b>		Kirsten Grimm	1 m
<b>B. Call the Meeting to Order</b>		Kirsten Grimm	1 m
<b>C. Approve Agenda</b>	Vote	Kirsten Grimm	1 m
<b>D. Approve Minutes from June 23 Board Meeting</b>	Approve Minutes	Kirsten Grimm	2 m
<b>E. Approve Minutes from August 9 Special Board Meeting</b>	Approve Minutes	Kirsten Grimm	2 m
<b>F. Non-Agenda Public Comment</b>		Kirsten Grimm	5 m

	Purpose	Presenter	Time
<b>II. Agenda Items</b>			<b>8:12 AM</b>
<b>A. Community Building</b>	Discuss	Kirsten Grimm	45 m
<b>B. History of Elevate</b>	FYI	Kirsten Grimm	20 m
<b>C. Elevate Core Values</b>	Discuss	Kirsten Grimm	30 m
<b>D. 22-23 Board Items/Business</b>	Discuss	Kirsten Grimm	30 m
- Establish Board Manual			
- Finance 101			
- School Team and Board Task Forces			
- Brown Act Training			
- Evaluate Executive Director			
<b>E. Election of Officers: Chairperson, Vice-Chair, CFO, Secretary</b>	Vote	Kirsten Grimm	20 m
<b>F. Approve 22-23 Board Calendar</b>	Vote	Kirsten Grimm	5 m
<b>G. Executive Director Report</b>	FYI	Ryan Elliott	15 m
<b>H. Financial Update</b>	FYI	Adam McWethy	10 m
<b>I. Approve Updated Fiscal Policies</b>	Vote	Adam McWethy	10 m
<b>J. Approve 22-23 Student/Parent Handbook</b>	Vote	Ryan Elliott	10 m
<b>K. Approve Updated Safe Return to School</b>	Vote	Ryan Elliott	10 m
- Contains minor revisions to plan; does not include universal masking requirement.			
<b>L. Approve 22-23 Personnel Handbook</b>	Vote	Ryan Elliott	5 m
<b>III. Consent Agenda</b>			<b>11:42 AM</b>
<b>A. Approve Updated Board Policies (to align with Ed Code)</b>	Vote	Ryan Elliott	5 m
Foster Youth Policy			
Homeless Youth Policy			
Independent Study Policy			
Student Freedom of Speech Policy			
Educational Records and Student Information Policy			
Title IX Policy			
School Meals Policies			
<b>IV. Closing Items</b>			<b>11:47 AM</b>
<b>A. Adjourn Meeting</b>	Vote		

# Coversheet

## Approve Minutes from June 23 Board Meeting

<b>Section:</b>	I. Opening Items
<b>Item:</b>	D. Approve Minutes from June 23 Board Meeting
<b>Purpose:</b>	Approve Minutes
<b>Submitted by:</b>	
<b>Related Material:</b>	Minutes for Board Meeting on June 23, 2022

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## Elevate School

# Minutes

## Board Meeting

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### **Date and Time**

Thursday June 23, 2022 at 3:30 PM

### **Location**

Middle School Campus - Fireside Room  
8404 Phyllis Place  
San Diego, CA 92123

The public comment portion of the meeting is set aside for members of the audience to make comments or raise issues that are not specifically on the agenda or those items that are on the agenda. These presentations are limited to three (3) minutes per person and the total time allotted to non-agenda items will not exceed fifteen (15) minutes. Individuals wishing to speak please complete a [Public Comment Request Form](#) by 10:00am on the day of the meeting.

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### **Directors Present**

Adam McWethy, Carol Leighty, Freda Callahan, Kirsten Grimm

### **Directors Absent**

Cheryl Gorman, Jill Soule

### **Guests Present**

DeAnna Jones (remote), Kellie Hooper, Ryan Elliott

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## **I. Opening Items**

### **A. Record Attendance and Guests**

### **B. Call the Meeting to Order**

Carol Leighty called a meeting of the board of directors of Elevate School to order on Thursday Jun 23, 2022 at 3:37 PM.

### **C.**

### **Approve Agenda**

Kirsten Grimm made a motion to approve the agenda.  
Freda Callahan seconded the motion.  
The board **VOTED** unanimously to approve the motion.

### **D. Approve Minutes from Board Meeting on June 9**

Adam McWethy made a motion to approve the minutes from Board Meeting on 06-09-22.  
Freda Callahan seconded the motion.  
The board **VOTED** unanimously to approve the motion.

### **E. Non-Agenda Public Comment**

One guest had a comment.

## **II. Agenda Items**

### **A. Executive Director Report**

Ryan Elliott reported:

#### **End-of-year activities**

- Exhibition night highlight of the year
- Kindergarten graduation was held
- Fifth-grade promotion ceremony
- Drive through extravaganza
- Staff end-of-year recap
  
- Attendance for the year was 94%
- 479 spots for 2022-2023 478 are filled
- Six ESY students will be attending a summer program at Kavod
- Working to get business fiber internet at all 3 campuses
- Interviewing for open positions
- Foundation has paid back the legal fees

### **B. Financial Update**

DeAnna Jones: reported on the financials.

### **C. LCAP Public Hearing and Approval for 22-23**

Adam McWethy made a motion to to approve the LCAP Public Hearing 2022-2023 amended with the suggestions made by Kirsten Grimm.  
Freda Callahan seconded the motion.  
The board **VOTED** unanimously to approve the motion.

### **D. Approve 22-23 Budget**

Freda Callahan made a motion to approve the 2022-2023 budget.  
Adam McWethy seconded the motion.  
The board **VOTED** unanimously to approve the motion.

### **E. Approve ExEd Management and CALPADS Contracts**

Adam McWethy made a motion to Approve ExEd Management and CALPADS Contracts with the stipulation the CFO will get additional quotes for 2023 -2024. Kirsten Grimm seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**F. Approve 22-23 EPA Plan**

Kirsten Grimm made a motion to approve 2022-2023 EPA Plan.  
Freda Callahan seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**G. Approve 22-23 CharterSafe Contract**

Kirsten Grimm made a motion to Approve 22-23 CharterSafe Contract.  
Adam McWethy seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**H. Approve 22-23 Comprehensive School Safety Plan**

Adam McWethy made a motion to Approve 2022-2023 Comprehensive School Safety Plan.  
Freda Callahan seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**I. Presentation of Universal Pre-Kindergarten (UPK) Plan**

Ryan Elliott: reviewed the plan.

**J. Approve Second Term (7/1/2022-6/30/25) for Board Members (K. Grimm, A. McWethy)**

Freda Callahan made a motion to Approve Second Term (7/1/2022-6/30/25) for Board Members (K. Grimm, A. McWethy).  
Carol Leighty seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**K. Presentation of Board Member Candidates (Chancellor Brown, Robin McCulloch)**

Kirsten Grimm made a motion to approve candidates, Chancellor Brown and Robin McCulloch, as board members.  
Adam McWethy seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**L. Approve Master Contracts with San Diego Center for Children**

Adam McWethy made a motion to Approve Master Contracts with San Diego Center for Children.  
Kirsten Grimm seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**M. Approve MOE with Kavod Charter to Provide ESY Services**

Adam McWethy made a motion to Approve MOE with Kavod Charter to Provide ESY Services.  
Kirsten Grimm seconded the motion.  
The board **VOTED** unanimously to approve the motion.

**N.**

### **Task Force Updates**

- Equity Task Force:  
Kirsten Grimm reported: the task force will meet in August
- Governance Task Force  
Carol Leighty reported: working on a board manual  
Board Calendar for 2022-2023, Second Mondays at 4:00  
Board Retreat July 30, 8am-12

### **O. Executive Director Evaluation Report & Director/Assistant Director Compensation Plan**

Kirsten Grimm made a motion to approve the executive director evaluation report & director/assistant director compensation plan.  
Adam McWethy seconded the motion.  
The board **VOTED** unanimously to approve the motion.

### **III. Closing Items**

#### **A. Adjourn Meeting**

Kirsten Grimm made a motion to Adjourn Meeting.  
Adam McWethy seconded the motion.  
The board **VOTED** unanimously to approve the motion.  
There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 5:56 PM.

Respectfully Submitted,  
Cheryl Gorman

# Coversheet

## Approve Minutes from August 9 Special Board Meeting

<b>Section:</b>	I. Opening Items
<b>Item:</b>	E. Approve Minutes from August 9 Special Board Meeting
<b>Purpose:</b>	Approve Minutes
<b>Submitted by:</b>	
<b>Related Material:</b>	Minutes for Special Board Meeting on August 9, 2022



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## Elevate School

# Minutes

## Special Board Meeting

### Elevate Board Zoom Orientation

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#### Date and Time

Tuesday August 9, 2022 at 4:15 PM

#### Location

[Meeting Via Zoom](#)

Meeting ID: 801 395 3793

Passcode: elevate

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The public comment portion of the meeting is set aside for members of the audience to make comments or raise issues that are not specifically on the agenda or those items that are on the agenda. These presentations are limited to three (3) minutes per person and the total time allotted to non-agenda items will not exceed fifteen (15) minutes. Individuals wishing to speak please complete a [Public Comment Request Form](#) by 10:00am on the day of the meeting.

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#### Directors Present

Adam McWethy (remote), Chancellor Brown (remote), Cheryl Gorman (remote), Kirsten Grimm (remote), Robin McCulloch (remote)

#### Directors Absent

*None*

#### Guests Present

Kellie Hooper (remote), Ryan Elliott (remote)

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### I. Opening Items

#### A. Record Attendance and Guests

#### B.

### **Call the Meeting to Order**

Kirsten Grimm called a meeting of the board of directors of Elevate School to order on Tuesday Aug 9, 2022 at 4:22 PM.

Robin McCulloch made a motion to open the meeting.

Cheryl Gorman seconded the motion.

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

### **C. Approve Agenda**

Adam McWethy made a motion to approve the agenda.

Robin McCulloch seconded the motion.

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

### **D. Non-Agenda Public Comment**

The was asked, "How does a parent become a board member?"

The idea of a parent directory was shared.

The question was asked, "If Elevate will be following the SDUSD mask mandate?"

## **II. Agenda Items**

### **A. Brief Review of Brown Act**

Kirsten Grimm reviewed the Brown Act.

### **B. Elevate Email and BoardOnTrack account access**

Ryan Elliott reviewed: the policy to use Elevate email for board communication and that Board on Track is the main communication for documents and meetings.

### **C. Discuss Board Meeting Schedule (Monthly Day/Time)**

Kirsten Grimm: Led the discussion for the board calendar. The proposed schedule is the 2nd Monday of the month from 4:00 - 5:30 pm, with the exception of June will be on the 19th.

### **D. Board Role Description Review: Chairperson, Vice-Chair, CFO, Secretary**

Kirsten Grimm: Reviewed the board roles as written in the bylaws.

### **E. Share link to Elevate Policies**

Ryan Elliott: Shared the link to the bylaws and encouraged board members to review them before the next board meeting.

## **III. Closing Items**

### **A. Adjourn Meeting**

Adam McWethy made a motion to to adjourn the meeting.

Cheryl Gorman seconded the motion.

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

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 5:15 PM.

Respectfully Submitted,

Cheryl Gorman

# Coversheet

## Approve 22-23 Board Calendar

<b>Section:</b>	II. Agenda Items
<b>Item:</b>	F. Approve 22-23 Board Calendar
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	2022-2023 Board Calendar.pdf

# Elevate School Board Meetings 2022-2023

Meeting Location:  
8404 Phyllis Place, San Diego CA 92123

## Meeting Dates

September 12

October 10

November 14

December 12

January 9

February 13

March 13

April 10

May 8

June 19

\*\* Unless noted, all meetings begin at 4:00 pm.

# Coversheet

## Approve Updated Fiscal Policies

**Section:** II. Agenda Items  
**Item:** I. Approve Updated Fiscal Policies  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** 2022.8.20 Elevate Fiscal Policies and Procedures .pdf

# **Elevate School Fiscal Policies & Procedures**

Approved by the Board of Directors, 8/22/2017  
Revised Version presented to the Board, 8/20/2022

# Elevate School Fiscal Policies & Procedures

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## Elevate School FISCAL POLICIES AND PROCEDURES

Last approved by the Board of Directors, 8/22/2017

### Introduction

The Governing Board of Elevate School has reviewed and adopted the following policies and procedures to ensure the most effective use of the funds of Elevate School to support its mission and to ensure that the funds are budgeted, accounted for, expended and maintained appropriately.

Elevate School has contracted with ExED for various business services including budgeting, financial reporting, and forecasting; accounting and bookkeeping; cash management; CALPADS reporting; and payroll processing and retirement reporting.

### Accounting Procedures

This section covers basic accounting procedures for the organization. The accounting procedures used by the organization shall conform to Generally Accepted Accounting Principles (GAAP) to ensure accuracy of information and compliance with external standards.

#### Basis of Accounting

**Policy:** The organization uses the accrual-basis of accounting at year-end, meaning that revenues are recorded when earned, and expenses are recorded when a liability is incurred regardless of when the receipt or payment of cash takes place.

**Procedures:**

- Throughout the fiscal year, revenue is recorded in the month in which it is received and expenses are recorded in the month in which they occur.
- At the close of the fiscal year, all revenue earned in the fiscal year, but not received is accrued. All expenses that have been incurred but not paid are also accrued. This ensures that that the year-end financial statements reflect all revenue earned and all expenses incurred during the fiscal year.
- Year-end books, inclusive of adjusting journal entries, are closed by December 15, the date by which the audit report must be submitted to the state controller and respective reporting agencies.

#### Bank Reconciliations

**Policy:** Bank reconciliation and approval will occur on a monthly basis.

**Procedures:**

- The ExED Accounting Associate or Senior Accounting Associate (AA/SAA) assigned to the organization will print the bank statements directly from the online banking system. If online banking is unavailable, the organization will make copies of the original statement available to ExED.
- The ExED AA/SAA will prepare the bank reconciliation.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- The Accounting Manager or Vice President, School Finance assigned to the organization will review and approve the bank reconciliation by initialing and dating the report.

### Record Keeping

**Policy:** Financial records will be retained for a minimum of seven years or as outlined in the 990 policies for Elevate School.

#### **Procedures:**

- ExED will retain financial records, including transaction ledgers, canceled/duplicate checks, attendance and entitlement records, payroll record, and any other necessary fiscal documentation at its site until the prior year audit has been completed.
- ExED will deliver financial records to the organization for storage for the remaining years of the seven year retention period.
- At the discretion of the Governing Board or Executive Director, certain documentation may be maintained for a longer period of time.
- Financial records will be shredded at the end of their retention period.
- Backup copies of electronic and/or paper documentation should be stored in a secure location.

### Internal Controls

The organization employs several safeguards to ensure that financial transactions are properly authorized, appropriated, executed and recorded.

All documentation related to financial matters will be completed by computer, typewriter, or ink. Completion by pencil is not permitted. The organization employs various electronic systems and processes to complete the work associated with its fiscal operations (e.g., SpendBridge, Paychex). The electronic systems the organization chooses to use may change over time and new electronic systems may be introduced. The organization will configure the electronic systems to ensure they align to the organization's internal controls.

### Lines of Authority

#### **Governing Board**

- Approves the fiscal policies and procedures and delegates administration of the policies and procedures to the Executive Director.
- Ensures that the fiscal policies and procedures are current, meaning that they have been reviewed and updated annually, if needed.
- Approves the opening and closing of bank accounts and the list of authorized signers and the organization address on record.
- Approves all third-party loans.
- Approves the opening of business credit cards.
- Reviews and approves the annual budget.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- Reviews annual and monthly financial statements, including the monthly check register and the ExED-prepared financial dashboard and budget-to-actual variance analysis.
- Reviews the Executive Director's performance annually and establishes the salary.
- Reviews and approves all vendor contracts over \$15,000
- Reviews and approves all non-budgeted expenditures over \$30,000
- Commissions the annual financial audit by an independent third party auditor approved by the State of California.
- Approves the annual financial audit by December 15.
- Appoints someone else to perform the duties of the Executive Director in the case of absence.

### Executive Director

- Is responsible for all operations and activities related to financial management.
- Develops the annual budget with ExED.
- Reviews and approves all contracts under \$15,000.
- Reviews and approves all expenditures
- Oversees the adherence to all internal controls.
- Appoints someone else to perform his/her duties in case of absence.

## Segregation of Duties

**Policy:** The organization's financial duties shall be distributed among multiple people to help ensure protection from fraud and error. The distribution of duties aims for maximum protection of the organization's assets while also considering efficiency of operations.

### Procedures:

- Procedures for each section of this document will identify the position responsible for carrying out each function so that no single person or entity has sole control over cash receipts, disbursements, payrolls, and reconciliation of bank accounts.

## Financial Planning & Reporting

### Budgeting Process

**Policy:** In consultation with the Executive Director, ExED will prepare the annual budget for approval by the Governing Board. The budget is to be approved by the Governing Board prior to the start of each fiscal year.

### Procedures:

- The Executive Director will work together with the staff to ensure that the annual budget is an accurate reflection of programmatic and infrastructure goals for the coming year.
- ExED will ensure that the budget is developed using the organization's standard revenue recognition and cost allocation procedures.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- ExED, in consultation with the Governing Board, will set a target net income goal to meet strategic goals and/or comply with existing loan covenants.
- The Governing Board will review and approve the budget no later than its last meeting prior to the start of the fiscal year.
- ExED will prepare financial statements displaying budget vs. actual results for presentation to the Governing Board at each board meeting.

### Internal Financial Reports

**Policy:** The organization reviews regular financial reports on a monthly basis.

**Procedures:**

- ExED is responsible for producing the following year-to-date reports within 45 days of the end of each month (in August through June): Income Statement including budget to actual variances, Balance Sheet, Financial Analysis, and Cash Flow Projection.
- ExED will also present a check register at each board meeting.
- The Executive Director will review financial reports each month.
- ExED and/or the Finance Task Force will present the financial reports to the Governing Board at each meeting.

### Audit

**Policy:** The Governing Board will contract annually with a qualified independent certified public accounting firm to conduct an audit of the organization's financial statements in accordance with auditing standards generally accepted in the United States of America, *Government Auditing Standards* issued by the Comptroller General of the United States, and, if applicable, the *U.S Office of Management and Budget's Circular A-133*. The selected audit firm must be familiar with these standards, related State of California and Charter School regulations, and the *Standards and Procedures for Audits of California K-12 Local Education Agencies Audit Guide* (which can be found at <http://eaap.ca.gov/audit-guide/current-audit-guide-booklet/>), in order to properly conduct the audit engagement.

After six consecutive fiscal years, the organization will contract with a new audit firm or require a change/rotation in audit partners in the seventh year, unless a waiver is obtained from the Educational Audit Appeals Panel. (Education Code 41020).

**Procedures:**

- The Governing Board will review and approve the audit no later than December 15.
- The audit firm will be responsible for submitting the audit to all reporting agencies no later than December 15.

### Tax Compliance

#### Exempt Organization Returns

**Policy:** The audit firm contracted by the Governing Board to conduct the annual financial audit

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

will prepare the annual Federal Form 990 and the California Form 199. The tax forms are to be filed no later than May 15 of each year.

### Procedures:

- ExED will work with the tax preparer to complete the organization's tax returns.
- The Executive Director will review the tax returns before submitting to the Governing Board for final approval prior to May 15.
- The Form 990 will be available to the public via GuideStar, an information service specializing in reporting on U.S. nonprofit companies.

### Quarterly/Annual Payroll Reports

**Policy:** ExED will prepare the state and federal quarterly and annual payroll tax forms and will submit the forms to the respective agencies within established deadlines.

### Procedures:

- ExED will prepare employee W2s by January 31 each year.
- ExED will file quarterly payroll tax reports (941 and DE9) by the filing deadline.

## Revenue & Accounts Receivable

### Cash Receipts

**Policy:** Cash receipts (including check or cash payments received via mail or in person and deposits received via Electronic Fund Transfer) shall be recorded completely and accurately to prevent the misappropriation of assets.

### Procedures:

- For each fundraising or other event in which cash or checks will be collected, the Executive Director will designate a staff member to be responsible for managing the process to collect and hold all cash and checks related to the event.
- The designee will record each transaction in a receipt book or document each item sold at the time the transaction is made in a log or similar.
- The designee shall give the cash, checks, deposit summary, and any related supporting documentation to the Office Manager immediately.
- The Office Manager and the designee will recount and reconcile the amount received with the supplied supporting documentation and each will sign for approval. The office manager will immediately put the funds in a secure, locked location.
- Cash/checks dropped off in the classroom will be held by the teacher. Each morning, the teacher will collect all forms, payments, etc. that have been brought in by students that day and place them in a large envelope. Before the end of the work day, the teacher will bring the envelope from his/her classroom to the office where the cash/checks will be counted by the teacher and the office manager.
- Mail (including anything official such as governmental notices, invoices and checks) received at the school must be opened by office staff members and stamped with a "received"

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

stamp. If possible, the person opening the mail should not also be responsible for making bank deposits.

- Once a week, the Office Manager will log cash or checks received into the Cash Receipts Book. Copies of Cash Receipt records should be sent to ExED for posting into the general ledger.
- When utilizing merchant or online web contribution services, appropriate segregation of duties shall be in place to ensure that no single person is able to perform incompatible functions (custody, recording, approving).

### Deposits

**Policy:** Deposits will be made at a minimum within two weeks of the receipt of funds.

**Procedures:**

- The Office Manager will prepare a deposit packet itemizing the amount, source, and purpose of each check or cash payment received. The deposit packet will include a copy of each check and a bank deposit slip.
- The Executive Director will review and approve the deposit packet.
- The Office Manager will make the deposit and attach the deposit receipt to the deposit packet.
- The Office Manager will forward the deposit packet to ExED.
- ExED will reconcile the cash receipts to the deposit slip and the bank statement as part of the monthly close process.

## Expense & Accounts Payable

### Payroll

**Policy:** Employees are paid on a semi-monthly basis (15<sup>th</sup> and end of month). Under the supervision of the CEO/Principal, ExED will be responsible for processing payroll through a third-party provider.

### Time Sheet Preparation & Approval

**Policy:** All non-exempt employees are required to record time worked, holidays, and leave taken for payroll, benefits tracking, and cost allocation purposes.

**Procedures:**

- Non-exempt employees will be responsible for completing a timesheet, recording hours worked and vacation, sick or holiday time if applicable.
- Each non-exempt employee will approve his/her timesheet via his/her signature or submission through the payroll system.
- Each supervisor will review and approve his/her employees' timesheets by signing each timesheet or approving each timesheet in the payroll system.
- Supervisors will return, either physically or via the payroll system, incomplete timesheets to the employee for revision.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- If an employee is unexpectedly absent and therefore prevented from working on the last day of the pay period or turning in his/her timesheet, the employee is responsible for notifying the signatory supervisor or for making other arrangements to submit the timesheet. The employee must still complete and submit the timesheet upon return.
- Salaried employees are responsible for requesting leave, and supervisors are responsible for tracking leave taken by salaried employees.

### Payroll Additions, Deletions, and Changes

**Policy:** The CEO/Principal is authorized to approve all payroll changes within the scope of his/her budget authority.

#### Procedures:

- The Principal/CEO or designee will submit, either physically or electronically via payroll system, new hire or employee change paperwork to ExED prior to the payroll deadline for the first pay period in which the change or addition is to go into effect.

### Payroll Preparation & Approval

**Policy:** ExED will prepare payroll in accordance with the organization's payroll calendar.

#### Procedures:

- Prior to each check date, the CEO/Principal will provide ExED with a summary payroll report that includes:
  - A listing of salaried staff to be included in the payroll and an accounting of any vacation, sick, or personal hours to be recorded for each salaried employee.
  - The number of hours each hourly employee worked during the pay period as well as an account of any vacation, sick, or personal hours to be recorded for each hourly employee.
- The ExED Accounting Analyst, Associate, or Senior Associate assigned to the organization will prepare payroll based upon the summary payroll report and submit the "Register Prior to Processing" to the ExED Accounting Manager (AM) or Vice President (VP), School Finance.
- The ExED senior staff will review the "Register Prior to Processing" and the supporting "Employee Change Listing" for accuracy and completeness.
- If there are changes between the payroll summary report and the register, ExED will obtain approval from the Executive Director before submitting payroll.
- The ExED Accounting Manager or Vice President, School Finance will submit payroll to the 3<sup>rd</sup> party payroll provider for check and direct deposit processing.
- The 3<sup>rd</sup> party payroll provider will deliver the payroll package to the organization address on file one day prior to the check date.
- The Executive Director or designee will be responsible for opening the payroll package, reviewing reports for accuracy, and notifying ExED of any missing checks.
- The Executive Director or designee will distribute pay stubs to employees on the check date.

### Pay Upon Termination

**Policy:** Employees who are discharged shall be paid all wages due at the time of termination.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

(Labor Code § 201) Employees who quit without giving prior notice shall be paid wages within 72 hours (inclusive of weekends and holidays). If the employee gives at least 72 hours' notice, the wages must be paid on the last day worked. (Labor Code § 202)

### Procedures:

- The Executive Director or designee will inform ExED of any voluntary or involuntary termination immediately and will provide an accounting of the hours/days worked since the last payroll and any accrued Paid Time Off (PTO) to be paid.
- ExED will calculate the final check based on the hours/days worked and the employee's pay rate.
- ExED or the Executive Director or the Office Manager will prepare the final check based on the final check calculation. ExED will provide ExED-generated checks to the school in accordance with the timelines required by law. The organization is responsible for obtaining the employee's signature on the final check acknowledgement.
- An employee who quits without 72 hours' notice may request that his or her final wage payment be mailed to a designated address. The date of mailing will be considered the date of payment. (Labor Code § 202)
- The final check may not be provided via direct deposit unless agreed to by the employee and the organization.
- The organization must provide ExED with a list of non-returning staff two weeks prior to the last day of instruction to ensure that final checks are distributed in accordance with labor law.

## Purchases & Procurement

**Policy:** All purchases must be authorized by the Executive Director. Any expenditure in excess of \$50,000 for the purchase of a single item should have bids from three (3) suppliers if possible. Any food contract that exceeds \$150,000 (the small purchase threshold set by the US Department of Agriculture) shall follow a competitive bid process.

Goods or services purchased with federal funds must follow federal procurement guidelines as outlined in Education Department General Administration Regulations (EDGAR), Part 80—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, Sub-part C (Post Award Requirements), Section 80.36 (Procurement) located at: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.

The Governing Board must approve any contract over \$15,000.

### Procedures:

- All purchases over \$500 require a purchase requisition, with the exception of recurring payments and utilities.
- The Executive Director will approve the purchase requisition after determining:
  - If the expenditure is budgeted.
  - If funds are available for the expenditure.
  - If the expenditure is allowable under the appropriate revenue source.



## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- If the expenditure is appropriate and consistent with the vision, approved charter, school policies and procedures and any related laws or applicable regulations.
- If the price is competitive and prudent and proper bidding procedures have been followed.
- The Governing Board will review expenditures during each board meeting through the review of a check register that will list all checks written since the Governing Board's last meeting and will include the check #, check date, payee, and check amount.

### **Contracts**

- The Executive Director will consider in-house capabilities to accomplish services before contracting for them.
- The Executive Director will keep and maintain a contract file evidencing the competitive bids obtained (if any were required) for any contract over \$50,000.
- The Executive Director will confirm that the contractor is not listed in the US government's Suspended or Disbarred list via a search of the System for Award Management ([www.sam.gov](http://www.sam.gov)). The Executive Director will keep a record of all searches.
- The Executive Director will ensure that a written contract clearly defining work to be performed is on file for all contract service providers (i.e. consultants, independent contractors, subcontractors).
- Contract service providers must show proof of being licensed and bonded, if applicable, and of having adequate liability insurance and workers' compensation insurance currently in effect. The Executive Director may also require that contract service providers list the school as an additional insured.
- The Executive Director will approve proposed contracts and modifications in writing.
- Contract service providers will be paid in accordance with approved contracts as work is performed.
- The Executive Director will be responsible for ensuring the terms of the contracts are fulfilled.
- Potential conflicts of interest will be disclosed upfront, and the CEO/Principal and/or Member(s) of the Governing Board with the conflict will excuse themselves from discussions and from voting on the contract.

### **Credit Cards**

**Policy:** Organization credit cards shall only be issued with the formal approval of the Governing Board and may only be used for organization-related expenditures.

### **Procedures:**

- Purchase requisition and other documentation requirements apply to credit card purchases.
- The bank and/or consumer credit card (Amazon, Home Depot, Staples, etc.) will be kept under the supervision of the card holder.
- An itemized receipt should be turned in for all purchases.
- If receipts are not available, missing or contain an inappropriate expense, the individual making the charge will be held responsible for payment.
- In the case of a missing receipt, a missing receipt form shall be submitted and approved by the Executive Director. Should the Executive Director be required to complete a "missing receipt" form, authorization must be granted by a member of the Governing Board.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- Credit cards will bear the names of both the organization and the cardholder as authorized by the Governing Board.
- No personal charges are permitted.
- All reward points or discounts are property of the school. Use of such points or discounts is at the discretion of the Executive Director and should be used for the benefit of the organization.
- Upon termination, the employee shall immediately return the credit card and all receipts to the Executive Director.

### Debit Cards

**Policy:** Organization debit cards are not permitted.

#### Procedures:

If a debit card is automatically issued by the bank, the CEO/Principal will:

- Contact the bank to deactivate debit card service from the account.
- Destroy the physical debit card.

### Independent Contractors

**Policy:** The organization will comply with all applicable federal and state laws relative to the use of independent contractors.

#### Procedures:

- The Executive Director has the authority to establish a contract with an independent contractor and is responsible for verifying that the person is appropriately classified as an independent contractor and not as an employee and for obtaining a Form W-9.
- School employees may not serve as independent contractors.
- Contract service providers must show proof of being licensed and bonded, if applicable, and of having adequate liability insurance and workers' compensation insurance currently in effect. The Executive Director may also require that contract service providers list the school as an additional insured.
- All services performed by independent contractors will be processed as accounts payable.
- At the close of the calendar year, ExED will issue a Form 1099 to all independent contractors in accordance with IRS regulations.

### Invoice Approval & Processing

**Policy:** The Executive Director must approve all invoices. The following procedures will be performed either manually or electronically.

#### Procedures:

- The Office Manager will open and review invoices and bills and will notify the Executive Director of any unexpected or unauthorized expense.
- When receiving tangible goods from a vendor, the Office Manager will trace the merchandise to the packing list and note any items that were not in the shipment.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- The Office Manager will code invoices to the correct budget line.
- Invoices are then routed to the Executive Director for payment approval.
- If the vendor is a sole proprietor or a partnership (including LP, and LLP) providing a service, the Office Manager will obtain a W-9 from the vendor prior to submitting any requests for payments to ExED.
- ExED will review the invoice for sufficient supporting documentation, verify the coding, and process payment.

### Cash Disbursements

**Policy:** Bank checks will be issued upon receipt of appropriate documentation (e.g. vendor invoice, purchase order, packing slip, etc.).

#### Procedures:

- Once an invoice is approved by the Executive Director for payment, the ExED Accounting Analyst will prepare an in-sequence check and will submit the check to the ExED AM or VP.
- The ExED AM or VP will review the supporting documentation for completeness and the check for accuracy and will sign the check with the CEO/Principal facsimile signature stamp, which is maintained in a secured location when not in use.
- ExED will distribute the check as follows:
  - Original – mailed or delivered to payee
  - Duplicate or voucher – attached to the invoice and filed by vendor name by an ExED accountant.
- Should a check need to be voided, “VOID” will be written in ink on the signature line of the check.
- Checks over \$10,000 will require a second signature.
  - The following items will be exempt from requiring a second signature:  
STRS, Rent, Health Insurance
- 

### Employee and Volunteer Expense Reimbursements

**Policy:** The organization will reimburse pre-authorized school-related expenses that are accompanied by an original receipt or other appropriate documentation.

#### Procedures:

- An employee or school volunteer seeking to make a school-related purchase must obtain pre-approval from the Executive Director (if the purchase is over the PO limit).
- Employees will submit signed expense reports monthly, as necessary, to the CEO/Principal for approval. Original receipts or other appropriate documentation (e.g. e-mail receipt) must be attached to the expense report.
- Executive Director expense reports must be approved by a member of the board.
- The Office Manager will submit the approved expense report and supporting documentation to ExED.
- Employees will submit expense reports within the fiscal year in which the expenses were incurred.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- The organization reserves the right to refuse reimbursement for any inappropriate expenses made.

### Travel Expenses

**Policy:** The Executive Director must pre-approve all school related travel. Mileage will be reimbursed at the organization-approved mileage rate, not to exceed the current IRS reimbursement rate.

#### Procedures:

- For the purposes of mileage reimbursement, where a trip is commenced or terminated at the employee's home, the distance traveled shall be reduced by the employee's home-to-office commute distance.
- Employees will be reimbursed for overnight stays at hotels/motels when pre-approved by an administrator and the event is more than 50 miles from either the employee's residence or the school site. Hotel rates will be negotiated at the lowest level possible, including the corporate, nonprofit or government rate if offered, and the lowest rate available.
- Employees will be reimbursed up to the established per diem rate found at (<http://www.gsa.gov/portal/category/100120> - US Government Rates) for any breakfast, lunch, dinner, or incidental expense that is not included as part of the related event. Employees will be responsible for any excess expenses beyond the established per diem rate.
- Transportation expenses such as airfare will be purchased at the lowest rate available.
- Employees should utilize bus/shuttle service whenever possible. When traveling in groups, taxis may be more economical. Employees should choose between long-term parking or a taxi based on whichever is the more economical for the organization.
- After the trip, the employee must enter all of the appropriate information on an expense report, attach original receipts, and submit it to the Executive Director for approval and then on to ExED for processing.

### Governing Board Expenses

- The individual incurring authorized expenses while carrying out the duties of the school will complete and sign an expense report and attach original receipts.
- The Executive Director will approve and sign the expense report, and submit it to ExED for payment.

## Asset Management

### Cash Management and Investments

**Policy:** All funds will be maintained in high quality financial institution or invested with the following objectives in order of priority; preservation and safety of principal, liquidity, and yield.

#### Procedures:

- The Executive Director will obtain Governing Board approval before opening or closing a bank account.

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- Governing Board will adopt an investment policy before funds are to be invested.

### Capital Equipment

**Policy:** The organization capitalizes any item, purchased or donated, with a value of \$3,000 or more and with a useful life of more than one year.

#### Procedures:

- ExED will maintain a ledger of all capitalized items. The ledger will include the original purchase price and date and a brief description of the asset.
- The organization will take a physical inventory of all assets within 90 days of the end of each fiscal year, indicating the condition and location of the asset.
- The Executive Director will be notified of all cases of theft, loss, damage or destruction of assets.
- The Office Manager will submit to ExED written notification of plans for disposing of assets with a clear and complete description of the asset and the date of the disposal.

### Loans

**Policy:** The Governing Board will approve all loans from third parties. In the case of a long-term loan, approval may also be required from the chartering authority in accordance with the terms of the charter and/or other lenders in accordance with the loan documents. Employee loans, including salary advances, are not allowed.

#### Procedures:

- The Executive Director and/or Governing Board designee shall review and sign the promissory note before funds are borrowed.
- Loan agreements should specify all applicable terms, including the purpose of the loan, the interest rate, and the repayment schedule.
- Loan covenants and reporting requirements are to be acknowledged by the board at the time of adoption.

### Insurance

**Policy:** The organization will maintain insurance with a high quality insurance agency at all times for:

- General Liability
- Property
- Workers' Compensation
- Professional Liability
- Directors' and Officers' Coverage

Umbrella and student accident policies are considered prudent add-ons.

#### Procedures:

## Elevate School FISCAL POLICIES AND PROCEDURES

Approved by the Board of Directors, 8/22/2017

- The Executive Director will carefully review insurance policies with the Broker on an annual basis prior to renewal to determine compliance with Charter authorizer and any applicable loan covenant requirements.
- The Executive Director will forward to ExED all insurance policies and related documents (e.g. certificates of insurance, claim forms, etc.).

### Operating Reserves

**Policy:** The organization will ensure adequate cash balances to meet annual cash flow needs. The target minimum operating reserve fund is recommended to be equal to 3 months of average operating costs. The amount of Operating Reserves will be calculated each year after approval of the annual budget and included in monthly financial reports.

#### Procedures:

- ExED will monitor the organization's reserve level and will report the reserve level to the Executive Director and the Governing Board on a monthly basis.
- It is the responsibility of the Executive Director and the Governing Board to understand the organization's cash situation and it is the responsibility of the CEO/Principal to prioritize payments as necessary to manage cash flow.
- The Governing Board may restrict a portion of the operating reserve fund for strategic goals.
- The Governing Board may develop an additional Operating Reserve Policy to specify use of the Operating Reserves.

# Coversheet

## Approve 22-23 Student/Parent Handbook

**Section:** II. Agenda Items  
**Item:** J. Approve 22-23 Student/Parent Handbook  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** 2022.8.20 22.23 Elevate Student:Parent Handbook.pdf



**ELEVATE**  
SCHOOL

# Student & Family Handbook

## 2022-2023

Serra Mesa Campus:  
2285 Murray Ridge Rd., San Diego, CA 92123

Tierrasanta Campus:  
5606 Antigua Blvd., San Diego, CA 92124

Middle School Campus:  
8404 Phyllis Pl., San Diego, CA 92123

[www.elevateschool.com](http://www.elevateschool.com)  
[info@elevateschool.com](mailto:info@elevateschool.com)  
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**TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING COMPLAINT FORM**

# Welcome to Elevate School

## Welcome from the Executive Director

Dear Parents and Students,

Welcome to Elevate School! We look forward to getting to know you and partnering together to make this a tremendous school year.

As our Mission Statement states, our entire staff is committed to inspiring every student to be excellent in academics, exceptional in leadership, and extraordinary in creativity. We believe each of these elements is critical as students develop their abilities, learn new skills, and prepare to influence the world around them both now and in the future.

This Student & Family Handbook contains important information about our school program, policies, and procedures.\* We ask students and parents to read the Handbook, follow the policies, and help others to do the same. We have worked hard to establish our school and are committed to providing a safe learning environment.

We welcome you and encourage you to be actively involved in our learning community this year. Together we can make it an incredible year!

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan Elliott', with a long horizontal flourish extending to the right.

Ryan Elliott, M.Ed.  
Executive Director

\*Please note that during the school year, policies and/or procedures may be added or altered. Any policy revisions will be brought before the Board of Directors for approval and shared with the school community.

## Our Mission

Elevate School (“Elevate,” “Charter School,” or “School”) equips tomorrow’s global leaders by inspiring students to be excellent in academics, exceptional in leadership, and extraordinary in creativity.

## How Are We Different?

Digital technology, population growth, global economies, and improvements in everything from medicine to manufacturing are transforming our world, making it more interconnected as well as more complicated.

Keeping up with a changing world presents a new challenge for educators: *How can we equip children to learn and thrive when the only constant is change?*

At Elevate School, we recognize that academic excellence alone is no longer enough to compete and excel in the global economy. Twenty-first century leaders and innovators must also possess leadership skills and the ability to think critically and creatively.

We start by taking proven leadership principles developed and tested by renowned experts and incorporate them into your child’s learning environment from kindergarten through eighth grade (K-8).

At Elevate School, we create a comprehensive educational environment that integrates strong academics with twenty-first -century skills. We combine the three “R’s” (Reading, Writing and Arithmetic) with the four “C’s” of the twenty-first-century (Collaboration, Creativity, Critical Thinking, and Communication). In this environment, children acquire the tools they must possess to succeed as inventors, designers, speakers, artists, big-picture thinkers, and life-long learners—the innovators who will bring meaning to the world they will one day lead.

As a Leader in Me™ school, Elevate implements and instructs students in the 7 Habits of Happy Kids:

- **Habit 1 — Be Proactive:** *You’re in charge.* I am a responsible person. I take initiative. I choose my actions, attitudes, and moods. I do not blame others for my wrong actions. I do the right thing without being asked, even when no one is looking.
- **Habit 2 — Begin with the End in Mind:** *Have a Plan.* I plan ahead and set goals. I do things that have meaning and make a difference. I am an important part of my classroom and contribute to my school’s mission and vision. I look for ways to be a good citizen.
- **Habit 3 — Put First Things First:** *Work first, then play.* I spend my time on things that are most important. This means I say no to things I know I should not do. I set priorities, make a schedule, and follow my plan. I am disciplined and organized.
- **Habit 4 — Think Win-Win:** *Everyone can win.* I balance courage for getting what I want with consideration for what others want. I make deposits in others’ Emotional Bank Accounts. When conflicts arise, I look for third alternatives.
- **Habit 5 — Seek First to Understand, Then to Be Understood:** *Listen before you talk.* I listen to other people’s ideas and feelings. I try to see things from their viewpoints. I listen to others without interrupting. I am confident in voicing my ideas. I look people in the eyes when talking.
- **Habit 6 — Synergize:** *Together is better.* I value other people’s strengths and learn from them. I get along well with others, even people who are different than me. I work well in groups. I seek out other people’s ideas to solve problems because I know that by teaming with others we can create

- better solutions than any one of us can alone. I am humble.
- **Habit 7 — Sharpen The Saw:** *Balance feels best.* I take care of my body by eating right, exercising, and getting sleep. I spend time with family and friends. I learn in lots of ways and lots of places, not just at school. I find meaningful ways to help others.
  - **Plus, there is a not-so-commonly known Habit #8 – Find Your Voice:** I have found what I am good at and really like doing. I am proud, but do not boast. Instead, I use my expertise to help and inspire others.

## Curriculum

Elevate offers a child-centered, project-based curriculum that is aligned with the California Common Core State Standards. Interdisciplinary thematic units throughout the year will focus on Community, Character, Service, Justice/Diversity, and Discovery. In addition to regularly practicing leadership skills, emphasis will be placed on students applying their new learning and understanding in real-world contexts.

## Board of Directors

Regular meetings of the Elevate School Board of Directors (“Board”) are held monthly and are open to the public.

Agendas for each meeting will be posted on the School office windows seventy-two (72) hours prior to the meeting. Agendas and meeting minutes can also be found on our website homepage. Please check the School calendar on the website for up-to-date information on meeting times and locations under the headings “Parents” and “Event Calendar.”

If you have a concern and would like to contact the Board, you can contact the board chairperson or refer to our Complaint Policy which is available on our School website under the heading “About Us” and “Policies” for the appropriate procedures.

## Elevate Board of Directors

Name	Position	Area of Expertise
Chancellor Brown	Trustee	Trustee
Robin McCulloch	Trustee	Trustee
Kirsten Grimm	Trustee	Educational Leadership
Adam McWethy	Trustee	Trustee
Cheryl Gorman	Trustee	Parent Trustee

# Policies, Procedures, & General Information

## Assessments

Students will be assessed at regular intervals according to school-wide measures and in accordance with the California Common Core State Standards (“CCSS”). In addition, Smarter Balanced Assessments are administered each spring in grades 3-7 as part of California’s Assessment of Student Performance and Progress (“CAASPP”) program. Additionally, standards-based unit benchmark assessments will be given throughout the year to monitor each child's progress and guide teacher instruction. The results of these assessments will be available for parent review during student-parent-teacher conferences.

### Statewide Testing Notification

California students take several mandated statewide tests. These tests provide parents/guardians, teachers, and educators with information about how well students are learning and becoming college and career ready. The test results may be used for local, state, and federal accountability purposes.

#### California Assessment of Student Performance and Progress

- *Smarter Balanced Assessment Consortium Assessments*  
The CAASPP computer adaptive assessments are aligned with the CCSS. English language arts/literacy (“ELA”) and mathematics tests are administered in grades 3-8 and grade 11 to measure whether students are on track to college and career readiness.
- *California Science Tests (CAST)*  
The new, computer-based CAST measures student acquisition of the California Next Generation Science Standards. It is administered in grades 5 and 8, and once in high school. The new computer-based CAST replaces the California Standards Tests (CST) for Science.
- *California Alternate Assessments (CAA)*  
The computer-based CAA for ELA and mathematics is administered to students with the most significant cognitive disabilities in grades 3 through 8 and grade 11. Test items are aligned with the CCSS and are based on the Core Content Connectors. The instructionally embedded CAA for Science is administered in grades 5 and 8, and once in high school.
- *Standards-based Tests in Spanish (STS) for Reading/Language Arts*  
California offers the optional STS for reading/language arts, which are multiple-choice tests that allow Spanish-speaking English learners to demonstrate their knowledge of the California content standards. The California Spanish Assessment (CSA) will replace the optional STS. The CSA will be a computer-based assessment that is aligned with the California CCSS en Español.

Pursuant to California Education Code section 60615, notwithstanding any other provision of law, parents/guardians may annually submit to the School a written request to excuse their child from any or all of the CAASPP assessments. Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

### English Language Proficiency Assessments for California

The English Language Proficiency Assessments for California (ELPAC) is aligned with the 2012 California English Language Development Standards. It consists of two separate English Language Proficiency (ELP)

assessments: one for the initial identification of students as English learners and the other for the annual summative assessment to identify students' English language proficiency level and to measure their progress in learning English.

### **Physical Fitness Test**

The physical fitness test (PFT) for students in California schools is the FitnessGram®. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades 5 and 7 will take the fitness test.

## **Attendance, Absences, Early Dismissal, & Tardies**

### **Attendance**

The project-based nature of the instruction at Elevate School makes daily attendance extremely important. Consistent daily attendance is a critical factor in student success. Every absence, even for part of the day, interferes with your child's progress in school. Therefore, students should not be absent unless it is absolutely necessary. Appointments, family vacations, and other activities should be scheduled during non-school hours whenever possible.

### **Method of Verification**

If your child is absent, you must communicate this with the office as soon as possible by contacting the office by call or text to 858.751.4774, or by email to [info@elevateschool.com](mailto:info@elevateschool.com). Elevate shall subsequently record the following:

- a. Name of student;
- b. Name of parent/guardian or parent representative;
- c. Name of verifying employee;
- d. Date or dates of absence; and
- e. Reason for absence.

When a child is absent, and the office has not received a communication from the parent/guardian about this, the School's office staff will contact the parent/guardian to verify the absence. If the office has not received a communication from the parent/guardian within 3 days of the absence, the absence will be considered unexcused.

For frequent/recurring absences, the parent/guardian is expected to provide more information about the student's absence. When a student has had 10 absences in the school year for illness verified by the method listed above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

### **Excused Absences**

*Absences for these reasons will be excused:*

- Personal Illness/Injury
- Quarantine under the direction of a county or city health officer
- Funeral attendance for a member of the immediate family
  - Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
  - "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any relative living in the student's immediate household.

- Observation of a religious holiday or participation in religious instruction or exercises according to the School policy
  - The student shall be excused for this purpose for no more than 4 school days per trimester.
- Medical, dental, optometric, or chiropractic appointments (note from medical professional required upon return)
- Spending time with an immediate family member who is an active duty member of the uniformed services, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support position.
  - Excused absence in this instance shall be limited to one day if the immediate family member is in California or three days if located out of state.
  - Independent Study Contract should be arranged for any absence three days or longer.
- Government orders for a student to be elsewhere (such as a court appearance)
- Attendance at the pupil's naturalization ceremony to become a United States citizen.
- Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.
- Authorized at the discretion of the Executive Director or designee, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.

### **Unexcused Absences**

Any absence that is not related to one of the previously-mentioned situations is an unexcused absence, including an absence from School without parental consent (except as noted above), vacations/activities, and other personal reasons.

### **Early Dismissal**

Students will be allowed to leave School only with a parent/legal guardian, or another person designated in advance by a parent or legal guardian on the Student's Emergency Contact List. Proper identification of the individual is required. Please make every effort to schedule appointments after dismissal time whenever possible to minimize time away from School. Students should remain in School before and after all appointments.

#### *Serra Mesa Campus Procedure*

If your child needs to be excused early, go directly to the front office to advise a staff member of the reason for early dismissal. The student will be summoned to the office with his/her belongings.

#### *Tierrasanta Campus Procedure*

If your student needs to be excused early, once you arrive on campus, please call the Tierrasanta office at 858-751-4774, option 2, and advise the staff member of the reason for early dismissal. A staff member will then walk your student to the pedestrian gate. Please note that it can take approximately 5 to 10 minutes for your student to arrive at the gate after your phone call.

#### *Middle School Campus Procedure*

If your child needs to be excused early, go directly to the front office to advise a staff member of the reason for early dismissal. The student will be summoned to the office with his/her belongings.



## **Make-up Work**

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

If a student misses work or testing due to any absence, it is their responsibility and expectation to make up missed work. Parents should contact the teacher to inquire about missed work, allowing twenty-four (24) hours for teachers to respond. Once parents have received notification that the work is ready, parents may pick up the assignments at the office. Any work not made up may adversely impact the student's grade.

## **Tardiness and Truancy**

School begins at 8:00 at the Middle School campus, 8:10 am at the Serra Mesa campus, and 8:30 am at the Tierrasanta campus. A student arriving to school after 8:10 am will be considered "tardy" and after 8:40 am will be considered "truant" (if the tardiness is not excused) at the Serra Mesa campus. A student arriving to school after 8:30 am will be considered "tardy" and after 9:00 am will be considered "truant" (if the tardiness is not excused) at the Tierrasanta campus. All truant and tardy students must report to the office to receive a tardy slip before being admitted to the classroom. Unexcused arrivals after the start of the day disrupt classroom instruction, impacting both the individual child's learning and that of the entire class.

Students shall be classified as truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Such students shall be reported to the Campus Dean or designee.

In addition, students shall be classified as a chronically truant if the student is absent from school without a valid excuse for 10 percent or more of the school days in one school, from the date of enrollment to the current date. Students will receive written notification of truant classification per California Education Code.

Tardiness due to a doctor/dentist visit requires a note from the doctor's office upon return.

*At the Tierrasanta campus only:* If students arrive after 8:40 am, please walk them into the lobby of the Vista Grande office. Use the phone in that lobby to call our Tierrasanta office (the office number is posted above the phone). An Elevate staff member will then meet you in the lobby to walk your student up to class.

## **Process for Students Who Are Not in Attendance at the Beginning of the School Year**

When students are not in attendance on the first five (5) days of the school year, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first five days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify the Charter School of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance on the sixth (6<sup>th</sup>) day of the school year due to an unexcused absence will be disenrolled from the Charter School roster after following the Involuntary Removal Process described

below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first day of the school year will be contacted by phone to ensure their intent to enroll in the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third day of the school year and do not have an excused absence will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth day of the school year will receive a phone call reiterating the content of the letter.
4. Students who are not in attendance by the sixth (6th) day of the school year and do not have an excused absence will receive an Involuntary Removal Notice and the California Department of Education Enrollment Complaint Notice and Form. The Charter School will follow the Involuntary Removal Process described below, which includes an additional five (5) schooldays for the parent/guardian to respond to the Charter School and request a hearing before disenrollment.
5. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of the student's enrollment and attendance at another public or private school (i.e., a CALPADS report).
6. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
7. Within thirty (30) calendar days of disenrollment, the Charter School will send the student's last known school district of residence a letter notifying it of the student's failure to attend the Charter School.

### **Involuntary Removal Process**

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

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

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

disenrolled effective the date of the hearing.

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

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

### Before & After School Supervision

The School campus opens for students at 7:50am at the Serra Mesa campus, 8:10am at the Tierrasanta campus, and 7:45am at the Middle School campus . There is no School supervision for students before the above morning times or after School, nor are students permitted to wait in the office. However, Elevate has partnered with Champions to provide Elevate students with Before School and After School Enrichment Programs for a fee. Inquire in the office or on the School website for details under the headings "Parents" and "Before & After-School Program."

### Bell Schedule: *Serra Mesa Campus*

<b>Regular Day Schedule (Monday, Tuesday, Wednesday, Friday)</b>	
7:50	Campus Supervision Begins
8:10	School Begins
10:20-10:35	Morning Recess (K & 2)
10:35-10:50	Morning Recess (1 & 3)
11:35-12:15	Lunch (K & 2)
12:20-1:00	Lunch (1 & 3)
2:40	Dismissal

<b>Minimum Day Schedule (Thursday and as indicated)</b>	
7:50	Campus Supervision Begins
8:10	School Begins
10:35-11:15	Lunch (K & 2)
11:20-12:00	Lunch (1 & 3)
12:55	Dismissal

### Bell Schedule: *Tierrasanta Campus*

<b>Regular Day Schedule (Monday, Tuesday, Wednesday, Friday)</b>	
8:10	Campus Supervision Begins
8:30	School Begins
10:45-11:00	Morning Recess
12:30-1:10	Lunch
3:00	Dismissal

<b>Minimum Day Schedule (Thursday and as indicated)</b>	
8:10	Campus Supervision Begins
8:30	School Begins
10:45-11:00	Morning Recess
12:30-1:15	Lunch
1:15	Dismissal

## Bell Schedule: Middle School Campus

<b>Regular Day Schedule (Monday, Tuesday, Wednesday, Friday)</b>	
7:45	Campus Supervision Begins
8:00	School Begins
11:00-11:30	Lunch
2:35	Dismissal

<b>Minimum Day Schedule (Thursday and as indicated)</b>	
7:10	Campus Supervision Begins
8:00	School Begins
10:07-10:42	Lunch
12:50	Dismissal

## Birthdays

Student birthdays in grades K-5 will be celebrated with a Happy Birthday sticker and card on their designated school assembly day. Due to the increase in student allergies and to prevent disruption to classroom instruction, we ask that families not bring treats for your child's class. Parents/guardians are welcome to join their child for lunch on their birthday and may sit at their child's assigned table (as space allows), subject to local and state health orders and administrative discretion.\* This practice is currently on hold for the foreseeable future as on-campus visitors are limited.

When visiting campus, please make arrangements for childcare, as siblings are not allowed. All visitors must first check-in at the office with I.D. and must comply with the School's Visitor Policy.

## Counseling Services

Elevate is privileged to have two (2) full-time School Counselor on staff, and on occasion, professional volunteers and interns. These individuals are available to provide services for students in need, including individual counseling, social support, friendship groups, etc. If you believe your child could potentially benefit from these services in order to increase school success, please contact your child's teacher. Recommendations can also be made by the School Success Team (SST), with parent approval. Additional information about Mental Health resources is available within this handbook and on the Elevate website.

## Calendar

A full Academic Calendar for the school year is available for download on our website at [www.elevateschool.com](http://www.elevateschool.com) under the headings "Parents" and "Academic Calendar." In addition, an Event Calendar is available online under the headings "Parents" and "Event Calendar."

## Campus Safety

### Emergency Drills

Students regularly participate in fire, lockdown, and/or earthquake drills. Procedures and practices are taught to all students and reviewed regularly in order to ensure their safety should a disaster occur. If it becomes necessary to release students from School, only the persons whose names are listed on the students' emergency contact lists are allowed to pick up students. The forms are completed at the beginning of each school year, and should be updated as necessary. Please ensure your information is current.

### Emergency Procedures

State regulations require us to have valid emergency numbers on file for every student. Please make certain the office has a current phone listing for you and at least two emergency numbers in the event that you cannot be reached. Should any change occur, please notify the School office of new telephone numbers.

In the event of an emergency, teachers will direct students according to standard safety procedures. The School will communicate time sensitive information to parents/guardians via Elevate's text alert system; sign up for these text alerts on the school website: [www.elevateschool.com](http://www.elevateschool.com) under the headings "Parents" and "Communications."

### General Student Safety

Elevate students must remain on the School grounds during the day, including lunch and recess, and should not enter unsupervised areas.

## Electronic Devices

All student cell phones and digital devices, including smart watches, are to be turned off during school hours and kept out of sight. If necessary, students will have access to classroom and office telephones to reach parents for any legitimate reason. Therefore, cell phones may not be used at recess, lunch, or during class time, except in the limited circumstances described below. Elevate assumes no liability for the loss or damage of digital devices or their misuse by another person. If a student's cell phone rings during class time or if a student uses their device during the school day, the device will be confiscated and turned into the office, where it can be picked up by a parent or guardian at the end of the day. These devices create distractions during the school day so we appreciate your adherence to this policy.

Notwithstanding the above, a student will not be prohibited from possessing or using a smartphone under any of the following circumstances:

1. In the case of an emergency, or in response to a perceived threat of danger.
2. When a teacher or administrator of Elevate grants permission to a pupil to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator.
3. When a licensed physician and surgeon determines that the possession or use of a smartphone

is necessary for the health or well-being of the pupil.

4. When the possession or use of a smartphone is required in a pupil's individualized education program.

A copy of the complete Policy is available on our website under "[Policies and Resolutions](#)".

## Code of Conduct for a Positive School Environment

We believe that a positive school environment is best achieved when parents, students, and the school work together to create this atmosphere. Outlined below is the Elevate Accountability and Discipline Plan. A more detailed Student "Discipline Policy" is located on the School's website under the headings "About Us" and "Policies."

### Elevate Parent Accountability

As an Elevate parent, you are invited to partner with us in your child's education by

- Ensuring your child arrives on time for school each day.
- Providing an opportunity for your child to develop good study habits and incorporate the 7 Habits daily.
- Allowing your child to learn to problem solve and work independently.
- Setting aside time for reading, studying, and project completion.
- Assisting your child in being accountable to themselves and others.
- Providing encouragement and a sense of pride for School activities.
- Monitoring your child for subtle and overt changes that impact academic or personal performance.

### Elevate Student Accountability

Students are expected to take ownership of their own learning by

- Following the 7 Habits daily.
- Knowing when homework and assignments are due and hold yourself responsible for completing assignments.
- Always giving your personal best.
- Talking to your parents and teachers about academic or personal conflicts or concerns immediately.
- Practicing Habit #5: Seek First to Understand, Then to Be Understood.

### School-wide Code of Conduct

Student safety and well-being is the primary focus of Elevate School. To that end, we see the value of establishing specific rules that must be followed in order for all students to be safe:

- Be proactive; you are responsible for your thoughts and actions.
- Follow directions the first time they are given.
- Keep hands, feet, and objects to yourself.
- Always be in a supervised zone.
- Use all equipment and supplies as designed and with care.
- Use your words to solve conflict. If you cannot resolve it on your own, find a teacher or supervisor to help you resolve the conflict.
- All fighting or play fighting will result in a referral to the Campus Dean and may lead to suspension.

**Lunchtime Code of Conduct**

- Line up at your designated time and in your designated line.
- Put First Things First by focusing on eating during your designated lunch time.
- Use quiet, inside voices.
- Be responsible for yourself and your School by being safe and helping to clean up.

**Harassment/Bullying**

- Remember that all students have the right to feel safe and free from harassment at school.
- Think Win-Win: make deposits in others' emotional bank accounts and look for a third option when conflict arises.
- Avoid making negative comments and intentionally hurting others with your words or actions.
- Bullying of any kind will not be tolerated.
- Racist comments of any kind will not be tolerated.
- The School's Title IX, Harassment, Intimidation, Discrimination and Bullying Policy is available within this Handbook, can be requested at the main office and is available on the Elevate website.

**Alcohol, Tobacco, and Other Drugs**

Elevate has a zero-tolerance policy on the use of alcohol, tobacco, and other drugs before school, during school, after school and at School-sponsored activities or events. Suspension is the minimum consequence for the violation of this policy. Selling drugs will result in a recommendation for expulsion.

**Weapons on Campus**

Weapons are not permitted on campus or at school functions. The Executive Director shall recommend a student's expulsion if a student possesses, sells, or otherwise furnishes any firearm, explosive, or other dangerous object of no reasonable use on school grounds, before and after school, and during school activities without written permission of the Principal or designee. Any item that violates the School's Student Suspension and Expulsion Procedures will be held until a parent conference takes place and/or the violation is reported to law enforcement as appropriate. Imitation weapons of any kind are NOT allowed at school and may result in suspension.

**Items Not Allowed At School**

As a general rule, if an item has no reasonable use on school grounds, the student has not obtained staff permission to bring the item to school, the item is expensive or a personal technology device and/or the item is not safe, it should not be brought to school. This includes, but is not limited to, stuffed animals, action figures, and trading cards, unless there is a special occasion allowing for the items to be on campus. Administration may make specific changes or additions to restricted items as necessary.

Any confiscated items will be held in the office until it can be returned to the parent and/or law enforcement at the Administration's discretion.

**Consequences for Violating the Code of Conduct**

Students are encouraged to make positive choices and follow the code of conduct to ensure a positive School culture. However, if a student chooses not to follow the established code, then they choose to accept the consequences of their actions.

**Examples of Consequences for Minor Violations:**

- Time out
- Loss of privilege
- Task to give back to class/school community (campus clean-up, etc.)

**Examples of Consequences for More Severe Violations:**

- Parent notification
- Referral to the Executive Director
- Referral to Student Success Team (“SST”) for behavior concerns
- Parent Interventions, which could include the parent being in class with the student
- Suspension from class or school
- Recommendation for expulsion

**Restorative Justice Practices**

Central to Elevate’s discipline practices is to employ research-based, widely-used strategies for Restorative Justice. These practices are employed in conjunction with California Education Code, and the purpose of these practices is to proactively address student discipline by identifying the root cause of negative behaviors and equipping students with the skills to take ownership of their behavior and constructively resolve conflict. The ultimate goal of Restorative Justice practices is to address racial, ethnic, gender, and ability disparities in exclusionary discipline, especially suspensions. Some Restorative Justice practices that are commonly employed on campus are empowering students with authentic leadership opportunities, facilitating reconciliation meetings between students, and giving students the opportunity to practice active listening. Elevate is committed to training all staff in Restorative Justice practices, and Campus Deans will oversee the implementation of these practices at each campus.

**Principles of Restorative Practices**

The following principles reflect the values and concepts for implementing restorative practices:

1. We acknowledge that relationships are central to building and maintaining our Elevate community.
2. Builds systems that address misbehavior and harm in a way that strengthens relationships. Restorative practices are effective at addressing the disproportionality of discipline on students of color.
3. Focuses on the impact of an individual’s choices on our Elevate community rather than only on rule-breaking. Restorative practices give us new tools to replace outdated and ineffective methods of punishment and suspension.
4. Gives voice to all people impacted.
5. Engages in collaborative problem solving. We believe blame, shame, punishment, and exclusion does not work for our students, our teachers or our community.
6. Empowers change and growth.
7. Enhances responsibility and restoration of trust. Students are not defined by their misbehavior, but rather are given an opportunity to learn and repair relationships.

The primary professional training resource used with school staff will be The Restorative Practice Playbook: Tools for Transforming Discipline In Schools (Fisher et al., 2022).



## Coffee with the Directors

This gathering is an informal opportunity to connect with other parents, hear about happenings at school and share ideas and concerns. It is typically held monthly immediately following the school assembly, subject to local and state health orders. Please contact the office to find out the exact dates for each month.

## Communication

Effective communication with families is very important to us. We will communicate regularly with families in a variety of ways; the main sources being a regular e-newsletter and our School website. For more time sensitive information, we will use our text messaging system.

To receive School emails and text messages, please sign up online for both distribution lists at [www.elevateschool.com](http://www.elevateschool.com) under the headings "Parents" and "Communications." After signing up, if you are not receiving e-newsletters, please refer to the trouble shooting tips on the Communications webpage and/or contact the main office.

If concerns arise during the school year, parents are encouraged to speak first with their classroom teacher (if applicable). Appointments with Mr. Elliott can be scheduled through the School office.

## Curriculum

With the exception of the iReady/ReadyMath program, Elevate School does not purchase multiple pre-packaged curricula. Educational resources are provided for each student as used in each content area, and students are expected to reasonably care for assigned books. Full replacement price will be charged for all lost resources and a fee will be incurred for willfully damaged materials, in accordance with Elevate's procedures for Lost or Damaged School Property.

## Dress Code

Please note that the site administrator may modify this dress code at any time in consideration of student safety to and promote a healthy learning environment.

### **Tops:**

All students are asked to wear a navy blue or gray solid color polo. Optional polos with the Elevate logo may be purchased from Educational Outfitters. Any logo other than the elevate logo must be smaller than one (1) square inch.

### **Bottoms:**

All students are asked to wear navy blue or khaki pants, shorts, skort or skirt (with "cartwheel shorts"). These may be purchased from any retail clothing provider. Yoga pants, suspender jumpers, dresses, and other alternatives are not approved for school. Leggings of a neutral color may be worn under uniform bottoms but may not be worn by themselves.

### **Footwear:**

Shoes must be closed-toe and without wheels. Athletic shoes are recommended, as students will participate in physical activity on most school days.

**Outerwear:**

Elevate's approved outerwear is any plain navy or gray sweater or sweatshirt without graphics, branding, or lettering. (Zippers and hoods are optional.) These may be purchased from any retail clothing provider. Zippered, hooded sweatshirts with an embroidered Elevate logo are also available for purchase through Educational Outfitters. Solid long-sleeved t-shirts and leggings in either navy blue or gray may be worn underneath the school uniform.

**Other Guidelines:**

Clothing should be neat, clean, properly fitted, in good condition, and without tears or holes. Students may not dress in a manner that creates a safety hazard or that distracts from the learning process. This includes, but is not limited to:

- Hats and sunglasses may not be worn indoors. However, religious headwear will be permitted.
- Shorts and skirts must be an appropriate length. When standing straight, the child's fingertips should not be lower than the hem.
- Attire (including clothing, jewelry, and other accessories) which may be a safety hazard to the wearer or others, is not permitted (e.g. wallet chains, chain necklaces, body jewelry).

**Grooming and Hygiene:**

- Personal hygiene is important for all students and helps them to stay healthy, feel confident, and work better at School.
- Hair must be neatly groomed and styled in a way so that it does not interfere with the student's vision.

**Spirit Day Dress**

Throughout the school year there are certain days where students are able to participate in Spirit Days and/or able to wear non-uniform clothing. Announcements for these special days and their specifications will be in the online School calendar and the School newsletter. All clothing worn in these instances must be School-appropriate. Shoes should follow uniform dress code unless otherwise specified.

**Dress Code Violations**

If a student is not dressed or groomed in accordance with the Dress Code, the teacher will bring it to the student's attention. If available, appropriate clothing may be loaned to the student to assist with adherence to the dress code. Any loaned articles of clothing must be laundered and returned to the office the next day.

Please call the office for assistance or questions. Although it is not possible to anticipate every style or trend, unacceptable items not addressed in the Uniform Policy will be addressed on an individual basis by the School Administrative staff and brought to the attention of the parent(s)/guardian(s).

**Conferences**

As a school that is implementing the Leader in Me program ([www.theleaderinme.org](http://www.theleaderinme.org)), students will take an active role in Parent/Student/Teacher Conferences. These meetings are held twice annually (Fall and Spring) in order for parents to receive a detailed assessment of their child's performance. During conferences, students share their goals and parents/guardians can ask questions concerning their child's progress. Throughout the school year, parents are always welcome to contact teachers to arrange a

special conference if necessary. Teachers may request a parent conference at any time as well.

## Field Trips

Field trips may be planned by the classroom teacher in alignment with the current unit of study, and these field trip opportunities will be communicated to families. Students who plan to attend field trips must submit permission slips provided by the classroom teacher. Elevate students will follow School rules at designated field trip locations and will listen to and follow the directions of parent volunteers, drivers, and field trip coordinators for the duration of the field trip.

## Health and Safety

### Accidents

In the case of most minor scrapes and falls, a capable and caring staff member will treat students. Should the injury be determined to be serious, parents/guardians and/or those designated on the emergency cards will be notified. Emergency medical services will be summoned as necessary. Parents/Guardians shall maintain current student medical information (including insurance information) on file with Elevate.

### Child Abuse

In accordance with California State Law, all members of our staff are mandated reporters and are obligated, under penalty of a fine or jail term, to report the reasonable suspicion of abuse or neglect.

### Contagious Diseases

The following communicable diseases must be reported to the school office: COVID, chicken pox, lice, pink eye, strep throat, and measles. Please contact the School as soon as possible, but in no event later than twenty-four (24) hours following diagnosis so that appropriate measures may be considered. Students must be cleared through the office before returning to class.

### Illness

Students should not come to school when ill. If a student becomes ill or is injured while at school, a parent will be contacted to pick up the student. It is important that parents pick up their sick or injured child immediately for the care and comfort of the child and to maintain the health of other students.

Parents are asked to keep students at home if any of the following symptoms are present:

- High fever (Students should be fever-free for 24 hours before returning to school.)
- Nausea and vomiting (Students should wait 24 hours before returning to school.)
- Evidence of a communicable disease
- Severe headache or severe stomach ache
- Spasms or convulsions
- Any severe accident including deep cuts or bleeding
- Persistent coughs
- Rash

### Medications

Any prescription medication brought to School must be in original containers and accompanied by a completed Permission to Administer Prescription Medication Form signed by the student's authorized

healthcare provider and parent/guardian. This form is available in the School office and includes the name of the medication, method, amount, and time schedules by which the medication should be taken. All forms must be updated annually, and more frequently if the medication dosage, frequency of administration, or reason for administration changes. The student must come to the office to take the medication at the appropriate time.

The office carries a supply of over-the counter medications for common ailments, such as Ibuprofen, Tylenol, and antacids. Administration of these medications must be approved by a parent/guardian before they can be administered through a Permission to Administer Prescription Medication Form.

All administration of medication will be provided in accordance with Parent and healthcare provider directions and documented by office staff.

### **Physical Education (“P.E.”) Excuses**

Students are expected to participate in P.E. every week. A student may be excused from an activity if a parent has written and signed an excuse note explaining the illness/injury. This excuse is valid for no more than 3 consecutive days. To be excused for a period longer than 3 days, a written statement from the doctor is required.

### **Physical Exam**

All students must complete a health screening examination on or before the 90th day after the student’s entrance into first grade, or such students must have obtained a waiver pursuant to Health and Safety Code Sections 124040 and 124085. This examination can be obtained from your family physician or possibly through the services provided by your County Health Department. Information and forms are distributed to pupils enrolled in kindergarten. If your child’s medical status changes, please provide the teacher with a physician’s written verification of the medical issue, especially if it impacts in any way your child’s ability to perform schoolwork. Parents/guardians needing assistance meeting the requirements can call 800-675-2229. You are encouraged to complete this exam at kindergarten entry to make sure your child is healthy and ready to learn.

A parent/guardian having control or charge of any child enrolled in the Charter School may file annually with the Executive Director of the school a written and signed statement stating that they will not consent to a physical examination of the child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

Students are screened for vision, hearing and scoliosis. Further, Elevate School adheres to Education Code Section 49450 *et seq.* as applicable to the grade levels served by the Charter School.

## **Homework**

While Elevate does not have an official homework policy, our belief is that all learning experiences and work must be purposeful. This is true whether it is completed during the school day or at home. Students benefit from supported or independent reading of books that are closely matched with their reading level, and students will be expected to read daily at home. Students also benefit from focused practice of recently acquired skills and learning, but homework will not be given for homework’s sake.

## Internet Use

Access to the Internet will enable students to explore libraries, databases, and information resources. Parents/guardians should be aware that some material on the Internet may contain items that are objectionable or inaccurate. While our intent is to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of information resources, exceed the disadvantages. Students will be accessing the Internet in their classrooms with an authorized adult present for guidance. Ultimately, however, parents/guardians of minors are responsible for setting and conveying the standards that their children should follow when using information sources. Any damage to school property will be addressed in accordance with Elevate's Lost or Damaged School Property Procedures.

### Internet Access Rules for Students

Students and parents/guardians are asked to sign an agreement included in the enrollment packet that outlines the following rules for student use:

1. I will follow the directions of my teacher/adult leader while at the computer.
2. I will not make copies of anything I find on the computer without adult permission.
3. I will keep my password private and not share it with anyone else. I will use only my password when I am on the computer. I will not ask for or use anyone else's password. If I find out someone else's password, I will tell that person and an adult so the password can be changed.
4. I will not use words, pictures, drawings, etc. that are not allowed at school or home. That includes drugs, threats, violence, and unkind words.
5. I may not sell or buy anything on the computer.
6. I will not give out my (or anyone else's) full name, address, or phone number to anyone without my parent/guardian and teacher's permission.
7. I will treat the computer equipment and other users' work carefully and not damage it in any way. I understand that if I do, I may have to pay for fixing the damage if it was done on purpose.
8. I agree to follow the above rules and understand that if I break them I may not be allowed to use the computers again and may have other consequences.

## Lost and Found

All student items (clothing, lunches, backpacks, and other important items) should be clearly labeled with the child's name. If an item is lost, students or parents may check the Lost and Found bin in the School office. Loss or damage to anything brought to school remains the responsibility of pupils and parents. At the end of each trimester, unclaimed lost and found items will be donated to charity.

## Lost or Damaged School Property

If a student willfully damages Elevate's property or the personal property of a Elevate employee, or fails to return a textbook, library book, computer/tablet or other Elevate property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process Elevate may withhold the student's grades and transcripts until the damages have been paid. If the student and the student's parent/guardian are unable to pay for the damages or to

return the property, Elevate will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades will be released.

## Media Consent

Members of the media, including newspaper photographers and television camera crews, may visit our campus during the school year to photograph and/or interview children. Parents are asked to complete a Media Release form included in the enrollment packet so that your child may participate. Except for a media request on a controversial matter, for which you would be notified separately, the permission will cover the entire School year. Your signature also permits Elevate School to use your child's photographs, exemplary school work, or interviews in our own publications and on our website.

## Mental Health Services

Elevate School works to provide a variety of services to meet the mental health needs of all of our students. Promoting the social emotional needs of our students is a high priority for our school. The Mental Health Service Team at Elevate consists of the school Counselors, school Psychologist, Occupational Therapist, Speech Therapist, and school Nurse.

The Charter School recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and/or violence. Access to mental health services at the Charter School and in our community is not only critical to improving the physical and emotional safety of students, but it also helps address barriers to learning and provides support so that all students can learn problem-solving skills and achieve in school and, ultimately, in life. The following resources are available to your child:

### Available on Campus:

- Tier 1 provides school-based prevention and interventions for all students. As a Leader In Me school, students are taught leadership principles weekly to encourage them to be strong leaders and learn how to socially and emotionally interact with others. We also implement a social emotional curriculum called 2nd Step that is taught by our school Counselor. Each classroom has a behavior reinforcement system and our school implements a school-wide positive reinforcement system.
- Tier 2 services are focused on students who are in need of additional support due to a variety of factors. Elevate has an SST process to help identify students who are in need of additional support. Elevate offers small group counseling sessions for students who are struggling with emotional and social issues. Students that are identified by school staff are referred to the school counselor who oversees these groups. Parents can also contact the School office to refer their child for counseling.
- Tier 3 services are more tailored to high-risk students. Individual counseling and small group counseling services are available and the school Counselor and school staff work closely with the parents to work together to support the student. Elevate works closely with community partners who run programs for our Tier 3 students.
- Special education services – if you believe your child may have a disability, you can get more information about an evaluation by contacting the Education Specialist at your child's campus or calling the school office at (858) 751-4774.

- Prescription medication while on campus – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this medication to your child, please contact our School Nurse, Danielle Alden, at (858) 751-4774

Community Resources are available on our School Website under Family Resources/Counseling Services. These Include:

- San Diego Youth Services 619-221-8600
- San Diego County 24-Hour Emergency Access & Crisis Line 888-724-7240
- San Diego County 24/7 hotline that provides free, confidential access to services, resources and programs 2-1-1

Available Nationally:

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at 1-800-273-8255.
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. **Available at 1-866-488-7386 or visit <https://www.thetrevorproject.org/>.**
- Big Brothers/Big Sisters of America – This organization is a community- based mentorship program. Community-specific program information can be found online at <https://www.bbbs.org> or by calling (813) 720-8778.

## Nutrition

### Snacks and Lunches

Elevate will offer breakfast and lunch daily. Elevate participates in the National School Lunch Program. Applications for free or reduced-price meals are included in the first day packets to all families and can also be obtained on the Elevate website and in the main office. All families are encouraged to complete the application form in order to include as many eligible students as possible. Completed application forms can be returned to the main office. Elevate will provide two (2) nutritionally adequate meals per school day to each student who requests a meal, without consideration of the student's eligibility for a federally funded free or reduced-price meal. Each student may receive a maximum of one (1) free meal per meal service (breakfast and lunch) each school day. This shall apply to all pupils in kindergarten through grade 8.

Your child may also choose to bring a healthy lunch from home, to be kept in the classrooms or other designated storage area. Please encourage your child to bring home any food they do not eat so that you will know what they are eating. Please mark all food packages brought from home with the student's first and last name and include utensils when necessary. Parents/guardians of younger students are encouraged to send your child to school with food containers that your child can open and close independently. Food is confined to designated eating areas and students are taught at the beginning of the school year where to properly discard trash.

### **At Elevate, we promote healthy eating habits.**

- Snacks: All children have a morning nutrition break. Children are encouraged to bring healthy snacks to eat at this time, i.e. fruit, crackers and cheese, etc. and avoid unhealthy snacks, such as sugary food.

- Lunch: We have partnered with Top Notch Catering for our lunch program and will be offering hot and cold options for lunch on a daily basis. We are confident that our students and families will be well served. Please be on the lookout for separate communications sent out which will include more details.

**We ask that you review the following lunch procedures with your child:**

- Lunch food MUST be consumed at the lunch tables, no exceptions.
- Students must sit at designated tables while eating.
- Students must sit for 15 minutes at their tables before being excused.
- Students may not walk or run with food in their mouths.
- Students must keep hands, feet, and food to themselves.
- Students may not share food with others.
- To be dismissed after the first 15 minutes, students must:
  - Make sure their area is clean
  - Remain seated
  - Wait to be individually dismissed by an adult
- Students must throw trash in the appropriate trash containers when dismissed.
- Students must walk from the lunch area to the recess area after being dismissed.
- Parents visiting during lunch may sit at their child's assigned table (subject to local and state health orders and as space allows) but must first check-in at the office with I.D. and comply with the School's Visitor Policy.

**Elevate School is an equal opportunity provider. For more information, please visit <https://www.cde.ca.gov/ls/nu/cr/crfactsheet.asp>.**

## Office Hours

### Serra Mesa Campus

Monday through Friday, 7:45 am - 3:30 pm

### Tierrasanta Campus

Monday, Tuesday, Wednesday, Friday: 8:00 am - 3:30 pm

Thursday: 8:00 am - 1:15 pm

### Middle School Campus

Monday, Tuesday, Wednesday, Friday: 7:30 am - 3:00 pm

Thursday: 7:30 am - 1:15 pm

## Promotion and Retention

When a student's grades or assessments fall below the set standards, a Student Success Team (SST) comprised of teacher and administrator meets with parents/guardians to discuss recommendations for promotion or retention. The School will make every attempt to consult and work with parents to help support students' academic challenges throughout the year.



## Report Cards/Progress Reports

Report Cards will be issued at the end of every trimester. These will include academic performance goals, study habits, citizenship, and teacher comments.

## Student Support Services

We are dedicated to the belief that all students can learn and must be guaranteed equal opportunity to become contributing members of the academic environment and society. Students experiencing academic or behavioral difficulties may be referred to an SST, a meeting which may include the student, parents, teachers, administrator, and counselor or other specialist to discuss strategies and design an improvement plan to facilitate student success. Teachers or parents may refer a student to an SST at any time during the School year.

## Technology Devices

All Elevate students have access to individually assigned or shared technology devices, such as tablets or laptop computers and their accessories. Parents must sign a technology Acceptable Use Agreement for these devices and agree to take responsibility for loss or damage in order for students to have access to these resources.

## Transportation and Parking

### Bicycles

Any student riding a bicycle to school must have on file in the office a permission slip/liability release signed by both a parent/guardian and the student. This form may be obtained in the office. Students in 3<sup>rd</sup> – 8<sup>th</sup> grade may ride to school alone with parental consent once this form is on file, however, students in K – 2<sup>nd</sup> grade must be accompanied to school by an adult 18 years of age or older at all times.

### Drop-off and Pick-up

Student safety is always our primary concern. Parents/guardians are responsible for dropping off and picking up their child(ren) at the designated times in designated areas. Please be courteous toward neighboring businesses and residents concerning parking and designated Elevate drop-off and pick-up zones.

At arrival, parents who choose to park and walk with their students should bring them to the entry gate and say goodbye; parents are not permitted to walk their students to the classroom. However, during the first week of school, kindergarten parents may stay with students and walk them to class. After the first week, they are asked to say goodbye at the gate to encourage acclimation to School procedures and culture.

At arrival and dismissal, parents/guardians are expected to exercise patience and consideration at all times. Pick-up and drop-off attendants will assist to ensure an efficient process. Please treat these individuals with respect.

- Students may be dropped off beginning at 7:50 am at the Serra Mesa campus, 8:10 am at the Tierrasanta campus, and may not be left unattended before this time.
- Students arriving to school after the start of school may be considered late and/or tardy and

must report to the office to receive a tardy slip before being admitted to the classroom. (See the *Attendance* section for details.)

If a person besides the parent/guardian is picking up the student during school hours, their name must be included on the approved student's pick-up list and they will need to provide government issued I.D. Contact the School office to add to or remove names from the student's approved pick-up list.

*For Serra Mesa Campus only:* When using the designated car lanes for pick-up, all vehicles must have the Elevate car hangers clearly displayed with student's grade, teacher's name, and student's first and last name. Additional car hangers can be picked up from the School office.

**Important:** Please refer to the website for more details regarding drop-off and pick-up procedures for each campus – some procedures differ at each campus. This information is located under the headings "Parents" and "Drop-off & Pick-up Procedures."

## Visitors

To ensure student safety, all visitors (including volunteers, parents/guardians, etc.) must sign in upon arrival with a state-issued I.D. When registering, the visitor is required to provide his/her name, address, age (if under 21), his/her purpose for entering School grounds, and proof of identity. All visitors will receive a visitor badge to be worn at all times. Before leaving the campus, visitors must sign out with the office. Visitors who do not comply with campus policies will be asked to leave the premises. Visitors are expected to comply with all local and state health directives as well as requests from school administration while on the school campus.

If the visitor is a government officer/official (including but not limited to local law enforcement officers, immigration enforcement officers, social workers, district attorneys, or U.S. attorneys) the officer/official will also be asked to produce any documentation that authorizes school access. Elevate shall make reasonable efforts to notify parents or guardians prior to permitting a student to be interviewed or searched, consistent with the law and/or any court order, warrant, or instructions from the officer/official. A copy of the documentation provided by the officer and notes from the encounter may be maintained by Elevate, consistent with the law. The Elevate Governing Board and Bureau of Children's Justice in the California Department of Justice, at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), will be timely informed regarding any attempt by a law-enforcement officer to access a School site or contact a student for immigration-enforcement purposes, as recommended by the Attorney General.

All visitors are asked to comply with current mandated and recommended health and safety protocols. Visitors (including volunteers) who demonstrate signs of a contagious disease (e.g. fever, coughing) may be denied registration. When recommended or requested by the Department of Public Health, visitors will be required to wear personal protective equipment, such as masks, and practice social distancing. School reserves the right to implement additional measures for the protection of its school community, such as requiring forehead temperature checks before entry to the same extent being utilized for students and employees.

Serra Mesa visitor check-in occurs in the school office. Tierrasanta Campus check-in begins in the lobby of Vista Grande Elementary School. In this lobby, use the public phone to call Elevate's office (number is posted), someone can meet you in the lobby and escort you to our office.

Special note: Parents/guardians do not need to check-in when attending school assemblies (or other special events held in the Multi-Purpose Room); they may go directly to the Multi-Purpose Room. If parents remain on campus to volunteer, they will need to check-in to obtain a volunteer badge.

Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00, or imprisonment in the County jail for a period of up to 6 months or both.

Under California Education Code section 44811, disruption by a parent, guardian or other person at a school or school sponsored activity is punishable by a fine of no less than \$500.00 and no more than \$1,000.00, or by imprisonment in a County jail for no more than 1 year, or both the fine and imprisonment.

Disruptive conduct may lead to Elevate's pursuit of a restraining order against a visitor, which would prohibit him/her from coming onto school grounds or attending school activities for any purpose for a period of up to 3 years.

## Volunteering

Research shows that active parent involvement within the school community positively affects children's education. Therefore, every Elevate family is strongly encouraged to volunteer in any way that they can. Opportunities for volunteering on campus will be limited as needed to accommodate local and state health directives and ensure the safety of our school community.

**No student's enrollment status, grades, or participation in educational activities will be affected by that student's family's inability to volunteer.**

Such volunteer activities may include copying, filing, chaperoning, teaching/demonstrating, assisting, sharing of special talents, organizing events, or other tasks as requested by staff. Such service may take place during the school day, evenings, or even on weekends. Please consult the School newsletter, website, office staff, or your child's teacher for available opportunities.

Please note that information gained by volunteers regarding students (e.g. academic performance or behavior) is to be maintained in strict confidentiality.

Families are responsible for recording/reporting their own service hours by using our online volunteer management system, Raptor. Volunteer Kiosks are located on both campuses for checking in and out.

When volunteering on campus, please make arrangements for childcare for other children, as siblings are not allowed when volunteering.

Parents are welcome to volunteer in the classroom at the teacher's discretion and should arrange this in advance with the teacher. Volunteers may not serve in classrooms for the first 2 weeks of school (or per teacher's preference) to allow teachers to establish important routines with students.

Our desire is to welcome parent participation while minimizing disruptions to the students' learning environment. Therefore, when volunteering in the classroom, it is requested that volunteers not talk to

the students or use classroom time for discussions with the teacher. A conference may be scheduled with the teacher if you wish to discuss aspects of the classroom curriculum or a child's progress.

### **How to Volunteer**

For student safety, all campus volunteers must submit an online Raptor Volunteer Application and a tuberculosis risk assessment (TB test) with negative results to the School office (TB tests are valid for 4 years).

The Raptor Volunteer Application includes a national background check (with a fee of \$15), which can take up to 2 weeks. Therefore, the application needs to be submitted at least 2 weeks prior to your first volunteer opportunity. Once cleared, clearance is good for 3 years. Volunteers who will volunteer outside of the direct supervision of a credentialed employee will also be fingerprinted prior to volunteering.

The first time you volunteer on campus, you must check in with the office with your driver's license or state I.D. If you are active duty military, you will also need to show your active duty military card.

Volunteers must follow the visitor guidelines above for signing in and out and wearing a volunteer badge (provided when you check in).

## Annual Notices

### **Availability of Prospectus**

Upon request, the School will make available to any parent or legal guardian, a School prospectus, which shall include the curriculum, including titles, descriptions, and instructional aims of every course offered. Please note that, pursuant to law, the School may charge for the prospectus in an amount not to exceed the cost of duplication.

### **California Assessment of Student Performance and Progress ("CAASPP")**

As discussed above in more detail in the Handbook, the School shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress.) Notwithstanding any other provision of law, a parent's or guardian's written request to School officials to excuse his or her child from any or all parts of the CAASPP shall be granted. Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

### **California Healthy Kids Survey**

The Charter School may administer the California Healthy Kids Survey ("CHKS") to students in grades five whose parent or guardian provides written permission. The CHKS is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency that enables the Charter School to collect

and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence.

## Child Find

We are dedicated to the belief that all students can learn and must be guaranteed equal opportunity to become contributing members of the academic environment and society. The School provides special education instruction and related services in accordance with the Individuals with Disabilities in Education Improvement Act (“IDEIA”), Education Code requirements, and applicable policies and procedures of the El Dorado County Charter SELPA. These services are available for special education students enrolled at the Charter School. We offer high quality educational programs and services for all our students in accordance with the assessed needs of each student. The Charter School collaborates with parents, the student, teachers, and other agencies, as may be indicated, in order to appropriately serve the educational needs of each student.

Pursuant to the IDEA and relevant state law, the School is responsible for identifying, locating, and evaluating children enrolled at the School with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or foster youth. The School shall not deny nor discourage any student from enrollment solely due to a disability. If you believe your child may be eligible for special education services, please contact, James McElroy, Director of Special Education, 858-751-4774, [jmcleroy@elevateschool.com](mailto:jmcleroy@elevateschool.com).

The complete Special Education policy is available for review on the school website.

## Education of Foster and Highly Mobile Youth

The Charter School has adopted a policy governing the education of foster youth, consistent with state and federal law. A copy of the complete Policy is available on our website under [“Policies and Resolutions”](#).

**Definitions:** For the purposes of this annual notice the terms are defined as follows:

1. “Foster Youth” means any of the following:
  - a. A child who is the subject of a petition filed pursuant to California Welfare and Institutions Code (“WIC”) section 309 (whether or not the child has been removed from the child’s home by juvenile court).
  - b. A child who is the subject of a petition filed pursuant WIC section 602, has been removed from the child’s home by the juvenile court, and is in foster care.
  - c. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
    - i. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
    - ii. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
    - iii. The nonminor is participating in a transitional independent living case plan.
  - d. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal

organization who is the subject of a petition filed in the tribal court.<sup>1</sup>

- e. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.
- f.
2. “Former juvenile court school pupils” refers to a student who, upon completion of the student’s second year of high school, transfers from a juvenile court school to the Charter School.
3. “Child of a military family” refers to a student who resides in the household of an active duty military member.
4. “Currently Migratory Child” refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency (“LEA”), either within California or from another state, in order that the child or a member of his or her immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. “Currently Migratory Child” includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
5. “Pupil participating in a newcomer program” means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

Within this notice, foster youth, former juvenile court school pupils, a child of a military family, a current migratory child, and a pupil participating in the newcomer program will be collectively referred to as “Foster and Mobile Youth.” A parent, guardian, or other person holding the educational rights for a Foster and Mobile Youth will be referred to as a “parent.”

**Foster and Mobile Youth Liaison:** The Executive Director or designee designates the following staff person as the Liaison for Foster and Mobile Youth:

Cassandra Bahr  
 TS Administrative Assistant  
 2285 Murray Ridge Road, CA 92123  
 858-751-4774  
 cbahr@elevateschool.com

The Foster and Mobile Youth Liaison’s responsibilities include, but are not limited to the following:

1. Ensuring and facilitating the proper educational placement, enrollment in school, and checkout from school of foster children.
2. Assisting foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.

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

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<sup>1</sup> The Charter School shall not require an Indian tribe or tribal court representative to certify that any student is a dependent of an Indian tribe, consortium of tribes, or tribal organization.

Foster youth, currently migratory children and children of military families have the right to remain in their school of origin if it is in their best interest. The Charter School will immediately enroll a foster/juvenile court youth or child of a military family seeking reenrollment in the Charter School as the student's school of origin (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy). If a dispute arises regarding a foster youth's request to remain in the Charter School as the school of origin the foster youth has the right to remain in the Charter School pending the resolution of the dispute. The Charter School will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to the Charter School (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g. producing medical records or academic records from a previous school).

Foster youth, currently migratory children and children of military families have the right to remain in their school of origin following the termination of the child's status as a foster youth, currently migratory child or child of a military family, as follows:

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

**Acceptance of Course Work:** Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a Foster and Mobile Youth.

Charter School will provide Foster and Mobile Youth credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the pupil is reasonably able to complete the requirements in time to graduate. When partial credit is awarded in a particular course, the Foster and Mobile Youth shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

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

The Charter School shall not lower a foster youth's grades as a result of the student's absence due to a verified court appearance, related court ordered activity, or a change the placement of the student made by a county or placing agency. If a foster youth is absent from school due to a decision to change the placement of the student made by a county or placing agency, the grades and credits of the pupil will be

calculated as of the date the student left the Charter School.

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

**Discipline Determinations:** If the Charter School intends to extend the suspension of any foster/ juvenile court youth pending a recommendation for expulsion, the Charter School will invite the student's attorney and an appropriate representative from the relevant county agency to participate in the meeting at which the extension of the suspension will be discussed.

If the Charter School intends to suspend for more than ten (10) consecutive school days or expel a student with a disability who is also a foster/juvenile court youth due to an act for which the recommendation for expulsion is discretionary, the Charter School will invite the student's attorney and an appropriate representative from the relevant county agency to participate in the Manifestation Determination Review meeting.

**Complaints of Noncompliance:** A complaint of noncompliance with any of the requirements outlined above may be filed through the Charter School's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

**Availability of Complete Policy:** For any Foster and Mobile Youth who enrolls at the Charter School, a copy of the Charter School's complete foster youth policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.

## English Learners

Elevate is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for English language learning. Elevate will meet all applicable legal requirements for English Learners as they pertain to annual notification to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. Elevate will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

## Free and Reduced-Price Meals

The Charter School participates in the National School Lunch Program. Commencing with the 2022-23 school year, the Charter School shall provide two (2) nutritionally adequate meals to each student who requests a meal without consideration of the student's eligibility for a federally funded free or reduced-price meal, with a maximum of one (1) free meal per meal service (breakfast and lunch) each school day. This shall apply to all pupils in kindergarten through grade twelve (12).

Applications for free or reduced-price meals are available online and emailed to all families. Applications can also be obtained from the Charter School website and in the main office. All families are encouraged



to complete the application form in order to include as many eligible students as possible. Completed application forms can be returned to the main office.

The complete policy is available for review on the school website. The School also maintains a Student Wellness policy, which is likewise available for review on the website.

## Homeless Students

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

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

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

**School Liaison:** The Executive Director designates the following staff person as the School Liaison for homeless students (42 USC 11432(g)(1)(J) & (e)(3)(C)):

Alicia Hithe, TS Administrative Assistant  
2285 Murray Ridge Road  
San Diego, CA 92123  
858-751-4774

The School Liaison shall ensure that (42 U.S.C. 11432(g)):

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

4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, the Elevate charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. School personnel providing services receive professional development and other support.
9. The School Liaison collaborates with State coordinators and community and School personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

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

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

**Acceptance of Course Work:** The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a

nonpublic, nonsectarian school or agency by a homeless student.

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

For any homeless student who enrolls at the School, a copy of the School's complete policy shall be provided at the time of enrollment. A copy of the complete policy can be located on the website under the headings "About Us" and "Policies."

## Human Trafficking Prevention

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. The Charter School believes it is a priority to inform our students about (1) the prevalence, nature of and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance, and (2) how social media and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, the Charter School will provide age-appropriate instruction on the prevention of human trafficking, including sexual abuse, assault, and harassment. You have the right to excuse your child from all or part of the instruction on the prevention of human trafficking. An opt-out form is available at the main office for your convenience. Your consent for this instruction is NOT required. If we do not receive a written request to excuse your child, your child will be included in the instruction.

Information and materials for parents/guardians about the curriculum and resources on prevention of human trafficking and abuse, including sexual abuse, assault, and harassment are available on Charter School's website for your review.

## Immunizations

Pursuant to the California Health and Safety Code and the California Code of Regulations, children provide proof of having received required immunizations (shots) before they can attend school unless they meet the requirements for an exemption. Immunization records are required for all incoming students. Verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic. To ensure a safe learning environment for all students, the Charter School follows and abides by the health standards set forth by the state of California. The immunization status of all students will be reviewed periodically. Those students who are not in compliance with the State requirements must be excluded from attendance until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of the Charter School.

These required immunizations include:

Child's Grade	List of shots required to attend school
TK/K-12 Admission	<p>Diphtheria, Tetanus and Pertussis (DTaP) - Five (5) doses Polio - Four (4) doses            Measles, Mumps, and Rubella (MMR) - Two (2) doses Hepatitis B (Hep B) - Three (3) doses            Varicella (chickenpox) – Two (2) doses</p> <p><b>NOTE:</b> Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement for DTaP. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.</p>
Entering 7 <sup>th</sup> Grade	<p>Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose            Varicella (chickenpox)- Two (2) doses</p> <p><b>NOTE:</b> In order to begin 7th grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet the requirements listed for grades K-12 as well as requirements for 7<sup>th</sup> grade advancement (i.e., polio, MMR, varicella and primary series for diphtheria, tetanus, and pertussis). At least one dose of pertussis-containing vaccine is required on or after the 7th birthday.</p>

## Involuntary Removal Process

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

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

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

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

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

## **Nondiscrimination Statement**

Elevate does not discriminate against any person on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

Elevate adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 ("ADA"), and the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA").

Elevate does not discourage students from enrolling or seeking to enroll in Elevate for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. Elevate shall not encourage a student currently attending Elevate to disenroll or transfer to another school based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with the Elevate's charter and relevant policies.

Elevate does not request nor require student records prior to a student's enrollment.

Elevate shall provide a copy of the California Department of Education Complaint Notice and Form to any parent, guardian, or student over the age of 18 at the following times: (1) when a parent, guardian, or student over of the age of 18 inquires about enrollment; (2) before conducting an enrollment lottery; and (3) before disenrollment of a student.

Elevate is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964

(race, color, or national origin); The Age Discrimination Act of 1975; the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability). Elevate also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. Elevate does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which the School does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. Elevate will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the School Uniform Complaint Procedures (“UCP”) Compliance Officer:

Ryan Elliott, Executive Director  
2285 Murray Ridge Road  
San Diego, CA 92123  
858-751-4774

The lack of English language skills will not be a barrier to admission or participation in Elevate’s programs or activities. Elevate prohibits retaliation against anyone who files a complaint or who participates or refuses to participate in a complaint investigation.

## Oral Health Assessment (“OHA”) for K-1

Students enrolled in kindergarten in a public school or while enrolled in first grade if the pupil was not previously enrolled in kindergarten in a public school are required to have an oral health assessment completed by a dental professional. Please contact the office if you have questions about this requirement.

## Parent and Family Engagement Policy

The Charter School aims to provide all students in our school significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act (“ESEA”). The Charter School staff recognizes a partnership with families is essential to meet this goal. Our Parent and Family Engagement Policy leverages and promotes active involvement of all families as partners with schools to ensure student success. A copy of the Charter School’s complete Policy will be available on the Elevate website.

## Pupil Records, including Challenges and Directory Information

The Family Educational Rights and Privacy Act (“FERPA”) affords parents and students who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student's education records within 5 business days after the day the School receives a request for access. Parents or eligible students should submit to the

School's Executive Director or designee a written request that identifies the records they wish to inspect.

The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the School to amend a record should write the School's Executive Director or designee, clearly identify the part of the record they want changed, and specify why it should be changed. Elevate will respond within thirty (30) days of the receipt of the request to amend. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. If the Charter School decides to amend the record as requested by the parent or eligible student, the Executive Director must order the correction or the removal and destruction of the information and inform the parent or eligible student of the amendment in writing.

3. The right to provide written consent before the School discloses personally identifiable information ("PII") from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to School officials with legitimate educational interests. A School official is a person employed by Elevate as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board of Directors of Elevate. A school official also may include a representative from San Diego Unified School District as part of its oversight, a volunteer, consultant, vendor or an independent contractor outside of Elevate who performs an institutional service or function for which Elevate would otherwise use its own employees and who is under the direct control of Elevate with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist or contracted provider of digital educational platforms and/or services; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A Charter School official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

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

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Elevate to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

5. The right to request that the Charter School not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

FERPA permits the disclosure of PII from student's education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to School officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the School to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. Parents and eligible students have a right to inspect and review the record of disclosures. A School may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student —

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



8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
9. Persons who need to know in cases of health and safety emergencies;
10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the pupil's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by Charter School for student and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by Charter School; and/or
12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by Elevate with respect to that alleged crime or offense. Elevate may disclose the final results of the disciplinary proceeding, regardless of whether Elevate concluded a violation was committed.

"Directory Information" is information that is generally not considered harmful or an invasion of privacy if released. The Charter School may disclose the personally identifiable information that it has designated as directory information without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish year books. Elevate has designated the following information as directory information:

1. Student's name
2. Student's address
3. Parent's/guardian's address
4. Telephone listing
5. Student's electronic mail address
6. Parent's/guardian's electronic mail address
7. Photograph/video
8. Date and place of birth
9. Dates of attendance
10. Grade level
11. Degrees, honors, and awards received
12. The most recent educational agency or institution attended
13. Student ID number, user ID, or other unique personal identified used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's social security number, in whole or in part, cannot be used for this purpose.)
14. Participation in officially recognized activities and sports
15. Weight and height of members of athletic teams

If you do not want the School to disclose directory information from your child's education records without your prior written consent, you must notify the School in writing at the time of enrollment or re-enrollment. Please notify the Executive Director at:

Ryan Elliott, Executive Director  
2285 Murray Ridge Rd  
San Diego, CA 92123  
858-751-4774

A complete copy of the School's "Educational Records and Student Information Policy" can be located on the website under the headings "About Us" and "Policies."

## Use of Student Information Learned from Social Media

The Charter School complies with all federal, state, and local guidelines regarding the gathering and/or maintenance of information about any enrolled student obtained from social media in the student's educational record. The Charter School gathers student information from social media. Such information shall be maintained in the Charter School's records with regard to the student and shall be destroyed within one (1) year after a student turns 18 years of age or within one (1) year after the student is no longer enrolled in the Charter School, whichever occurs first. A non-minor student or a student's parent or guardian may access the student's records for examination of the information, request the removal of information or corrections made to information gathered or maintained by the Charter School by contacting the Executive Director.

## Pregnant and Parenting Students

The Charter School recognizes that pregnant and parenting students are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. A pregnant or parenting student is entitled to eight (8) weeks of parental leave, or more if deemed medically necessary by the student's physician, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The Charter School will ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program.

Upon return to school after taking parental leave, a pregnant or parenting student will be able to make up work missed during the pregnant or parenting student's leave, including, but not limited to, makeup work plans and reenrollment in courses.

Complaints of noncompliance with laws relating to pregnant or parenting students may be filed under the Uniform Complaint Procedures ("UCP") of the Charter School. The complaint may be filed in writing with the compliance officer:

Ryan Elliott, Executive Director  
2285 Murray Ridge Rd  
San Diego, CA 92123

858-751-4774

A copy of the UCP is available upon request at the main office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Executive Director.

## School Safety Plan

Elevate has established a Comprehensive School Safety Plan. The Plan is available upon request at the main office.

## Section 504

The School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise subjected to discrimination under any program of Elevate. Any student who has an objectively identified disability which substantially limits a major life activity, including, but not limited to learning, is eligible for accommodations by the School. The parent of any student suspected of needing or qualifying for accommodations under Section 504 may make a referral for an evaluation to the Executive Director or designee. A copy of the School's Section 504 policies and procedures can be located on the website under the headings "About Us" and "Policies."

## Sexual Health Education

The Charter School offers comprehensive sexual health education to its students in grades 7-8. A parent or guardian of a student has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent ("opt-out") process. The Charter School does not require active parental consent ("opt-in") for comprehensive sexual health education and HIV prevention education. Parents and guardians may:

- Inspect written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.
- Excuse their child from participation in comprehensive sexual health education and HIV prevention education in writing to the Charter School.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by Charter School personnel or outside consultants. When the Charter School chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
  - The date of the instruction
  - The name of the organization or affiliation of each guest speaker
- Request a copy of Education Code sections 51930 through 51939.

Anonymous, voluntary, and confidential research and evaluation tools to measure students' health behaviors and risks (including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes concerning or practices relating to sex) may be administered to students in grades 7-12. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent ("opt-out") process. Parents or guardians shall be notified in writing that this

test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to the Charter School.

A student may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on student health behaviors and risks if the Charter School has received a written request from the student's parent or guardian excusing the student from participation. An alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

## Student Freedom of Speech and Expression Policy

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

A copy of the complete Policy is available on our website under "[Policies and Resolutions](#)".

## Surveys About Personal Beliefs

Unless you give written permission, your child will not be given any test, questionnaire, survey, or examination containing any questions about your child's, or his/her parents' or guardians' personal beliefs or practices in sex, family life, morality, or religion.

## Teacher Qualification Information

As the Charter School receives Title I federal funds through the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA"), all parents/guardians of students attending the Charter School may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals, including at a minimum:

1. Whether the student's teacher:
  - a. Has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - b. Is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
  - c. Is teaching in the field of discipline of the certification of the teacher; and
2. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Upon request, the Charter School will provide the information to the parents/guardians in a timely manner. Parents/guardians may contact the Executive Director at [relliott@elevateschool.com](mailto:relliott@elevateschool.com) to obtain this information.

## Uniform Complaint Procedure

Elevate is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs.

Elevate shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by our Governing Board for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group, on the basis of actual or perceived characteristics of age, ancestry, color, immigration/citizenship status, ethnic group identification, gender expression, gender identity, gender, genetic information, physical disability, mental disability, medical condition, marital status, nationality, national origin, race or ethnicity, religion, sex, sexual orientation, or on a person’s association with a person or group with one or more of these actual or perceived characteristics, in any Elevate program or activity.
2. Complaints alleging violation of state and/or federal law or regulation governing the following programs including but not limited to:
  - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
  - Every Student Succeeds Act;
  - Migrant Education Programs;
  - Regional Occupational Centers and Programs; and/or
  - School Safety Plans.
3. Complaints alleging noncompliance with laws relating to pupil fees.. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:
  - A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
  - A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
  - A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

Complaints of noncompliance with laws relating to pupil fees may be filed with the Executive Director or the Compliance Office identified below.

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

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

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

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

Ryan Elliott, Executive Director  
2285 Murray Ridge Rd  
San Diego, CA 92123

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

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

The compliance officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with the School’s procedures. Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant.

1. The complainant has a right to appeal the School’s Decision to the California Department of Education (“CDE”) by filing a written appeal within thirty (30) days of the date of the Elevate’s decision, except if Elevate has used its UCP to address a complaint that is not subject to the UCP requirements. The appeal must include a copy of the complaint filed with the School and a copy of the School’s Decision and the complainant must specify and explain the basis for the appeal of the Decision including at least one of the following: Elevate failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, Elevate’s Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in Elevate’s Decision are not supported by substantial evidence.

4. The legal conclusion in Elevate’s Decision is inconsistent with the law.
5. In a case in which Elevate’s Decision found noncompliance, the corrective actions fail to provide a proper remedy.

A complainant who appeals Elevate’s Decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE’s receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

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

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

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

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

A copy of the UCP shall be available upon request free of charge on the School website under the headings “About Us” and “Policies” and in the Main Office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the UCP, please contact the Executive Director.

# Complete Policies

## Suicide Prevention Policy

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

The full policy can [be accessed here](#).

## Student Discipline Policy

Students learn best in a safe and healthy environment where there are clear expectations about behavior and where students, faculty, administration and staff are all valued and respected. To maintain and protect this type of environment, it is therefore necessary to establish and implement student discipline policies. Written policies regarding student discipline help all individuals know what the expectations are and set forth the procedure to be followed when individuals deviate from those policies so that they are applied in a fair and even-handed manner. Students learn best in a safe and healthy environment where there are clear expectations about behavior and where students, faculty, administration and staff are all valued and respected. To maintain and protect this type of environment, it is therefore necessary to establish and implement student discipline policies. Written policies regarding student discipline help all individuals know what the expectations are and set forth the procedure to be followed when individuals deviate from those policies so that they are applied in a fair and even-handed manner.

Student discipline issues can fall anywhere on the spectrum from occasional class disruptions that are resolved with a warning all the way through to expulsion, which is the most serious discipline available.

Elevate's complete Discipline Policy can be accessed on [our website here](#).

## Employee Interactions with Students

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

### Corporal Punishment

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

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



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

A. Examples of PERMITTED actions (NOT corporal punishment)

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

B. Examples of PROHIBITED actions (corporal punishment)

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

Acceptable and Unacceptable Staff/Student Behavior

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

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

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

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

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

Duty to Report Suspected Misconduct

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

Examples of Specific Behaviors

The following examples are not an exhaustive list:

Unacceptable Staff/Student Behaviors (Violations of this Policy)

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

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

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

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

Cautionary Staff/Student Behaviors

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

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

Acceptable and Recommended Staff/Student Behaviors

- a. Getting parents' written consent for any after-school activity.

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

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

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

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

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

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

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

Ryan Elliott, Executive Director  
2285 Murray Ridge Road  
San Diego, CA 92123  
858-751-4774

## **Definitions**

### **Prohibited Unlawful Harassment**

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

### **Prohibited Unlawful Harassment under Title IX**

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

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

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

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

Sexual harassment may include, but is not limited to:

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

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

### **Prohibited Bullying**

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

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

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
  - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to:
  - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of

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<sup>2</sup> "Reasonable Student" is defined as a student, including, but not limited to, an exceptional needs student, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

“bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

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

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

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

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

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

Elevate advises students:

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

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

#### **2. Education**

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



compassion and respect each other.

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

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

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

### **3. Professional Development**

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

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

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

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

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

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

## **Grievance Procedures**

### **1. Scope of Grievance Procedures**

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

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

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

### **2. Reporting**

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

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

Ryan Elliott, Executive Director  
2285 Murray Ridge Road  
San Diego, CA 92123  
858-751-4774

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

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Elevate will investigate and respond to all oral and written

reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Executive Director/Coordinator, a staff person or a family member so that Student can get assistance in resolving the issue in a manner that is consistent with this Policy.

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

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

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

### **3. Supportive Measures**

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

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

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

#### **4. Investigation and Response**

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

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

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

- Notice of the Allegations
  - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
    - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
    - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
    - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
    - A statement that Elevate prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
  - Elevate may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with Elevate's policies.
  - Elevate may remove a respondent from Elevate's education program or activity on an emergency basis, in accordance with Elevate's policies, provided that Elevate undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other

individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

- This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
  - If a formal complaint of sexual harassment is filed, Elevate may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If Elevate offers such a process, it will do the following:
    - Provide the parties with advance written notice of:
      - The allegations;
      - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
      - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
      - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
    - Obtain the parties' advance voluntary, written consent to the informal resolution process.
  - Elevate will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
  - The decision-maker will not be the same person(s) as the Coordinator or the investigator. Elevate shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
  - In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
  - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
  - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
  - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
  - Prior to completion of the investigative report, Elevate will send to each party

and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.

- The investigator will complete an investigation report that fairly summarizes all relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
  - If the investigation reveals that the alleged harassment did not occur in Elevate's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable Elevate policy.
  - Elevate may dismiss a formal complaint of sexual harassment if:
    - The complainant provides a written withdrawal of the complaint to the Coordinator;
    - The respondent is no longer employed or enrolled at Elevate; or
    - The specific circumstances prevent Elevate from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
  - If a formal complaint of sexual harassment or any of the claims therein are dismissed, Elevate will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
  - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
  - Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
  - Elevate will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
    - The allegations in the formal complaint of sexual harassment;
    - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
    - The findings of facts supporting the determination;
    - The conclusions about the application of Elevate's code of conduct to the facts;
    - The decision and rationale for each allegation;
    - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
    - The procedures and permissible bases for appeals.

## 5. Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be

subject to disciplinary action up to and including expulsion from Elevate or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by Elevate in response to a formal complaint of sexual harassment.

## **6. Right of Appeal**

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

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

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

## **7. Recordkeeping**

All records related to any investigation of complaints under this Policy are maintained in a secure location.

Elevate will maintain the following records for at least seven (7) years:

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

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

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

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

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

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

\_\_\_\_\_

List any witnesses that were present:

\_\_\_\_\_

Where did the incident(s) occur?

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_  
Signature of Complainant

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

\_\_\_\_\_  
Print Name

**To be completed by the Charter School:**

Received by: \_\_\_\_\_

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

Follow up Meeting with Complainant held on: \_\_\_\_\_



# Coversheet

## Approve Updated Safe Return to School

**Section:** II. Agenda Items  
**Item:** K. Approve Updated Safe Return to School  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:**  
2022-2023 Safe Return to In-Person Instruction & Continuity of Services Plan.pdf



# ELEVATE SCHOOL

**Elevate Charter School Safe Return to  
In-Person Instruction and Continuity of  
Services Plan**

**August 2022  
2022-2023**



# **Elevate School Safe Return to In-Person Instruction and Continuity of Services Plan**

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## Introduction

The COVID-19 pandemic dramatically altered the landscape for schools and will continue to do so in the immediate future. As we prepare for the 2022-2023 school year, Elevate will examine and adjust all necessary elements of our school program in order to provide safe, high-quality learning options for students in the fall and throughout the school year.

Over the last few months, the Elevate community has been invited to dialogue with school staff, and a consensus was reached around the guiding principles that shape this reopening plan.

The guiding principles that shape this plan are **Safety, Equity, Academics, and Social Emotional Connection**. These principles, in concert with Elevate's mission and guidance from public health officials at the state and county level, form the foundation and rationale for the instructional models and learning environments presented in this plan.

Elevate will continue to actively partner with parents and apply our guiding principles as we move toward and into the 22-23 school year.

Due to the constantly changing nature of the COVID-19 pandemic, local conditions and guidance from the county, state, and federal agencies, such as the California Department of Public Health (CDPH), California Department of Education (CDE), San Diego County Health and Human Services Agencies (PHS), and San Diego County Office of Education (SDCOE), we will regularly monitor and evaluate this plan and make changes, as needed.

### **Elevate School Mission**

*Elevate School equips tomorrow's global innovators by inspiring students to be Excellent in academics, Exceptional in leadership, and Extraordinary in creativity.*

## Updates for 2022-2023 School Year:

### **MASKS:**

Consistent with CDPH guidance, masks continue to be strongly recommended (but not required) in K-12 indoor/outdoor settings as an ongoing layer of protection from COVID-19 and in consideration of those most vulnerable in our community.

Masks are strongly recommended (but not required) in indoor/outdoor settings (except when in the presence of an individual with symptoms, as when a sick student enters office).

In instances of exposure to a COVID-19 positive individual, on-campus adults/staff will be required per the Cal/OSHA emergency temporary standards to wear a well-fitting mask indoors around others for at least 10 days.

In instances of a classroom outbreak (3 or more positive cases), masks would transition from strongly recommended to required for all members of the class community. If

In times of heightened community levels of COVID-19, school will evaluate local and school conditions to determine if/when whole-campus masking would be appropriate.

All individuals may continue to wear masks and it is expected that all members of our school community will demonstrate kindness and respect for others regardless of one's choice to wear a mask or not.

### **VOLUNTEERS:**

In addition to Raptor clearance, parents will be required to adhere to vaccination requirements or provide verification of a negative test.

Please share test results by 8:30a the day of volunteering, by using the QR code below.



School Safe Return to In-Person Instruction and Continuity of Services Plan

## **Will Continue for 2022-2023 School Year:**

### **STAYING HOME WHEN SICK**

Parents/Guardians are responsible for screening their student(s) for symptoms before arrival on campus.

The COVID Liaison will communicate with staff and families regarding students who are absent from school to determine if they are home ill and to communicate criteria for return using the current COVID-19 Decision Tree.

### **TESTING**

Elevate will host on-site testing to support students and staff. Antigen and PCR tests will be available.

At-home test kit results will be an acceptable proof of verification with 12 hours in between.

School staff without a vaccine will be tested weekly.

Covid-19 Decision tree will guide when to test students/staff and what type of test is acceptable to use.

### **CASE REPORTING, CONTACT TRACING, AND INVESTIGATION**

Elevate has designated Danielle Alden as the COVID Liaison.

Covid Liaison(s) will contact families with available options for quarantine/isolation, return dates, and testing needs according to the Covid-19 Decision Tree.

Covid Liaison(s) will be in communication with the appointed Charter School Epidemiology team who will guide decisions regarding quarantine/isolation.

### **VISITORS**

For the foreseeable future, visitors during lunch will be discontinued.

## **SECTION 1: SOCIAL EMOTIONAL SUPPORT SYSTEMS**

At Elevate School, our desire is to meet the social and emotional needs of our students and staff. We recognize that as we prioritize the social emotional needs of our students, our students will thrive academically, grow in confidence, effectively self-regulate their emotions and grow in their relationship building skills. Elevate has made a commitment to Equity and Diversity and we believe that all students should have what they need to reach their full potential. We desire to empower our staff and our students to better understand ourselves, our identities, cultures, and roles so that we can embrace diversity and, as leaders, make a positive impact in our school, our families, our community and our world.

We value the importance of offering opportunities for students to connect with one another whether in a blended learning environment or in a physically distanced environment. We have a comprehensive Social Emotional Learning (SEL) program which utilizes Steven Covey's 7 Habits. As a Leader In Me school, we teach the importance of living out these habits which teach our students the skills that can be broadly applied to a variety of situations such as making friends, working cooperatively with others, managing emotions, coping with stress, making responsible decisions, and resolving interpersonal conflicts. Throughout the day, teachers provide opportunities in class for students to connect with one another, work collaboratively and grow and develop socially, emotionally and academically. All Elevate students start their day with LEAD time which stands for Leading Every Awesome Day on our K-5 grade campus and Leadership in Action for our middle school students. During this time, teachers focus on the Habit of the Week with the goal of empowering students to be a leader at school, at home and in their community.

Our Social Emotional Learning (SEL) program is overseen by our School Counselor who works with a team, consisting of our School Psychologist, a Military Family Life Counselor and Counseling Interns. Our counseling team provide a variety of services to our students and families including but not limited to:

- Weekly Friendship Connect Groups
- Check-in appointments for students and parents
- Classroom lessons on SEL topics
- Workshops for parents
- Community resources when needed

Elevate students, whether in the blended learning environment or in the physically distanced environment, will be supported by our School Staff and Counseling Team as we work to promote

connectivity among students while helping address their social and emotional needs so that our students become confident leaders and learners.

For more information about Elevate's counseling program, please refer to the school website.

## **SECTION 2: FAMILY AND COMMUNITY ENGAGEMENT**

Since its beginning, Elevate has actively partnered with families to support the learning and development of each student. This is even more critical as we enter the 22-23 school year.

Parent meetings were held in late May, July, and August of 2020 to identify the Guiding Principles that shape Elevate's Safe Reopening Plan and to gather feedback, questions, and ideas during the development of this plan. In 2020, parent surveys were conducted (5/26, 6/23, 7/8) to evaluate the initial implementation of Distance Learning and to identify areas of improvement to ensure even greater student learning and success going forward.

Specific improvements to the Distance Learning program that came directly from parent feedback include:

- Establishment of a school-wide, consistent Google Classroom layout so that families with multiple Elevate students can more easily access assignments
- Commitment that all classrooms to provide a weekly schedule and assignments at the start of each week
- Increased opportunities for students to engage/collaborate with one another
- Development of video tutorials and training for parents before and at the start of Distance Learning to empower parents as they support their child's access to online instruction and learning resources, especially those of English Learners and with students in younger grades

Further, [Parent Guidelines during Distance Learning](#) were established to provide clarity for how parents can effectively support their child when they are in a Distance Learning format.

Communication will be frequent and Elevate will use both weekly Elevate News emails and additional parent communications sent via Aries on a regular basis.



## SECTION 3: HEALTH AND SAFETY

The health and safety of Elevate students and staff is paramount. To that end, the following section will detail numerous practices and procedures intended to maximize safety for all while physically on school grounds.

### a. PROMOTE HEALTHY HYGIENE PRACTICES

#### HYGIENE INSTRUCTION

We will teach and reinforce [washing hands](#), avoiding [contact with one's eyes, nose, and mouth](#), and [covering coughs and sneezes](#) among students and staff by delivery of lessons related to hygiene before school begins, during the first two weeks of school, and at regular intervals thereafter.

- Teach students and remind staff to use tissue to wipe their nose and to cough/sneeze inside a tissue or their elbow.
- Students and staff should wash their hands before and after eating; after coughing or sneezing; after being outside; and before and after using the restroom.
- Students and staff should wash their hands for 20 seconds with soap, rubbing thoroughly after application, and use paper towels to dry hands thoroughly.
- Staff should model and practice handwashing. For example, for lower grade levels, use bathroom time as an opportunity to reinforce healthy habits and monitor proper handwashing.
- Students and staff should use fragrance-free hand sanitizer when handwashing is not practicable. Sanitizer must be rubbed into hands until completely dry. Note: frequent handwashing is more effective than the use of hand sanitizers.
- Ethyl alcohol-based hand sanitizers are preferred and should be used when there is the potential of unsupervised use by children. Isopropyl hand sanitizers are more toxic and can be absorbed through the skin.
- Children under age 9 should use hand sanitizer under adult supervision. Call Poison Control if consumed: 1-800-222-1222
- Teach and reinforce use of [cloth face coverings](#) masks, or face shields. Face coverings are most essential when physical distancing is not practicable.
- All staff will use cloth face coverings unless Cal/OSHA standards require respiratory protection. Teachers can use face shields, at times, which enable younger students to see their teachers' faces and to avoid potential barriers to phonological instruction.
- Food service workers and staff in routine contact with the public (e.g., front office) will use facial coverings and gloves when necessary.

- Students and staff should be frequently reminded not to touch the face covering and to [wash their hands](#) frequently.
- Information will be provided to all staff and families in the school community on [proper use, removal and washing of cloth face coverings](#).

## PERSONAL PROTECTIVE EQUIPMENT (PPE)

In order to minimize exposure to COVID-19, PPE will be provided if necessary to prevent certain exposures. PPE will include:

**Masks:** Face masks are an important part of employee protection, as well as personal hygiene, social distancing, and frequent cleaning efforts.

**Gloves:** Touching your face with contaminated hands, whether gloved or not, poses a significant risk of infection. Wearing gloves does not diminish the need to wash your hands. Please remember to wash your hands properly as it is the number-one defense against any virus. (See Handwashing Routines) Additionally, the proper removal of gloves reduces the risk of being exposed to contamination.

***Please note that physical distancing should still be practiced even with the use of PPE, whenever practicable.***

We will ensure adequate supplies to support healthy hygiene behaviors, including soap, tissues, no-touch trash cans, face coverings, and hand sanitizers with at least 60% ethyl alcohol for staff and children who can safely use hand sanitizer.

## HANDWASHING AND HAND SANITIZING ROUTINES

We will add portable handwashing stations and/or hand sanitizer stations throughout the site and near classrooms to minimize movement and congregations in bathrooms to the greatest extent possible.

In addition to using PPE, please remember to:

- Wash your hands often with soap and water for at least 20 seconds. Use hand sanitizer with at least 60% alcohol if soap and water are not available
- Avoid touching your eyes, nose, and mouth
- Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow

Mandatory Handwashing (with soap and water) or Hand Sanitizing	<ul style="list-style-type: none"> <li>• Upon arrival</li> <li>• After Recess, Nutrition Break, Before/After Lunch</li> <li>• After coughing, sneezing</li> </ul>
Timing	20 seconds

## APPROPRIATE SIGNAGE

Signage will be placed throughout our campuses to help remind students and staff.



## b. INTENSIFY CLEANING, DISINFECTION, AND VENTILATION

### FACILITIES CLEANING

The safety of our employees and students is our first priority. Prior to reopening, our school campuses will be completely deep cleaned and disinfected and we will continue to adhere to all necessary safety precautions. In addition to the deep clean of the office and school before employees and students return, the cleaning steps outlined below will be taken to disinfect workplace surfaces, chairs, tables, etc. to protect employees and reduce the risk of spread of infection. We will require employees to maintain this safety standard by continuously cleaning and disinfecting based on the frequency stated below.

The goal is to establish a sanitary baseline before the site opens. The site should be thoroughly disinfected before anyone returns to work.

Additional steps to be taken, include:

- All HVAC filters replaced at least 2x/year
- All windows and doors will remain open whenever possible.
- Staff will be asked to clean and disinfect frequently-touched surfaces within school and at least daily and, as practicable, frequently throughout the day by trained staff.
- Teachers and students will be asked to prepare their workspace (clear desk, store personal belongings, etc) at the end of each day to facilitate cleaning by custodial staff.

Daily Routine	
Students	Staff
Clear desk or table	Clear own desk(s) or table(s)
Put all personal belongings in designated space	Remove all personal items
Wipe down own desk and chair	Wipe down own desk/table and chair

## FREQUENTLY TOUCHED SURFACES

Frequently touched surfaces in the school include, but are not limited to:

- Door handles
- Light switches
- Sink handles
- Bathroom surfaces
- Table tops
- Student Desktops
- Chairs
- Copy Machines
- Handrails

## GENERAL DISINFECTION SCHEDULE

Category	Area	Frequency
<b>Workspaces</b>	Classrooms/Offices	At the end of each use/day
<b>Appliances</b>	Refrigerators, Microwaves, Coffee Machines	At the end of each use/day and/or between use
<b>Electronic Equipment</b>	Copier machines, Shared computer monitors, Telephones, keyboards	At the end of each use/day and/or between use
<b>Frequently Touched Surfaces</b>	Handles, light switches, sinks, restrooms	At the end of each day; as needed throughout the day
<b>Common Areas</b>	MPR, Eating Areas	At the end of each use/day; between groups
<b>Tables and Desks</b>	Classroom	At the end of each use/day; between groups

## **CLEANING PRODUCTS**

When choosing cleaning products, we will use those approved for use against COVID-19 on the [Environmental Protection Agency \(EPA\)-approved list](#) “N” and follow product instructions.

- Trained staff with the responsibility of cleaning and disinfecting the school site are equipped with proper protective equipment, including gloves, eye protection, respiratory protection and other appropriate protective equipment as required by the product instructions.
- All products must be kept out of children’s reach and stored in a space with restricted access.
- Ensure safe and correct application of disinfectant and keep products away from students.
- Ensure proper ventilation during cleaning and disinfecting. Introduce fresh outdoor air as much as possible, for example, by opening windows where practicable. When cleaning, air out the space before children arrive; plan to do thorough cleaning when children are not present.
- Confirm school site has an adequate supply of soap, disinfecting supplies, hand sanitizer, paper towels, and tissues
- Confirm a supply of gloves and other protective gear

## **PERSONAL WORKSPACE/CLASSROOM**

All teachers and students are asked not to visit another classroom outside of their team or grade level. Employees are encouraged to clear their workspaces to allow for a thorough cleaning and are encouraged to disinfect their own personal workspace (teacher desk, phone, etc) throughout the day, giving special attention to commonly touched surfaces.

## **SHARED WORKSPACE**

Employees are encouraged to disinfect their own workspace at the beginning of the day, giving special attention to commonly touched surfaces. The School has alcohol-based hand sanitizers throughout the workplace, affixed to walls in every classroom, and in common areas. Cleaning sprays and wipes are also available to clean and disinfect frequently touched objects and surfaces such as telephones and keyboards.

*Please note that proper equipment such as acceptable disinfectant and PPE should be used when cleaning individual workspaces.*

There will be limited access to certain workspaces to reduce exposure to risks and ensure employee safety. Workspace usage is as follows:

**Capacity** – The School will monitor and limit the number of employees and/or visitors in office spaces to minimize the risk of infection.

**Staff Lounge**– These spaces will be closed and/or relocated. This may include discontinuing/limiting the use of shared appliances such as coffee machines, refrigerators, and microwaves.

**Copy Room** – There will be limited access to the copy room.

## **c. IMPLEMENTING DISTANCING**

### **PHYSICAL DISTANCING**

Physical distancing will be implemented where applicable to the furthest extent possible.

### **ARRIVAL/DROP-OFF**

All grades will arrive during the regular drop-off window for their respective campus. Elevate's three campus arrangement provides a built-in staggered arrival schedule.

### **DISMISSAL**

#### **Serra Mesa Campus**

Students will be dismissed from the black top at the Serra Mesa (K-3) campus upon notification that a parent/guardian has arrived to pick them up.

#### **Tierrasanta and Middle School Campuses**

Students will walk out with their class and be dismissed to join their parent/guardian.

## **d. LIMIT SHARING**

### **CLASSROOMS**

All classrooms will be disinfected daily.

### **NON-CLASSROOM SPACES**

- Large areas (MPR and eating areas) will be utilized on a staggered schedule with occupants properly spaced, and disinfected in between uses.
- Non-classroom space for instruction, including regular use of outdoor space, weather permitting will be used when available.
- Individually bagged meals will be served outdoors.
- All students will avoid sharing of foods and utensils and buffet or family-style meals will also be avoided.

### **LUNCH AREA**

- In order to maximize physical distancing, lunch periods will be staggered and limited to one grade at a time
- Students will eat outside and be spaced out to the greatest extent possible

### **RECESS GUIDELINES AND RULES**

- Wash hands before and after recess
- Wear face coverings when applicable

### **FOOD DELIVERY**

In order to limit the risk of contamination, bringing or sharing refreshments is prohibited. Snack items, candy, and drinks will not be provided until further notice. We ask that there be no food delivered and that food be kept at your assigned space. Personal deliveries such as packages should not be delivered to the School.

In order to maximize safety, students who come to school without a lunch will receive a school lunch. Families are discouraged from dropping off lunch after school has begun.

## PLAYGROUND

- All students will be asked to bring water bottles from home. Each student must place their name on their water bottle for identification (e.g., permanent marker, name tag adhered with packing tape)
- Personal belongings will be sent home each day to be cleaned.
- Adequate supplies will be provided to minimize sharing of high-touch materials (art supplies, equipment, etc.) to the extent practicable or limited use of supplies and equipment to one group of children at a time and clean and disinfect between uses.
- No bringing equipment from home.
- No sharing of food

## e. TRAIN ALL STAFF AND EDUCATE FAMILIES

It is very important that all employees understand the safety requirements, protocols, and expectations to ensure everyone and their communities stay safe and prevent the spread of the virus.

Staff will be trained and educational materials will be provided to families in the following safety actions:

- Enhanced sanitation practices
- Physical distancing guidelines and their importance
- Use of face coverings
- Updated screening practices
- COVID-19 specific symptom identification
- [Proper use, removal and washing of cloth face coverings.](#)

## Staff Pre-Opening Training

Presented remotely to ensure understanding and preparedness to align with this manual, see calendar.



## **First Day Training/Orientation**

Align local protocols and procedures with this plan.

We will structure the training plan to effectively disseminate information to all staff.

Content Covered:

- All training topics can be reinforced with signage in the buildings
- School checklists
- Disinfection Measures
- Isolation protocols
- On site health screening
- Daily self-screenings
- Visitors
- Cleaning Crew Protocols

## **f. CHECK FOR SIGNS AND SYMPTOMS**

- Staff and students who are sick or who have recently had [close contact](#) with a person with COVID-19 are required to stay home and notify the office.
- Passive Screening. Families will screen students before leaving for school.
  - Check temperature to ensure temperatures below 100.0 degrees Fahrenheit.
  - Keep students at home if they have symptoms consistent with COVID-19 or if they have had close contact with a person diagnosed with COVID-19.
  - Make available and encourage use of hand-washing stations or hand sanitizer.
  - Incidents of possible exposure will be documented/tracked and notify local health officials, staff and families immediately of any positive case of COVID-19 while maintaining confidentiality, as required under FERPA and state law related to privacy of educational records. Additional guidance can be found [here](#).
  - If a student is exhibiting symptoms of COVID-19, office staff should communicate with the parent/caregiver and refer to the student's health history form and/or emergency card to identify if the student has a history of allergies.
- Monitor staff and students throughout the day for signs of illness; send home students and staff with a fever of 100.0 degrees or higher, cough or [other COVID-19 symptoms](#).
- Attendance policies will not penalize students and families for missing class.
- Touchless thermometers on-site for employee and student screening

## **g. PLAN FOR WHEN A STAFF MEMBER, CHILD, OR VISITOR BECOMES SICK**

Any students or staff exhibiting symptoms will immediately be required to wait in an isolation area until they can be transported home or to a healthcare facility, as soon as practicable.

- The following procedures will be followed to arrange for safe transport home or to a healthcare facility, as appropriate, when an individual is exhibiting COVID-19 symptoms:
  - Fever
  - Cough
  - Shortness of breath or difficulty breathing
  - Chills
  - Repeated shaking with chills
  - Muscle pain
  - Headache
  - Sore throat
  - New loss of taste or smell

## **RESPONSE TO SYMPTOMS ON SITE**

Should a student, staff member, or visitor exhibit symptoms while on site, the following steps will be taken:

- Immediate isolation in a designated space at each campus.
- Once the employee or student arrives at the isolation space, immediately provide them with a mask and gloves. Explain that this is to help protect other employees and students and prevent the spread of the potential virus.

Student	Staff/Visitor
Check for Temperature	Check for Temperature
Isolate Student to Isolation Space	Isolate Staff member or visitor to Isolation Space
Call Parents/Emergency Contact	Call Emergency contact if Staff Member/visitor cannot transport himself/herself home

- The staff member and others attending to the suspected infected person, should also wear a protective mask and gloves while working with the suspected infected person.
- The designated staff member will direct the ill employee to leave work or call the parent of the student to be picked up and go home.
- The designated Covid Liaison(s) must identify persons who may have come in contact with the suspected infected person. *Unless required by the local health authority, the name of the employee should not be provided.*
- Advise employees that they may have been in contact with someone suspected of having COVID-19 and to carry out self-screening every morning, and based on the results, contact the HR department.
- The isolation area and suspected employee’s or student’s work area/classroom must be thoroughly cleaned and disinfected, in addition to all other common surfaces recently touched by the employee or student.
- For serious injury or illness, 9-1-1 will be contacted without delay.
- Notification of any positive case of COVID-19 by Covid Liaison(s) to local health officials, staff, and all families will be sent immediately, while maintaining confidentiality as required by state and federal laws.
- Positive staff members and students will be advised not to return until they have met CDC criteria to discontinue home isolation, including 24 hours with no fever, symptoms have improved, and 10 days since symptoms first appeared.
- Elevate will ensure that students, including students with disabilities, will have access to instruction when out of class, as required by federal and state law.

## **h. MAINTAIN HEALTHY OPERATIONS**

In order to maintain healthy and safe operations at each campus, Elevate will do the following:

- Monitor staff absenteeism and have a roster of trained back-up staff.
- Monitor the types of illnesses and symptoms among students and staff to help isolate them promptly.
- Designate a staff liaison or liaisons to be responsible for responding to COVID-19 concerns. See below for contact information.

<b>Name</b>	<b>Title</b>	<b>Email</b>
<b>Ryan Elliott</b>	Executive Director	reliott@elevateschool.com
<b>Desiree Wooden</b>	Director of Instruction	dwooden@elevateschool.com
<b>Cassandra Bahr</b>	Business Manager	info@elevateschool.com
<b>Danielle Alden</b>	Covid Liaison & SM Site Coordinator	dalden@elevateschool.com

- For the safety of others, staff and families can email the above contacts in order to self-report symptoms.
- The school will post or notify staff and families as promptly as possible of exposures and closures, while maintaining confidentiality, as required by FERPA and state law related to privacy of educational records.
- Support staff and students who are at higher risk for severe illness or who cannot safely distance from household contacts at higher risk, will be provided options such as telework, distance learning. All staff are directed to meet with HR if they are at high-risk.

## **i. CONSIDERATIONS FOR PARTIAL OR TOTAL CLOSURES**

In consultation with the local public health department, the appropriate school official may decide whether school closure is warranted, including the length of time necessary, based on the risk level within the specific community as determined by a local public health officer.

# Coversheet

## Approve 22-23 Personnel Handbook

<b>Section:</b>	II. Agenda Items
<b>Item:</b>	L. Approve 22-23 Personnel Handbook
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	22-23 Personnel Handbook (With Revisions).pdf



**ELEVATE**  
S C H O O L

**ELEVATE SCHOOL**  
**PERSONNEL HANDBOOK**  
**2022-2023**

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Presented to the Elevate Board of Directors on August 20, 2022

## ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

PLEASE READ THE EMPLOYEE HANDBOOK AND SUBMIT A SIGNED COPY OF THIS STATEMENT TO THE HR COORDINATOR.

EMPLOYEE NAME: \_\_\_\_\_

I ACKNOWLEDGE that I have received a copy of the Employee Handbook. I have read and understood the contents of the Handbook, and I agree to abide by its directions and procedures. I have been given the opportunity to ask any questions I might have about the policies in the Handbook. I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Handbook. I also understand that if I am ever unclear on any language, or policies and procedures in this Handbook, it is my responsibility to seek clarification from the School.

I understand that the statements contained in the Handbook are guidelines for employees concerning some of the School's policies and benefits and are not intended to create any contractual or other legal obligations or to alter the at-will nature of my employment with the School. In the event I do have an employment contract which expressly alters the at-will relationship, I agree to the foregoing except with reference to an at-will employment status.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the School.

I understand that other than the Board of the School, no person has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Board has the authority to make any such agreement and then only in writing signed by the Board President.

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please sign/date and return to the School,  
and retain this Handbook for your reference.**

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## WELCOME TO ELEVATE SCHOOL!

We are happy to have you join us at Elevate School (referred to as “Elevate” or the “School”). We believe our school is truly unique. We serve a diverse group of talented and hardworking students. We are absolutely committed to inspiring each student to be excellent in academics, exceptional in leadership, and extraordinary in creativity. We regard the work we do as being of utmost importance.

Therefore, we have very high expectations for professionalism and performance for each one of our employees. All employees should treat all individuals, students, teachers, administrators, volunteers, neighbors, and family members with respect and approach all situations as opportunities to learn.

This Handbook is designed to help employees get acquainted with the School. It explains some of our philosophies and beliefs and describes some of our employment guidelines in general terms. Although this Handbook is not intended to be an exclusive or comprehensive policies and procedures manual, we hope that it will serve as a useful reference document for employees throughout their employment at the School. Employees should understand, however, that this Handbook is not intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of the School or its employees. In no way does the Handbook replace any official plan documents (e.g., health insurance, retirement plan, etc.) or insurance contracts, which will govern in all cases. This Handbook supersedes and replaces all previous personnel policies, practices, and guidelines.

Due to the fact that the School is a growing and changing organization, we reserve full discretion to add to, modify, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without advance notice. Elevate School also reserves the right to interpret any of the provisions set forth in this Handbook in any manner it deems appropriate.

No individual other than the Board of Directors has the authority to enter into any employment or other agreement that modifies School policy. Any such modification *must* be in writing.

This Handbook is the property of the School, and it is intended for personal use and reference by employees of the School. Circulation of this Handbook outside of Elevate Elementary requires the prior written approval of the Executive Director.

Employees must sign the acknowledgment form at the beginning of this Handbook, tear it out, and return it to the HR Coordinator. This will provide the School with a record that each employee has received this Handbook.

I welcome you and wish you great success and fulfillment at Elevate School.

Sincerely,

Ryan Elliott, Executive Director  
Elevate School

## **ELEVATE'S VISION AND PHILOSOPHY**

### **Vision Statement**

Elevate School equips tomorrow's global leaders by inspiring students to be excellent in academics, exceptional in leadership, and extraordinary in creativity.

### **Academic Philosophy**

Digital technology, population growth, global economies, and improvements in everything from medicine to manufacturing are transforming our world, making it more interconnected as well as more complicated.

Keeping up with a changed and changing world presents a new challenge for educators. How can each employee equip children to learn and thrive when the only constant is change?

At Elevate School, we recognize that academic excellence alone is no longer enough to compete and excel in the global economy. Twenty-first century leaders and innovators must also possess leadership skills and the ability to think creatively.

We start by taking proven leadership principles developed and tested by renowned experts and incorporate them into a child's Kindergarten through eighth grade learning environment.

At Elevate School, we create a comprehensive educational environment that integrates strong academics with twenty-first century skills. We combine the three R's - Reading, Writing and Arithmetic - with the four C's of the twenty-first century - Collaboration, Creativity, Critical Thinking and Communication. In this environment, children acquire the tools they must possess in order to succeed as inventors, designers, listeners, artists, and big-picture thinkers - the innovators who will bring meaning to the world they will one day lead.

## CONDITIONS OF EMPLOYMENT

### Equal Employment Opportunity Is Our Policy

Elevate School is an equal opportunity employer. It is the policy of the School to afford equal employment and advancement opportunity to all qualified individuals without regard to:

- Race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists);
- Color;
- Gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned);
- Sex (including pregnancy, childbirth, breastfeeding, and medical conditions related to such);
- Religious creed (including religious dress and grooming practices);
- Marital/registered domestic partner status;
- Age (forty (40) and over);
- National origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove their presence in the U.S. is authorized by federal law);
- Physical or mental disability (including HIV and AIDS);
- Medical condition (including cancer and genetic characteristics);
- Taking of a leave of absence pursuant to the Family Medical Leave Act ("FMLA"), Pregnancy Disability Leave ("PDL") law, Americans with Disabilities Act ("ADA"), California Family Rights Act ("CFRA"), the Fair Employment and Housing Act ("FEHA"), or laws related to domestic violence, sexual assault, and stalking;
- Genetic information;
- Sexual orientation;
- Military and veteran status; or
- Any other consideration made unlawful by federal, state, or local laws.

This policy extends to all job applicants and employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, discipline, termination, compensation, and benefits of existing employees.

To comply with 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 should contact a School representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job, or if unknown, what job duties the disability impairs. Elevate School will then investigate to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform the job. Elevate School will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the School will make the accommodation.

## **Employment Applications**

Elevate School relies upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

## **Employment At-Will**

Except if stated expressly otherwise by employment contract, it is the policy of the School that all employees are considered “at-will” employees of the School. Accordingly, either the School or the employee can terminate this relationship at any time, for any reason, with or without cause, and with or without advance notice.

Nothing contained in this Handbook, employment applications, School memoranda or other materials provided to employees in connection with their employment shall require the School to have “cause” to terminate an employee or otherwise restrict the School’s right to release an employee from their at-will employment with the School. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict the School’s right to terminate at-will. No School representative, other than the Board of Directors or its designee, is authorized to modify this policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with the School that are not consistent with the School’s policy regarding “at-will” employment.

This policy shall not be modified by any statements contained in this Handbook or employee applications, School memoranda, or any other materials provided to employees in connection with their employment. Further, none of those documents whether singly or combined, or any employment practices, shall create an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment.

## **Child Abuse and Neglect Reporting**

California Penal Code section 11166 requires any child care custodian 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 to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

Elevate School will provide annual training on the mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

All employees required to receive mandated reporter training must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment.

By acknowledging receipt of this Handbook, employees acknowledge they are childcare custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions.

### **First-Aid and CPR Training**

All individuals working unsupervised with children or in a classroom setting (i.e., teachers, advisors, coaches, administrators) must receive, renew, and maintain basic first aid and CPR certification by the first day of school for students. Elevate School will provide First Aid and CPR training for teachers, assistants, and staff. Any employee required to be first aid certified and hired after the beginning of the school year will be required to provide proof of completion of both First Aid and CPR training prior to the first day of work. For additional information on the training required, please contact the HR Coordinator.

### **Criminal Background Checks**

As required by law, all individuals working or volunteering at the School will be required to submit to a criminal background investigation. No condition or activity will be permitted that may compromise the School's commitment to the safety and the well-being of students taking precedence over all other considerations. Conditions that preclude working at the School include conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with the School, be charged or convicted of any offense, the employee must immediately report the charge or conviction to the HR Coordinator.

### **Tuberculosis Testing**

All employees of the School must submit written proof from a physician of a risk assessment examination for tuberculosis (TB) within the last sixty (60) days. If TB risk factors are identified, a physician must conduct an examination to determine whether the employee is free of infectious TB. The examination for TB consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All employees will be required to undergo TB risk assessments and, if risk factors are found, the examination at least once every four (4) years. Volunteers may be required to undergo a TB examination as necessary. The TB risk assessment and, if indicated, the examination is a condition of initial employment with the School and the cost of the exam will be borne by the applicant.

Food handlers may be required to have annual TB exams. Documentation of employee and volunteer compliance with TB risk assessments and examinations will be kept on file in the office. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to the School will be contractually required to ensure that all contract workers have had TB testing that shows them to be free of active TB prior to conducting work with School students.

## **Immigration Compliance**

Elevate School will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States. However, Elevate School will not check the employment authorization status of current employees or applicants who were not offered positions with the School unless required to do so by law.

The School shall not discharge an employee or in any manner discriminate, retaliate, or take any adverse action (*e.g.*, threatening to report the suspected citizenship or immigration status of an employee or a member of the employee's family) against any employee or applicant for employment because the employee or applicant exercised a right protected under applicable law. Further, the School shall not discriminate against any individual because he or she holds or presents a driver's license issued per Vehicle Code § 12801.9 to persons who have not established their federally authorized presence in the United States. Finally, in compliance with the Immigrant Worker Protection Act, the School shall not allow a federal immigration enforcement agent to enter any nonpublic areas of the School without a judicial warrant, or voluntarily give consent to an agent to access, review or obtain employee records without a subpoena or judicial warrant.

## **Credential Requirements**

Credentialed team members must provide copies of their credential, transcripts, and test scores prior to the first day of work. Failure to provide these documents may delay an employee's ability to begin work, or in certain cases, result in the termination of employment.

Employees are also responsible for maintaining required certificates, credentials, and registrations current and in good standing, for paying the costs associated with renewal, and for providing both the HR Coordinator and the School with verification of renewals. Failure to provide these updated documents to the School may result in suspension without pay until such time as the necessary documentation has been provided.

If a credential, certificate, registration, or required course deadline expires, or if an employee fails re-certification, training, or testing, Elevate School is required to remove the employee from the work schedule until they meet the requirements or renew their credential. Failure to maintain a credential, certification, or registration required as a condition of continued employment may also result in termination of employment.

## **Professional Boundaries: Staff/Student Interaction Policy**

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

### Corporal Punishment

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



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

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

A. Examples of PERMITTED actions (NOT corporal punishment)

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

B. Examples of PROHIBITED actions (corporal punishment)

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

### Acceptable and Unacceptable Staff/Student Behavior

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

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

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

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

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

### Duty to Report Suspected Misconduct

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

### Examples of Specific Behaviors

The following examples are not an exhaustive list:

#### *Unacceptable Staff/Student Behaviors (Violations of this Policy)*

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

#### *Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission*

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

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

#### *Cautionary Staff/Student Behaviors*

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

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

*Acceptable and Recommended Staff/Student Behaviors*

- (a) Getting parents' written consent for any after-school activity on or off campus (exclusive of tutorials).
- (b) Obtaining formal (site and parental) approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text messages, phone conversations, and other communications to and with students, if permitted, must be professional and pertaining to school activities or classes (communication should be initiated via school-based technology and equipment).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable and appropriate space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from senior staff or administration if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Involving your direct supervisor about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students and/or coworkers.
- (n) Asking another staff member to be present if you will be alone with any student who may have severe social or emotional challenges (and you are not the assigned case educator).
- (o) Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them in questionable areas.
- (q) Giving appropriate pats on the back, high fives and handshakes are appropriate.
- (r) Keeping your professional conduct, a high priority during all moments of student contact.
- (s) Asking yourself if any of your actions, which are contrary to these provisions, are worth your job and career.

**Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation**

Elevate School is committed to providing a work and educational atmosphere that is free of unlawful harassment, discrimination, and retaliation. Elevate School's policy prohibits unlawful harassment, discrimination, and retaliation based upon: race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists); color; gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned); sex (including pregnancy, childbirth, breastfeeding, and related medical conditions); religious creed (including religious dress and grooming practices); marital/registered domestic partner status; age (forty (40) and over); national origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove their presence in the U.S. is authorized by federal law); physical or mental disability (including HIV and AIDS); medical condition (including cancer and genetic characteristics); taking a leave of absence authorized by law; genetic information; sexual orientation; military and veteran status; or any other consideration made unlawful by federal, state, or local laws.

Employees, volunteers, unpaid interns, individuals in apprenticeship programs, and independent contractors shall not be harassed, or discriminated or retaliated against, based upon the characteristics noted above.

Elevate School does not condone and will not tolerate unlawful harassment, discrimination, or retaliation on the part of any employee (including supervisors and managers) or third party (including independent contractors or other person with which the School does business). Supervisors and managers are to report any complaints of unlawful harassment to the Executive Director or designee.

When Elevate School receives allegations of unlawful harassment, discrimination, or retaliation, the Board (if a complaint is about the Executive Director) or the Executive Director or designee will conduct a fair, timely and thorough investigation that provides all parties an appropriate process and reaches reasonable conclusions based on the evidence collected. The investigation will be handled in as confidential a manner as possible, although complete confidentiality cannot be guaranteed. Complainants and witnesses shall not be subject to retaliation for making complaints in good faith or participating in an investigation. Elevate School is committed to remediating any instances where investigation findings demonstrate unlawful harassment, discrimination, or retaliation has occurred.

#### Prohibited Unlawful Harassment

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

#### Prohibited Unlawful Sexual Harassment

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

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission to the conduct is either made explicitly or implicitly a term or condition of an

individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; and/or (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

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

All supervisors of staff will receive two (2) hours of sexual harassment prevention training within six (6) months of hire or their assumption of a supervisory position and every one (1) year thereafter. All other employees will receive one (1) hour of sexual harassment prevention training within six (6) months of hire and every two (2) years thereafter. Such training will address all legally required topics, including information about the negative effects that abusive conduct has on both the victim of the conduct and others in the workplace, as well as methods to prevent abusive conduct undertaken with malice a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct includes but is not limited to repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. Supervisors shall also be trained on how to appropriately respond when the supervisor becomes aware that an employee is the target of unlawful harassment. Other staff will receive sexual harassment prevention training as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Any employee who believes they have been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to the Executive Director or HR Coordinator. See **Appendix A** for the "Harassment/Discrimination/Retaliation Complaint Form." See **Appendix B** for the general "Internal Complaint Form."

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults and
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions, or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or disparate treatment for rejecting sexual conduct.

- Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic or bringing to work or possessing any such material to read, display or view at work;
  - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic; and
  - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy. Moreover, please note that while in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities. As such, consensual relationships in the workplace may violate Elevate School policy.

### **Violence in the Workplace**

Elevate School prohibits workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect Elevate School or which occur on School property will not be tolerated. Acts or threats of violence include conduct, which is sufficiently severe, offensive, or intimidating to alter the employment conditions at Elevate School or to create a hostile, abusive, or intimidating work environment for one or several employees.

Examples of workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on Elevate School premises, regardless of the relationship between Elevate School and the parties involved.
- All threats or acts of violence occurring off Elevate School premises involving someone who is acting in the capacity of a representative of Elevate School.
- Specific examples of conduct, which may be considered threats or acts of violence, include, but are not limited to, the following:
  - Hitting or shoving an individual;
  - Threatening an individual or his/her family, friends, associates, or property with harm Intentional destruction or threatening to destroy Elevate School property;
  - Making harassing or threatening phone calls; or
  - Harassing surveillance or stalking (following or watching someone) Unauthorized possession or inappropriate use of firearms or weapon.

Elevate School's prohibition against threats and acts of violence applies to all persons involved in Elevate School's operation, including but not limited to personnel, contract and temporary workers, and anyone else on Elevate School property. Violations of this policy by any individual on Elevate School property will lead to disciplinary action, up to and including termination and/or legal action as appropriate. All employees are encouraged to report incidents of threats or acts of physical violence of which they are aware to their supervisors or to the Executive Director.

### **Whistleblower Policy**

Elevate School requires its directors, officers, employees, and volunteers to observe high standards of ethics in the conduct of their duties and responsibilities within the School. As representatives of the School, such individuals must practice honesty and integrity in fulfilling all responsibilities and must comply with all applicable laws and regulations. The purpose of this policy is to create an ethical and open work environment, to ensure that the School has a governance and accountability structure that supports its mission, and to encourage and enable directors, officers, employees, and volunteers of the School to raise serious concerns about the occurrence of illegal or unethical actions within the School before turning to outside parties for resolution.

All directors, officers, employees, and volunteers of the School have a responsibility to report any action or suspected action taken within the School that is illegal, unethical or violates any adopted policy of the School, or local rule or regulation. Anyone reporting a violation must act in good faith, without malice to the School or any individual at the School and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. A person who makes a report does not have to prove that a violation has occurred. However, any report which the reporter has made maliciously or any report which the reporter has good reason to believe is false will be viewed as a serious disciplinary offense. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action. Further, no one who in good faith discloses, who may disclose, or who the School believes disclosed or may disclose, information regarding alleged violations to a person with authority over the employee or another employee who had responsibility for investigating, discovering, or correcting the purported violation shall suffer harassment, retaliation, or adverse employment action.

### **Drug and Alcohol-Free Workplace**

Elevate School is committed to providing a drug and alcohol-free workplace and to promoting safety in the workplace, employee health and well-being, stakeholder confidence and a work environment that is conducive to attaining high work standards. The use of drugs and alcohol by employees, whether on or off the job, jeopardizes these goals, since it adversely affects health and safety, security, productivity, and public confidence and trust. Drug or alcohol use in the workplace or during the performance of job duties is extremely harmful to employees and to other Elevate School stakeholders.

The bringing to the workplace, possession or use of intoxicating beverages or drugs on any School premises or during the performance of work duties is prohibited and will result in disciplinary action up to and including termination.

## **Confidential Information**

Employees may, during the course of their duties be advised of certain confidential business matters and affairs of the School regarding its business practices, students, suppliers, and employees. All information relating to students, personal information, schools attended, addresses, contact numbers and progress information is confidential in nature, and may not be shared with or distributed to unauthorized parties. All records concerning special education pupils shall be kept strictly confidential and maintained in separate files. An employee's duties may also place them in a position of trust and confidence with respect to certain trade secrets and other proprietary information relating to the business of the School and not generally known to the public or competitors. Such proprietary information includes student information, competitive strategies, marketing plans, personnel information and financial information. Employees shall not, either during their employment with the School or any time in the future, directly or indirectly:

- Disclose or furnish, directly or indirectly, to any other person, firm, agency, corporation, client, business, or enterprise, any confidential information acquired during employment.
- Individually or in conjunction with any other person, firm, agency, School, client, business, or corporation, employ or cause to be employed any confidential information in any manner whatsoever, except in furtherance of the business of the School.
- Without the written consent of the School, publish, deliver, or commit to being published or delivered, any copies, abstracts, or summaries of any files, records, documents, drawings, specifications, lists, equipment, and similar items relating to the business of the School, except to the extent required in the ordinary course of an employee's duties.

Upon termination of employment, employees are required to immediately return to the School all property of the School in as good condition as when received (normal wear and tear excepted) including, but not limited to, all files, records, documents, drawings, specifications, lists, equipment and supplies, promotional materials, and similar items relating to the business of the School.

Failure to maintain confidentiality may result in disciplinary action, up to and including release from at-will employment.

## **Anti-Nepotism Policy**

Elevate School permits the employment of qualified relatives of employees, of the employee's household, or immediate family as long as such employment does not, in the opinion of Elevate School, create actual or potential conflicts of interest. For purposes of this policy, "qualified relative" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, corresponding in-law, "step" relation, or any member of the employee's household. Elevate School will use sound judgment in the placement of related employees in accordance with this policy.

Individuals who are related by blood, marriage, or reside in the same household are permitted to work in the same department, provided no direct reporting or supervisor-to-subordinate relationship exists. That is, no employee is permitted to work within "the chain of command" when one relative's work responsibilities, salary, hours, career progress, benefits, or other terms and conditions of employment could be influenced by the other relative.



Related employees may have no influence over the wages, hours, benefits, career progress and other terms and conditions of the other related staff members.

Employees who marry while employed or become part of the same household shall be treated in accordance with these guidelines. That is, if in the opinion of Elevate School a conflict arises as a result of the relationship, one of the employees may be transferred at the earliest practicable time.

The Board of Directors must approve any exceptions to this policy.

### **Conflicts of Interest**

All employees must avoid situations that result in actual or potential conflicts of interest. Personal, social and economic relationships with competitors, suppliers, customers, parents, or co-employees that may impair an employee's ability to exercise good judgment on behalf of the School or which give the appearance of such impairment create an actual or potential conflict of interest. For example, romantic or personal relationships between a supervisor and subordinate employee can lead to supervisory problems, claims of harassment and morale problems.

Any employee involved in such situations or relationships must immediately and fully disclose the nature of the situation or relationship to the HR Coordinator so a determination can be made as to whether an actual or potential conflict exists, and if so, how to correct the situation.

Elevate School expects employees to devote their best efforts to the interests of our school. Elevate School recognizes the right of employees to engage in activities outside of their employment, which are of a private nature and unrelated to our business. However, outside activities (second jobs, side businesses, clubs, etc.) must not interfere with an employee's ability to fully perform their job duties at Elevate School or create a conflict of interest with their statutory duty of loyalty to the School. The School prohibits employees from working with another School or external organization that competes with Elevate School whether as a regular employee or as a consultant.

If any employee should have any questions whether an action or proposed course of conduct would create a conflict of interest, they should immediately contact the HR Coordinator to obtain advice on this issue. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

### **Smoking**

All School buildings and facilities are non-smoking facilities. This includes nicotine and non-nicotine cigarettes (including herbal cigarettes) as well as e-cigarettes and vaping. Smoking is prohibited within twenty (20) feet of a school building and within twenty-five (25) feet of a school playground.

## **THE WORKPLACE**

### **Work Schedule**

Business hours of Elevate School are normally 7:45 a.m. to 3:30 p.m., Monday through Friday. Elevate School's workweek is from Sunday at 12:00 a.m. to Saturday at 11:59 p.m. The regular workday schedule for full-time nonexempt employees is eight (8) hours; the regular workweek schedule is forty (40) hours. Exempt employees are generally expected to be present during business hours and to commit whatever additional time is necessary to satisfactorily complete all job requirements.

Please refer to the current school calendar for the annual work schedule. Instructional employees are expected to work all days that students are present, and any days indicated as professional development days on the calendar. Non-instructional employees are expected to follow the same calendar, with some additional days of work during school breaks.

#### Instructional Employees:

The normal working hours for instructional employees at the school sites are from 7:45 a.m. to 4:00 p.m. While not legally required, the School will make a concerted effort to ensure that certificated exempt employees have the opportunity to take a ten (10) minute break during morning recess. A thirty (30) minute meal break will be taken daily. Instructional employees may be required to work other than the normal hours and to take their lunch breaks on a rotating basis so that classes and student activities are always covered. There will occasionally be activities that will require teacher participation outside of regular business hours such as instructional prep, evening and Saturday family workshops, or special meetings.

The Executive Director must approve any exceptions to the regular work schedule for instructional employees.

#### Non-Instructional Employees:

The Executive Director will determine the normal working hours for non-instructional employees. Nonexempt, non-instructional employees are entitled to two (2) ten (10) minute rest breaks and a thirty (30) minute meal break and are entitled to overtime pay as required by law. Non-instructional employees work year-round.

Exempt employees, including the Executive Director and Teachers, will be expected to work the number of hours necessary to complete their assigned responsibilities.

### **Meal and Rest Periods**

Nonexempt employees working at least five (5) hours are provided with a thirty (30) minute meal period, to be taken approximately in the middle of the workday but by no later than the end of the 5<sup>th</sup> hour of work. An employee may waive this meal period if the day's work will be completed

in no more than six (6) hours, provided the employee, and Elevate School mutually consent to the waiver in writing.

Nonexempt employees are also provided with a ten (10) minute rest period for every four (4) hours worked which should be scheduled towards the middle of the four (4) hour work period as practicable. Employees are prohibited from combining meal and rest period time.

An employee's supervisor must be aware of and approve scheduled meal and rest periods. Employees must immediately inform their supervisor if they are prevented from taking their meal and/or rest periods. Employees are expected to observe assigned working hours and the time allowed for meal and rest periods.

### **Lactation Accommodation**

Elevate School accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the nonexempt employee shall be unpaid.

Elevate School will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Such room/location shall not be a bathroom, and shall have electricity. Employees shall also be given access to a sink with running water and a refrigerator. Employees with private offices will be required to use their offices to express breast milk. Employees who desire lactation accommodations should contact their supervisor to request accommodations.

### **Attendance and Tardiness**

Employees are expected to observe regular attendance and be punctual. Because Elevate School is a small school, each position is critical to our success. Therefore, regular attendance and punctuality is considered an essential function of all positions.

If an employee is unable to report for work on any particular day, they must contact the HR Coordinator via the phone number (858-810-6581) as soon as possible. It is preferred that this notification take place the night before the day an employee will be out. Employees cannot assume the message has been received until they receive confirmation. If an employee has not received confirmation two (2) hours before the start of school, they must call the school number (858-751-4774) to speak with a School employee to ensure their message is received. If an employee calls in less than two (2) hours before their scheduled time to begin work, they will be considered tardy for that day. More than three (3) instances of tardiness by an employee during any twelve (12) month period is considered excessive and may result in disciplinary action. Any unexcused absence is considered excessive.

A medical provider's order may excuse an employee from work for a period of time, otherwise employees must call in on any day they are scheduled to work and will not report to work. The

School understands that in some cases advance notice is not possible. In these cases, employees must notify the HR Coordinator personally at the earliest possible moment. If requested, employees must provide verification of the reason for their absence.

If an employee fails to report for work without any notification to the HR Coordinator and the absence continues for a period of two (2) business days, the School will determine that employee has abandoned their job and voluntarily terminated their employment.

### **Timecards/Records**

By law, Elevate School is obligated to keep accurate records of the time worked by nonexempt employees. Such employees shall keep be required to utilize the School's timecard system.

Nonexempt employees must accurately clock in and out of their shifts as this is the only way the payroll department knows how many hours each employee has worked and how much each employee is owed. The timecard indicates when the employee arrived and when the employee departed. All nonexempt employees must clock in and out for arrival and departure, along with lunch and for absences like doctor or dentist appointments. All employees are required to keep the office advised of their departures from and returns to the school premises during the workday.

Nonexempt employees are solely responsible for ensuring accurate information on their timecards and remembering to record time worked. If an employee forgets to mark their timecard or makes an error on the timecard, the employee must contact the HR Coordinator to make the correction and such correction must be initialed by both the employee and the HR Coordinator.

Nonexempt employees are prohibited from performing off-the-clock work, including but not limited to checking emails before/after work hours, performing work in the morning before logging in, and running School errands after logging out.

No one may record hours worked on another's worksheet. Any employee who violates any aspect of this policy may be subject to disciplinary action, up to and including release from at-will employment with the School.

### **Computer, Email, and Internet Policy**

Every employee is responsible for using Elevate School's computer system, including, without limitation, its electronic mail (email) system and the Internet, properly and in accordance with this policy. Any questions about this policy should be addressed to the Director of Data or HR Coordinator.

The computers that employees use at work and the email system are the property of Elevate School and have been provided for use in conducting Elevate School's business. All communications and information transmitted by, received from, created, or stored in its computer system (whether through word processing programs, email, the Internet or otherwise) are Elevate School's records and property of Elevate School. The computer system is to be used for Elevate School's purposes only. Employees may, however, use Elevate School's technology resources for the following

incidental personal uses so long as such use does not interfere with the employee's duties, is not done for pecuniary gain, does not conflict with Elevate School business, and does not violate any Elevate School policies:

- To send and receive necessary and occasional personal communications;
- To prepare and store incidental personal data (such as personal calendars, personal address lists, and similar incidental personal data) in a reasonable manner;
- To use the telephone system for brief and necessary personal calls; and
- To access the Internet for brief personal searches and inquiries during mealtimes or other breaks, or outside of work hours, provided that employees adhere to all other usage policies.

### No Expectation of Privacy

Although Elevate School does not wish to examine personal information, from time to time, Elevate School may need to access its technology resources. Elevate School has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, without limitation, reviewing documents created and stored on its computer system, deleting any matter stored in its system (including, without limitation, its email and word processing systems), monitoring sites visited by employees on the Internet, monitoring chat and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing email sent and received by users. Further, Elevate School may exercise its right to monitor its computer system for any reason and without the permission of any employee.

Employee use of Elevate School's computer system constitutes consent to all the terms and conditions of this policy.

Even if employees use a password to access the computer system (or any aspect thereof), the confidentiality of any message stored in, created, received, or sent from Elevate School's computers is not assured. Use of passwords or other security measures does not in any way diminish Elevate School's right to monitor and access materials on its system or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to Elevate School for any reason that Elevate School, in its discretion, deems appropriate. Further, employees should be aware that deletion of any email messages or files would not truly eliminate the messages from the system. All email messages and other files may be stored on a central back-up system in the normal course of data management.

Employees should have no expectation of privacy in anything they create, store, send or receive on the computer system. Employees must also keep in mind that School-related communications taking place via personal devices or email accounts may be subject to disclosure as public records. As a result, such communications should only take place using School-issued devices and via the employee's Elevate School email account.

Notwithstanding the foregoing, even though Elevate School has the right to retrieve, read and delete any information created, sent, received, or stored on its computer system, email messages should still be treated as confidential by other employees and accessed only by the intended

recipient. Employees are not authorized to retrieve or read any email messages that are not sent to them or by them. Any exception to this policy must receive the prior approval of Executive Director.

### Professional Use of Computer System Required

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Emails, in particular, are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write email communications with no less care, judgment, and responsibility than they would use for letters or internal memoranda written on Elevate School letterhead. Because email and computer files may be subject to discovery in litigation, employees are expected to avoid making statements in email or computer files that would not reflect favorably on the employee or Elevate School if disclosed in litigation or otherwise.

### Offensive and Inappropriate Material

Elevate School's policy against discrimination and harassment, sexual or otherwise, applies fully to Elevate School's computer system, and any violation of that policy is grounds for discipline up to and including discharge. Therefore, no email messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability, or any other classification protected by law.

Further, material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, unlawful, inappropriate, or offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law) may not be downloaded from the Internet or displayed or stored in Elevate School's computers. Employees encountering or receiving this kind of material should immediately report the incident to the Executive Director or HR Coordinator.

Elevate School may (but is not required) to use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by Elevate School networks. Notwithstanding the foregoing, Elevate School is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an email address on the Internet may lead to receipt of unsolicited email containing offensive content. Users accessing the Internet do so at their own risk. Employees who encounter inappropriate or sexually explicit material while browsing on the Internet should immediately disconnect from the site, regardless of whether the site was subject to Elevate School's blocking software.

### Solicitations

Elevate School's computer system (including, without limitation, its email system) may not be

used to solicit for political causes, commercial enterprises, outside organizations, or other non-job-related solicitations. Approval from the Executive Director is required before anyone can post any information on commercial online systems or the Internet.

### Licenses and Fees

Employees may not agree to a license or download any material over the Internet for which a registration fee is charged without first obtaining the express written permission of the Executive Director.

### Games and Entertainment Software

Employees may not use an Elevate School Internet connection to download games or other entertainment software, or to play games over the Internet.

### Confidential Information

Employees may not transmit information over the Internet or through email that is confidential or proprietary. Employees are referred to Elevate School's "Confidential Information" policy, contained herein, for a general description of what Elevate School deems confidential or proprietary. When in doubt, employees must consult their immediate supervisor and obtain approval before transmitting any information that may be considered confidential or proprietary.

### Copyrights and Trademarks

Elevate School's computer system may not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from the Executive Director. Employees, if uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts in favor of not transferring the information and consult a supervisor.

Any Elevate School approved material that is posted or sent via its computer system should contain all proper copyright and trademark notices. Absent prior approval from a supervisor to act as an official representative of Elevate School employees posting information must include a disclaimer in that information stating, "Views expressed by the author do not necessarily represent those of Elevate School."

### Maintenance and Security of System

Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing excessive copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related. In addition, employees should routinely delete outdated or otherwise unnecessary emails and

computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

To ensure security and to avoid the spread of viruses, employees accessing the Internet through a computer attached to Elevate School's network must do so through an approved Internet firewall. Accessing the Internet directly by modem is strictly prohibited unless the computer an employee is using is not connected to Elevate School's network.

Files obtained from sources outside Elevate School including disks brought from home; files downloaded from the Internet, news groups, bulletin boards, or other online services; files attached to email; and files provided by customers or vendors, may contain dangerous computer viruses that may damage Elevate School's computer network. Employees should never download files from the Internet, accept email attachments from outsiders, or use disks from non-Elevate School sources, without first scanning the material with Elevate School's approved virus checking software. If an employee suspects that a virus has been introduced into Elevate School network, they should notify technology personnel immediately.

### Violation of Policy

Violations of this policy will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability.

### **No Solicitation/Distribution Policy**

In order to minimize non-work-related activities that could interfere with providing quality education, teamwork, and safety, Elevate School has established the following policy concerning solicitation and the distribution of written materials other than those directly related to the School's business.

Non-employees may not solicit or distribute written materials of any kind at any time on premises that are owned, leased, operated, managed, or controlled by Elevate School.

Employees may not solicit other employees during the workday when either the person doing the solicitation, or the person being solicited is engaged in or required to be performing work tasks.

Employees may not distribute written materials of any kind during the workday when either the distributing employee or the employee receiving the materials is engaged in or required to be performing work tasks.

Additionally, distribution of written materials of any kind by Elevate School employees is prohibited at all times in all working areas on school premises.

Employees may solicit other employees when both parties are on non-work time. Employees may distribute written materials in non-work areas during non-work time.

The sole exceptions to this policy are charitable and community activities supported and approved



by Elevate School.

School bulletin boards are the only areas where any merchandise or notices may be placed. Such items must meet the guidelines established by the school. The Executive Director must approve any postings prior to posting.

Elevate School reserves the right to discontinue any solicitation or distribution if the activities become disruptive to employees or the efficient operation of the school's business.

Employees are required to leave school premises and other work areas at the completion of their workday. Employees are not permitted to enter or remain on school premises or work areas unless the employee is on duty, scheduled for work, coming to, or departing from scheduled work, or otherwise has specific authorization from the Executive Director.

### Definitions

**School premises:** property owned, leased, operated, managed, or controlled by the school, including buildings, parking lots, and play areas that the school has the right to use exclusively or in common with others, vehicles owned or operated by the school, and any location where school--sponsored activities are taking place, such as restaurants, banquet halls, athletic facilities, parks or other recreational facilities.

**Work time:** any time when employees are engaged in or required to be performing work tasks. Work time does not include break periods, mealtimes, or other periods during the workday when employees are properly not engaged in performing their work tasks.

**Work areas:** all areas controlled by the school where employees are performing work, except cafeterias, employee break areas, and parking lots (non-work areas).

### Employee Responsibility

If an employee has a need to solicit and/or distribute materials on school premises, it must be in compliance with this policy. If any employee has questions, they should talk with the Executive Director. If solicitation or distribution is conducted within the parameters of this policy, the manner of activities must not harass or intimidate other employees. If an employee is subjected to such behavior at any time, they should report the activity to their supervisor. If solicitation or distribution occurs while an employee is working, they should report the activity to the Executive Director.

### **Equipment Policy**

Elevate School attempts to provide all employees with the equipment and supplies needed to do their job. Providing equipment is a great expense to the School. It is expected that employees will protect and care for all equipment and supplies issued to them. Employees are responsible for the cost of lost, stolen, or broken items issued to them including keys, textbooks, teacher guides, laptops, and any other equipment that may be assigned to them or their classroom if the loss is due

to willful misconduct or negligence.

### Laptop Computers

Most full-time exempt employees receive a laptop computer for use in carrying out day-to-day functions such as lesson planning, email, enhancing classroom instruction, and using school-provided software for administrative duties (i.e., tracking attendance, logging grades, posting comments, etc.). School-issued laptops are property of Elevate School. Employees are required to treat their laptops with great care. Laptops may never be left unattended or in unlocked classrooms. Employees are required to bring their laptop computers home with them each night. Upon termination of employment, employees understand and agree that they must promptly return their School-issued laptop to the Elevate Elementary. Employees are responsible for reimbursing the school for the cost of lost or damaged laptops when the loss or damage is due to a violation of this policy or the willful misconduct or negligence of the employee.

Employees acknowledge and understand that Elevate School is the owner of the laptop and of all information contained on the laptop. Employees are discouraged from keeping personal information on their School-issued laptops or using the laptops for personal use. There is no expectation of privacy with regard to a School-issued laptop and employees must return the laptop upon request by the School for regular maintenance.

### Cell Phones

If an employee is required to perform business on a cell phone for Elevate School while driving, they must utilize the hands-free option on the cell phone or a headset/earpiece device. Sending, writing, or reading text-based communications on a cell phone while driving a School vehicle or in an employee's own vehicle to conduct School business is prohibited. Text based communications include, but are not limited to, text messages, instant messages, and email.

If an employee is assigned a School cell phone to conduct School business, they must notify their supervisor if the cell phone is misplaced, stolen, or damaged. Personal calls, received or placed, are not allowed on School cell phones.

### **Building Security/School Keys**

All employees who are issued keys to the office and classrooms are responsible for their safekeeping. These employees will sign a Building Key Disbursement Form upon receiving the key.

Employees will be assigned all appropriate building keys needed to conduct their daily job responsibilities. Employees are responsible for all keys. Duplication of any school key is not allowed and strictly prohibited. It is against School policy to loan or distribute assigned keys to another employee or non-employee of the School. If school keys are lost, misplaced, destroyed, or stolen, employees must report it immediately to the HR Coordinator.

The last employee, or a designated employee, who leaves the office and/or the school site 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 School property after hours without prior authorization.

### **Personal Business**

Elevate School's facilities for handling mail and telephone calls are designed to accommodate School business. Employees are prohibited from using School material, time or equipment for personal projects. Employees should have personal mail directed to their home address. Personal phone calls should not be made or received during working hours, except in the case of emergency. Any such calls must be made during employee breaks. Friends and relatives should be discouraged from calling during business hours unless there is an emergency. All emergency calls should be directed to the main office. When the call is received, the employee will be contacted.

In addition, employees are expected to exercise professionalism and sound judgment regarding the use of personal cell phones. While employees are not mandated to turn off personal cell phones, cell phones should be placed out of sight and silenced to avoid disruption to the learning environment. The school will not be responsible for lost or stolen cell phones or other personal property.

### **Social Media/Networking**

Elevate School has adopted the following policy with regard to employee behavior on social media/networking sites as it pertains to both employee and student-initiated communication. If an employee wishes to use social media/networking as a part of the educational process, they must please work with their administrators and technology staff to identify and use a restricted, School-endorsed networking platform.

Employees may not accept students or the students' parents as friends on any personal social networking sites and are to decline any student or parent-initiated friend requests. Employees are not to initiate "friendships" with students or parents and must delete any students or parents already on their "friends" list immediately.

With regard to social media/networking content, employees may not use commentary deemed to be defamatory, obscene, proprietary, or libelous with regard to any School-related business or policy, employee, student, or parent. Additionally, employees must exercise caution with regards to exaggeration, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations. Employees must weigh whether a particular posting puts his/her effectiveness as a School employee at risk. Elevate School encourages employees to post only what they want the world to see. Imagine that students, their parents, or administrators will visit employee sites as most information is available to the general public even after it is removed from the site. Employees may not discuss students nor post images that include students.

Due to security risks, employees must be cautious when installing the external applications that work with the social networking site. At a minimum, employees should have all privacy settings

set to “Only Friends.” “Friends of Friends” and “Networks and Friends” open content to a large group of unknown people, including students.

### **Personal or Professional Blogs**

If an employee is developing a website or writing a blog that will mention Elevate School, they must identify that they are an employee of the organization and that the views expressed on the blog or web site are the employee’s alone and do not represent the views of Elevate School. Unless given permission by the Executive Director, employees are not authorized to speak on behalf of Elevate School or to represent that they do so. If an employee is developing a site or writing a blog that will mention Elevate School, as a courtesy to the organization, they should let the Executive Director know in advance of publication. The Executive Director may choose to visit any blog or social networking site.

Employees may not share information that is confidential and proprietary with regard to Elevate School. This includes, but is not limited to, information about curriculum, school dynamics, school programs, future goals, or current challenges within the organization. These are given as examples only and do not cover the range of what Elevate School considers confidential and proprietary. If employees have any questions about whether information has been released publicly or doubts of any kind, they must speak with the Executive Director.

When writing a blog or participating in any other social networking site, employees are required to speak respectfully about Elevate School and current and potential employees, students, parents, and competitors. Employees must not engage in name-calling or behavior that will reflect negatively on the organization’s reputation. Note that the use of copyrighted materials, unfounded, harassing, libelous, or derogatory statements, or misrepresentation is not viewed favorably by Elevate School and can result in disciplinary action, up to, and including termination.

All employees who engage in social networking are legally liable for anything he/she writes or presents online. Employees can be disciplined by Elevate School for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment. Employees can also be sued by Elevate School’s employees, competitors, and any individual or company that views commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment.

This policy should not be construed, and will not be applied, in a manner that violates employee rights under the National Labor Relations Act.

Employees may not comment on a student’s blog or a student’s other social networking commentaries.

Failure to comply with this policy will result in disciplinary action, up to and including termination of employment.

### **Public Relations**

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

Below are several things employees can do to help leave people with a good impression of Elevate School. These are the building blocks for our continued success:

- Act competently and deal with others in a courteous and respectful manner.
- Communicate pleasantly and respectfully with other employees and all School stakeholders at all times.
- Follow up on requests and questions from School stakeholders promptly.
- Provide business-like replies to all requests and questions from School stakeholders.
- Perform all duties in an efficient and professional manner.
- Respond to email and voicemail within twenty-four (24) hours during the workweek.
- Take great pride in the work and enjoy doing the very best.

### **Personal Appearance/Standards of Dress**

Elevate School employees serve as role models to the School's students. All employees should therefore maintain professional standards of dress and grooming. Just as overall attitude and instructional competency contribute to a productive learning environment, so do appropriate dress and grooming.

Employees are encouraged to wear clothing that will add dignity to the educational profession, will present an image consistent with their job responsibilities, and will not interfere with the learning process. Accordingly, all employees shall adhere to the following standards of dress:

1. Clothing and jewelry must be safe and appropriate to the educational environment. All clothing must be clean and in good repair. Slits or tears in pants or other articles of clothing are not permitted except for modest slits in women's dresses or skirts that are no higher than three (3) inches above the knee.
2. Head coverings, including hats of any kind, except those worn for religious or safety reasons, are not to be worn inside school buildings including assemblies, classrooms, labs and offices. Hats may be worn outside for sun protection. All hats are to be removed upon entering school buildings. For exceptions to this policy, prior approval must be granted by the HR Coordinator.
3. Slacks and shorts are to be worn on the waist with no portion of an undergarment showing. Jeans are not permitted. Shorts should be modest in length and should be no higher than three (3) inches above the knee.
4. Skirts and dresses should be no higher than three (3) inches above the knee.

5. All tops must be appropriate to the work environment, and should be clean, neat, and provide proper coverage.
6. For safety purposes, earrings must not dangle more than one (1) inch below the ear.
7. Clothing or jewelry with logos that depict and/or promote gangs, drugs, alcohol, tobacco, sex, violence, illegal activities, profanity, or obscenity are not permitted.
8. Appropriate shoes must be worn at all times.

The HR Coordinator will be the final arbiter of what is considered to be inappropriate attire. Employees may be required to return home to change clothing if deemed necessary. Nonexempt employees will not be paid for time away from work to change attire. If management occasionally designates “casual days,” appropriate guidelines will be provided to employees.

### **Academic Freedom**

Teachers must be free to think and to express ideas, free to select and employ materials and methods of instruction within the School’s curriculum framework, free from undue pressures of authority, and free to act within his or her professional group. Such freedom should be used judiciously and prudently to the end that it is in concert with established community standards, the vision and mission of the school, and its charter, and promotes the free exercise of intelligence and student learning.

Academic freedom is not an absolute. It must be exercised within the basic ethical responsibilities of the teaching profession. Those responsibilities include:

- An understanding of our academic traditions and methods;
- A concern for the welfare, growth, maturity, and development of children;
- The use of accepted scholastic methods; and
- Application of good taste and judgment in selecting and employing materials and methods of instruction.

### **Parked Vehicles**

Employees are responsible for their own parked vehicles and the personal possessions within while parked on Elevate School property. Vehicle break-ins are on the rise throughout California. Be cautious: keep personal possessions out of sight and lock cars. Insuring vehicle and personal property against loss and damage is recommended for employee protection.

### **Use of Personal Vehicle for School Business**

Personal vehicles used by employees to conduct Elevate School business must be insured by the employee’s personal automobile insurer. Elevate School’s liability insurance applies on a secondary basis if the underlying personal auto insurance is insufficient. In no event does Elevate

School's automobile liability insurance coverage pay for damage to the employee's vehicle. Insuring vehicles against collision damage is recommended for employee protection.

### **Personal Property**

Elevate School cannot be responsible and will assume no liability for any loss or damage to employee personal property resulting from theft, fire, or any other cause on Elevate School's premises, including the parking area, or away from school property while on school business. Elevate School employees are prohibited from using personal property for work-related purposes unless approved in advance by the Executive Director.

# **SAFETY**

## **Health and Safety Policy**

Elevate School is committed to providing and maintaining a healthy and safe work environment for all employees.

Employees are required to know and comply with the School's General Safety Rules and to follow safe and healthy work practices at all times. Employees are required to report immediately to the Campus Dean any potential health or safety hazards, and all injuries or accidents.

In compliance with Proposition 65, the School will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

## **Chemical Exposure Warning**

Employees should be aware that work areas might contain chemicals known to the State of California to cause cancer or to cause birth defects or other reproductive harm. If an employee has any questions or concerns about possible chemical exposure in their work area, they should contact the Campus Dean.

## **Security Protocols**

Elevate School has developed guidelines to help maintain a secure workplace. Be aware of unknown persons loitering in parking areas, walkways, entrances and exits and service areas. Report any suspicious persons or activities to the Campus Dean. Employee desk or office should be secured at the end of the day. When an employee is called away from his or her work area for an extended length of time, valuable or personal articles should not be left around a workstation that may be accessible. The security of facilities as well as the welfare of employees depends upon the alertness and sensitivity of every individual to potential security risks. Employees should immediately notify the Dean and Site Director when keys are missing or if security access codes or passes have been breached.

## **Internal Investigations & Searches**

Elevate School reserves the right to conduct internal investigations pertaining to security, auditing, or work-related matters. Employees are required to cooperate fully with and assist in these investigations if required to do so.

Whenever necessary, in Elevate School's discretion, employees' work areas (i.e., desks, file cabinets, lockers, etc.) and personal belongings (i.e., briefcases, handbags, etc.) may be subject to a search without notice. Employees are required to cooperate. Because even a routine search for Elevate School property might result in the discovery of an employee's personal possessions, all employees are encouraged to refrain from bringing into the workplace any item of personal property that they do not wish to reveal to Elevate School. Elevate School will generally try to obtain an employee's consent before conducting a search of work areas and personal belongings,



but it may not always be able to do so.

## **Occupational Safety**

Elevate School is committed to the safety of its employees, vendors, contractors and the public and to providing a clear safety goal for management.

The prevention of accidents is the responsibility of every School supervisor. It is also the duty of all employees to accept and promote the established safety regulations and procedures. Every effort will be made to provide adequate safety training. If an employee is ever in doubt how to perform a job or task safely, assistance should be requested. Unsafe conditions must be reported immediately.

It is the policy of the School that accident prevention shall be considered of primary importance in all phases of operation and administration. Elevate School's management is required to provide safe and healthy working conditions for all employees and to establish and require the use of safe practices at all times.

Failure to comply with or enforce School safety and health rules, practices and procedures could result in disciplinary action up to and including possible termination.

## **Ergonomics**

Elevate School has invested in providing a work environment that is safe for all employees. To lessen the risk of ergonomic hazards, the School will make necessary adjustments to an individual's workstation, educate employees on ergonomic safety, and modify processes when deemed necessary to ensure the well-being and safety of our employees. Employees should report any ergonomic concerns to the HR Coordinator or Office Manager.

## **Accident/Incident Reporting**

It is the duty of every employee to immediately or as soon as is practical report any accident or injury occurring during work or on School premises so that arrangements can be made for medical or first aid treatment, as well as for investigation and follow-up purposes.

## **Reporting Fires and Emergencies**

It is the duty of every employee to know how to report fires and other emergencies quickly and accurately. Employees should report any such emergency by calling management. In addition, all employees should know the local emergency numbers such as 911.

## **EMPLOYEE WAGES AND HEALTH BENEFITS**

### **Payroll Withholdings**

As required by law, the School shall withhold Federal Income Tax, State Income Tax, Social Security (FICA) and State Disability Insurance from each employee's pay as follows:

1. **Federal Income Tax Withholding:** The amount varies with the number of exemptions the employee claims and the gross pay amount.
2. **State Income Tax Withholding:** The same factors which apply to federal withholdings apply to state withholdings.
3. **Social Security (FICA):** The Federal Insurance Contribution Act requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by the School.
4. **State Disability Insurance (SDI):** This state fund is used to provide benefits to those out of work because of illness or disability.

Every deduction from an employee's paycheck is explained on the check voucher. If an employee does not understand the deductions, he or she should ask the HR Coordinator to explain them.

Employees may change the number of withholding allowances claimed for Federal Income Tax purposes at any time by filling out a new W-4 form and submitting it to the HR Coordinator. The office maintains a supply of these forms.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the HR Coordinator and to fill out a new W-4 form.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows Social Security information, taxes withheld and total wages.

### **Overtime Pay**

Whether an employee is exempt from or subject to overtime pay will be determined on a case-by-case basis and will be indicated in the employee's job description. Generally, teachers and administrators are exempt. Nonexempt employees may be required to work beyond the regularly scheduled workday or workweek as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime for nonexempt employees. Elevate School will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by the Executive Director. Elevate School provides compensation

for all overtime hours worked by nonexempt employees in accordance with state and federal law as follows:

For employees subject to overtime, all hours worked in excess of eight (8) hours in one workday or forty (40) hours in one workweek shall be treated as overtime. Compensation for hours in excess of forty (40) for the workweek or in excess of eight (8) and not more than twelve (12) for the workday, and for the first eight (8) hours on the seventh consecutive day in one workweek, shall be paid at a rate of one and one-half times the employee's regular rate of pay. Compensation for hours in excess of twelve (12) in one workday and an excess of eight (8) on the seventh consecutive workday of the workweek shall be paid at double the regular rate of pay.

Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to these exempt employees.

### **Paydays**

Paydays at Elevate School are the 15<sup>th</sup> and final day of each month. The HR Coordinator or designee will distribute checks to those who do not have direct deposit. If a normally scheduled payday falls on a weekend or holiday, paychecks will be distributed the preceding business day.

A written, signed authorization is required for mail delivery or for delivery of paychecks to any person other than the employee. If an employee has automatic deposit for their paycheck, their funds will be deposited to the financial institution requested by the end of business on the scheduled payday. While an automatic deposit may actually credit to an account before the actual "payday," the School is not responsible for automatic payments or withdraws dated prior to the actual payday and employees you should not depend on early deposits of pay.

### **Employee Expense Reimbursement**

Elevate School will reimburse employees for certain reasonably necessary business expenses incurred in the furtherance of Elevate School business. In order to be eligible for reimbursement, employees must follow the protocol set forth in the School's policy regarding expenditures. In general, the Business Coordinator must have previously approved all expenses. All receipts pertaining to the reimbursement must be original and detailed and should be submitted to the Business Coordinator for payment process and Executive Director final approval.

### **Wage Attachments and Garnishments**

Under normal circumstances, the School will not assist creditors in the collection of personal debts from its employees. However, creditors may resort to certain legal procedures such as garnishments, levies or judgments that require the School, by law, to withhold part of an employee's earnings in their favor.

Employees are strongly encouraged to avoid such wage attachments and garnishments. If the School is presented a second garnishment request concerning an employee, the Executive Director or HR Coordinator will discuss the situation with the employee.

### **Insurance Benefits**

Full-time employees are entitled to insurance benefits offered by Elevate School. These insurance benefits will include medical, dental, and vision. The School will set a defined contribution towards the employee's insurance premiums that are sponsored by Elevate School. This amount will be determined on an annual basis. The employee's portion of the monthly premiums will be deducted from the employee's paycheck on a pre-tax basis.

If medical insurance premium rates increase, employees may be required to contribute to the cost of the increase to retain coverage. Unless otherwise mandated by law, employees on a leave of absence are responsible for selecting continuing health coverage and paying the premium for such coverage through COBRA.

Full-time employees will also be covered under an insurance policy that includes Life, Short-term Disability, and Long-Term Disability at no cost to the full-time employee. Additional voluntary insurance plans will be offered through the School that will be the employee's responsibility to purchase and pay for.

### **COBRA Benefits**

When coverage under the School's medical and/or dental plans ends, employees or their dependents can continue coverage for eighteen (18) or thirty-six (36) months, depending upon the reason benefits ended. To continue coverage, an employee must pay the full cost of coverage – the employee contribution and the School's previous contribution plus a possible administrative charge.

Medical coverage for an employee, his/her spouse, and eligible dependent children can continue for up to eighteen (18) months if coverage ends because:

- Employment ends, voluntarily or involuntarily, for any reason other than gross misconduct; or
- Hours of employment are reduced below the amount required to be considered a full-time employee or part-time, making an employee ineligible for the plan.

This eighteen (18) month period may be extended an additional eleven (11) months in cases of disability subject to certain requirements. This eighteen (18) month period may also be extended an additional eighteen (18) months if other events (such as a divorce or death) occur subject to certain requirements.

An employee's spouse and eligible dependents can continue their health coverage for up to thirty-six (36) months if coverage ends because:

- The employee dies while covered by the plan;
- The employee and his/her spouse become divorced or legally separated;
- The employee becomes eligible for Medicare coverage, but his/her spouse has not yet reached age sixty-five (65); or
- The employee's dependent child reaches an age which makes him or her ineligible for coverage under the plan.

Rights similar to those described above may apply to retirees, spouses and dependents if the employer commences a bankruptcy proceeding and those individuals lose coverage.

Elevate School will notify employees or their dependents if coverage ends due to termination or a reduction in work hours. If an employee becomes eligible for Medicare, divorced or legally separated, dies, or when a dependent child no longer meets the eligibility requirements, the employee or a family member are responsible for notifying the School within thirty (30) days of the event. Elevate School will then notify the employee or his/her dependents of the employee's rights.

Health coverage continuation must be elected within sixty (60) days after receiving notice of the end of coverage, or within sixty (60) days after the event causing the loss, whichever is later.

There are certain circumstances under which coverage will end automatically. This happens if:

- Premiums for continued coverage are not paid within thirty (30) days of the due date;
- The employee (or his/her spouse or child) become covered under another group health plan which does not contain any exclusion or limitation with respect to any pre-existing condition the employee (or the employee's spouse or child, as applicable) may have;
- Elevate School stops providing group health benefits;
- The employee (or the employee's spouse or child) become entitled to Medicare; or
- The employee extended coverage for up to twenty-nine (29) months due to disability and there has been a final determination that the employee is no longer disabled.

## **PERSONNEL EVALUATION AND RECORD KEEPING**

### **Employee Performance Evaluations**

#### Administrative and Classified Staff

Performance evaluations generally are conducted annually to provide both employees and supervisors with the opportunity to discuss the employee's position, tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss methods for improving performance. The performance evaluations are intended to make employees aware of their progress, areas for improvement, and objectives or goals for future work performance.

Favorable performance evaluations do not guarantee increase in salary or promotions, or even continued employment. Salary increases and promotions are solely within the discretion of Elevate School and depend upon many factors in addition to performance.

Supervisors may conduct informal performance reviews and goal setting sessions more often if they choose.

#### Teachers

At the start of each academic year, each teacher will meet with the School Administrator to establish Performance Objectives for that school year. The teacher will put these objectives in writing in accordance with a template to be provided by the School Administrator.

The School Administrator will then evaluate the teacher's performance at least every other year formally and on an ongoing basis informally. The evaluation will be based on factors including the teacher's job description, accomplishment of the Performance Objectives, the Elevate School's charter, and standards for teaching performance developed by the School Administrator, the Elevate School's Board of Directors, and/or other Elevate School staff.

In addition to these more formal performance evaluations, Elevate School encourages employees and their supervisors to discuss job performance on an ongoing basis.

#### Basis for Determining Pay

Several factors may influence an employee's rate of pay. Some of the items Elevate School considers are the nature and scope of their job, what other employers pay their employees for comparable jobs (external equity), what Elevate School pays their employees in comparable positions (internal equity), and individual, as well as Elevate School performance. It is Elevate School's goal to have a current job description on hand for each employee that broadly defines the job responsibilities and essential functions for each position.

#### Wage or Salary Increases

Each employee's hourly wage or annual salary will be reviewed at least once each year. The

employee's review date will usually be conducted on or about the end of the school or fiscal year. Such reviews may be conducted more frequently for a newly created position or based on a recent promotion.

Increases will be determined on the basis of several factors: adherence to School policies and procedures, ability to meet or exceed duties per job description and achievement of performance goals.

Changes to the amount of an employee's wage or salary will become effective on the first regular pay period following the change.

### **Personnel Files and Record Keeping Protocols**

At the time of employment, a personnel file is established for each employee. It is each employee's responsibility to keep the HR Coordinator advised of changes that should be reflected in their personnel file. Such changes include change in address, telephone number, marital status, number of dependents and person(s) to notify in case of emergency. Prompt notification of these changes is essential and will enable the School to contact an employee should the change affect their other records.

Employees have the right to inspect documents in their personnel file, as provided by law, in the presence of a School representative, at a mutually convenient time. Employees also have the right to obtain a copy of their personnel file as provided by law. Employees may add comments to any disputed item in the file. Elevate School will restrict disclosure of personnel files to authorized individuals within the School. A request for information contained in the personnel file must be directed to the Executive Director. Only the Executive Director or designee is authorized to release information about current or former employees. Disclosure of information to outside sources will be limited. However, the School will cooperate with requests from authorized law enforcement, or local, state or federal agencies conducting official investigations or as otherwise legally required.

Credible complaints of substantiated investigations into or discipline for egregious misconduct will not be expunged from an employee's personnel file unless the complaint is heard by an arbitrator, administrative law judge, or the Board and the complaint is deemed to be false, not credible, unsubstantiated or a determination was made that discipline was not warranted.

## **HOLIDAYS AND LEAVES**

### **School Holidays**

The School observes the following holidays during the year:

- New Year's Day
- Martin Luther King Day
- President's Day Weekend (Friday and Monday)
- Memorial Day
- Juneteenth Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve Day
- Christmas Day
- New Year's Eve Day

Exempt employees who work only during the academic calendar, such as teachers, are not scheduled to work during the above-listed holidays, and therefore are not eligible for holiday pay if worked. Temporary and part-time employees are not eligible to receive holiday pay, unless otherwise provided for by specific agreement in writing.

Recognized religious holidays may be taken by an employee whose religion requires observance of the particular day. Employees must request the day off at least two (2) days in advance by written notice to the HR Coordinator. The employee may use a personal day if the employee has a personal day available, otherwise the holiday will be unpaid.

### **Personal Days**

Teachers are provided two (2) personal days each year. Unused personal days may accrue from year to year, up to a maximum of six (6) days. Once this cap is reached, no further personal days will accrue until some personal days are used. There is no retroactive grant of personal days for the period of time the accrued personal days were at the cap. Personal days are paid out upon termination of employment. Any personal days taken during the school year or otherwise must be coordinated and cleared by the HR Coordinator subject to scheduling and seniority. Personal days may not be utilized before they are earned.

### **Unpaid Leave of Absence**

Elevate School recognizes that special situations may arise where an employee must leave his or her job temporarily. At its discretion, the School may grant employees leaves of absence. Any unpaid leave of absence must be approved in advance by the School.



The granting of a leave of absence always presumes the employee will return to active work by a designated date or within a specific period.

During a Family and Medical Leave Act, California Family Rights Act leave, and/or Pregnancy Disability Leave, the employee's medical and dental benefits will remain in force, provided the employee pays the appropriate premiums. Otherwise, benefits are terminated the month any other type of leave begins. If an employee fails to return from a leave and is subsequently terminated, the employee is entitled to all earned but unused personal days, provided that the days were earned prior to the commencement of leave. No personal days accrue during any type of unpaid leave of absence.

### **Sick Leave**

To help prevent loss of earnings that may be caused by accident or illness, or by other emergencies, the School offers paid sick leave to its employees. Sick leave may be taken to receive preventive care (including annual physicals or flu shots) or to diagnose, treat, or care for an existing health condition. Employees may also use sick leave to assist a family member (i.e., children, parents, spouses/domestic partners, grandparents, grandchildren, or siblings) who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Employees may also take paid sick leave to receive medical care or other assistance to address instances of domestic violence, sexual assault, or stalking. Additionally, employees may also take paid sick leave when Elevate School is closed due to a public health emergency, or to care for a child whose childcare facility or school is closed due to a public health emergency.

Paid sick leave is available to all School employees who work at least two (2) hours in a year within the geographic boundaries of San Diego. All eligible employees shall receive at least forty (40) hours of sick leave at the beginning of each work year. Employees must refer to their At-Will Employment Agreement to determine if they receive additional sick leave beyond the forty (40) hours.

Employees cannot use paid sick leave until the ninetieth (90<sup>th</sup>) calendar day following the employee's start date. Sick leave must be taken by eligible employees in increments of two (2) hours. Accrued sick leave does carry over from year to year, but the School does not pay employees in lieu of unused sick leave. If an employee separates from Elevate School and is rehired within one (1) year, previously unused paid sick days will be reinstated.

If an employee is absent longer than three (3) days due to illness, medical evidence of illness and/or medical certification of their fitness to return to work satisfactory to the School may be required.

Once an employee has exhausted sick leave, the employee may continue on an unpaid medical leave depending upon the facts and circumstances of the employee's basis for leave beyond accrued sick leave. Employee requests for unpaid medical leave must be approved in advance by the School.

### **Family Care and Medical Leave**

This policy explains how the School complies with the federal Family and Medical Leave Act (“FMLA”) and the California Family Rights Act (“CFRA”), both of which require the School to permit each eligible employee to take up to twelve (12) workweeks (or twenty-six (26) workweeks where indicated) of FMLA leave in any twelve (12) month period for the purposes enumerated below. For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as “FMLA leave.”

- **Employee Eligibility Criteria**

To be eligible for FMLA leave, the employee must have been employed by the School for a total of at least twelve (12) months, worked at least 1,250 hours during the twelve (12) month period immediately preceding commencement of the FMLA leave, and work at a location where the School has at least fifty (50) employees within seventy-five (75) miles, (except for purposes of baby-bonding where the threshold is twenty (20) employees).

- **Events That May Entitle an Employee To FMLA Leave**

The twelve (12) week (or twenty-six (26) workweeks where indicated) FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

1. To care for the employee’s newborn child or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by the School, they will be entitled to a combined total of twelve (12) weeks of leave for this purpose.
2. Because of the employee’s own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by the School’s separate pregnancy disability policy).
  - a. A “serious health condition” is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent, or spouse of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
  - b. “Inpatient care” means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an “inpatient” when a health care facility formally admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.

- c. “Incapacity” means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
    - d. “Continuing treatment” means ongoing medical treatment or supervision by a health care provider.
  - 3. To care for a spouse, domestic partner, child, or parent with a serious health condition or military service-related injury. When an employee is providing care to a spouse, son, daughter, parent, or next of kin who is a covered Armed Forces servicemember with a serious injury or illness, the employee may take a maximum of twenty-six (26) weeks of FMLA leave in a single twelve (12) month period to provide said care.
  - 4. For any “qualifying exigency” because the employee is the spouse, son, daughter, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces.
- Amount of FMLA Leave Which May Be Taken
    - 1. FMLA leave can be taken in one (1) or more periods but may not exceed twelve (12) workweeks total for any purpose in any twelve (12) month period, as described below, for anyone, or combination of the above-described situations. “Twelve workweeks” means the equivalent of twelve (12) of the employee’s normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, “twelve workweeks” means sixty (60) working and/or paid eight (8) hour days.
    - 2. In addition to the twelve (12) workweeks of FMLA leave that may be taken, an employee who is the spouse, son, daughter, parent, or next of kin of a covered Armed Forces servicemember shall also be entitled to a total of twenty-six (26) workweeks of FMLA leave during a twelve (12) month period to care for the servicemember.
    - 3. The “twelve-month period” in which twelve (12) weeks of FMLA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA leave.
    - 4. If a holiday falls within a week taken as FMLA leave, the week is nevertheless counted as a week of FMLA leave. If, however, the School’s business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Vacation, the days the School’s activities have ceased do not count against the employee’s FMLA leave entitlement. Similarly, if an employee uses FMLA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against

the employee's leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.

- **Pay during FMLA Leave**

1. An employee on FMLA leave because of his/her own serious health condition must use all accrued paid sick leave at the beginning of any otherwise unpaid FMLA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA leave, the School and the employee may agree to have School-provided paid leave, such as personal days or sick time, supplement the partial wage replacement benefit unless otherwise prohibited by law.
2. An employee on FMLA leave for childcare or to care for a spouse, domestic partner, parent, or child with a serious health condition may use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA leave.
3. If an employee has exhausted his/her sick leave, leave taken under FMLA shall be unpaid leave.
4. The receipt of sick leave pay, or State Disability Insurance benefits will not extend the length of the FMLA leave. Sick pay accrues during any period of unpaid FMLA leave only until the end of the month in which unpaid leave began.

- **Health Benefits**

The provisions of the School's various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. The health benefits of employees on FMLA leave will be paid by the School during the leave at the same level and under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. When a request for FMLA leave is granted, the School will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

If an employee is required to pay premiums for any part of his/her group health coverage, the School will provide the employee with advance written notice of the terms and conditions under which premium payments must be made.

Elevate School may recover the health benefit costs paid on behalf of an employee during his/her FMLA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have "failed to return from leave" if he/she works less than thirty (30) days after returning from FMLA leave; and
2. The employee's failure to return from leave is for a reason other than the

continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave, or other circumstances beyond the control of the employee.

- Seniority

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he/she had when the leave commenced.

- Medical Certifications

1. An employee requesting FMLA leave because of his/her own or a relative's serious health condition must provide medical certification from the appropriate health care provider on a form supplied by the School. Absent extenuating circumstances, failure to provide the required certification in a timely manner (within fifteen (15) days of the School's request for certification) may result in denial of the leave request until such certification is provided.
2. The School will notify the employee in writing if the certification is incomplete or insufficient and will advise the employee what additional information is necessary in order to make the certification complete and sufficient. The School may contact the employee's health care provider to authenticate a certification as needed.
3. If the School has reason to doubt the medical certification supporting a leave because of the employee's own serious health condition, the School may request a second opinion by a health care provider of its choice (paid for by the School). If the second opinion differs from the first one, the School will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.
4. Recertifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required recertifications can result in termination of the leave.

- Procedures for Requesting and Scheduling FMLA Leave

1. An employee should request FMLA leave by completing a Request for Leave form and submitting it to the HR Coordinator. An employee asking for a Request for Leave form will be given a copy of the School's then-current FMLA leave policy.
2. Employees should provide not less than thirty (30) days' notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her spouse, domestic partner, child, or parent. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable.

3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.
  4. If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, domestic partner, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.
  5. If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that the School will grant a request for FMLA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.
  6. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.
  7. The School will respond to an FMLA leave request no later than five (5) business days of receiving the request. If an FMLA leave request is granted, the School will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.
- Return to Work
    1. Upon timely return at the expiration of the FMLA leave period, an employee (other than a "key" employee whose reinstatement would cause serious and grievous injury to the School's operations) is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.
    2. When a request for FMLA leave is granted to an employee (other than a "key" employee), the School will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).
    3. Before an employee will be permitted to return from FMLA leave taken because of his/her own serious health condition, the employee must obtain a certification from his/her health care provider that he/she is able to resume work.

4. If an employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the School.
- **Limitations on Reinstatement**
    1. Elevate School may refuse to reinstate a “key” employee if the refusal is necessary to prevent substantial and grievous injury to the School’s operations. A “key” employee is an exempt salaried employee who is among the highest paid 10% of the School’s employees within seventy-five (75) miles of the employee’s worksite.
    2. A “key” employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a “key” employee and the potential consequences with respect to reinstatement and maintenance of health benefits if the School determines that substantial and grievous injury to the School’s operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, the School will notify the “key” employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee’s reinstatement would cause the School to suffer substantial and grievous injury. If the School realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.
  - **Employment during Leave**

No employee, including employees on FMLA leave, may accept employment with any other employer without the School’s written permission. An employee who accepts such employment without the School’s written permission will be deemed to have resigned from employment at the School.

### **Pregnancy Disability Leave**

This policy explains how the School complies with the California Pregnancy Disability Act, which requires the School to give each female employee an unpaid leave of absence of up to four (4) months per pregnancy, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

- **Employee Eligibility Criteria**

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.
- **Events That May Entitle an Employee to Pregnancy Disability Leave**

The four (4) month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

1. The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
2. The employee needs to take time off for prenatal care.

- **Duration of Pregnancy Disability Leave**

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. “Four months” means the number of days the employee would normally work within four months. For a full-time employee who works five (5) eight (8) hour days per week, four (4) months means 693 hours of leave (40 hours per week times 17 <sup>1</sup>/<sub>3</sub> weeks).

For employees who work more or less than forty (40) hours per week, or who work on variable work schedules, the number of working days that constitutes four (4) months is calculated on a pro rata or proportional basis. For example, for an employee who works twenty (20) hours per week, “four months” means 346.5 hours of leave entitlement (20 hours per week times 17 <sup>1</sup>/<sub>3</sub> weeks). For an employee who normally works forty-eight (48) hours per week, “four months” means 832 hours of leave entitlement (48 hours per week times 17 <sup>1</sup>/<sub>3</sub> weeks).

At the end or depletion of an employee’s pregnancy disability leave, an employee who has a physical or mental disability (which may or may not be due to pregnancy, childbirth, or related medical conditions) may be entitled to reasonable accommodation. Entitlement to additional leave must be determined on a case-by case basis, taking into account a number of considerations such as whether an extended leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, and whether or not additional leave would create an undue hardship for the School. The School is not required to provide an indefinite leave of absence as a reasonable accommodation.

- **Pay during Pregnancy Disability Leave**

1. An employee on pregnancy disability leave must use all accrued paid sick leave and may use any or all accrued personal days at the beginning of any otherwise unpaid leave period.
2. The receipt of personal day pay, sick leave pay, or state disability insurance benefits, will not extend the length of pregnancy disability leave.



3. Personal days and sick leave accrue during any period of unpaid pregnancy disability leave only until the end of the month in which the unpaid leave began.

- **Health Benefits**

Elevate School shall provide continued health insurance coverage while an employee is on pregnancy disability leave consistent with applicable law. The continuation of health benefits is for a maximum of four (4) months in a twelve (12)-month period. Elevate School can recover premiums that they already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee's failure to return from leave is for a reason other than the following:
  - The employee is taking leave under the California Family Rights Act.
  - There is a continuation, recurrence or onset of a health condition that entitles the employee to pregnancy disability leave.
  - There is a non-pregnancy related medical condition requiring further leave.
  - Any other circumstance beyond the control of the employee.

- **Seniority**

An employee on pregnancy disability leave remains an employee of the School and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, she will return with the same seniority she had when the leave commenced.

- **Medical Certifications**

1. An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider on a form supplied by the School. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.
2. Recertifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required recertifications can result in termination of the leave.

- **Requesting and Scheduling Pregnancy Disability Leave**

1. An employee should request pregnancy disability leave by completing a Request for Leave form and submitting it to the HR Coordinator. An employee asking for

a Request for Leave form will be referred to the School's then current pregnancy disability leave policy.

2. Employee should provide not less than thirty (30) days' notice or as soon as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.
  3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.
  4. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider.
  5. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.
  6. The School will respond to a pregnancy disability leave request within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, the School will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.
- Return to Work
    1. Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position at the time reinstatement is requested. If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless one of the following is applicable:
      - a. The employer would not have offered a comparable position to the employee if she would have been continuously at work during the pregnancy disability leave.
      - b. There is no comparable position available, to which the employee is either qualified or entitled, on the employee's scheduled date of reinstatement or within sixty (60) calendar days thereafter. The School will take reasonable steps to provide notice to the employee if and when comparable positions become available during the sixty (60) day period.

A “comparable” position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee’s original position in terms of pay, benefits, and working conditions.

2. When a request for pregnancy disability leave is granted to an employee, the School will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above).
3. In accordance with Elevate School policy, before an employee will be permitted to return from a pregnancy disability leave of three (3) days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work.
4. If the employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the School.

- **Employment during Leave**

No employee, including employees on pregnancy disability leave, may accept employment with any other employer without the School’s written permission. An employee who accepts such employment without written permission will be deemed to have resigned from employment.

### **Industrial Injury Leave (Workers’ Compensation)**

Elevate School, in accordance with State law, provides insurance coverage for employees in case of work-related injuries. The workers’ compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax-free to replace lost wages; and
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure employees receive any worker’s compensation benefits to which they may be entitled, employees will need to:

- Immediately report any work-related injury to the HR Coordinator;
- Seek medical treatment and follow-up care if required;

- Complete a written Employee's Claim Form (DWC Form 1) and return it to the HR Coordinator; and
- Provide the School with a certification from a health care provider regarding the need for workers' compensation disability leave as well as the employee's eventual ability to return to work from the leave.

It is the School's policy that when there is a job-related injury, the first priority is to ensure that the injured employee receives appropriate medical attention. Elevate School, with the help of its insurance carrier has selected medical centers to meet this need. Each medical center was selected for its ability to meet anticipated needs with high quality medical service and a location that is convenient to the School's operation.

- If an employee is injured on the job, he/she is to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems ("EMS") such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.
- All accidents and injuries must be reported to the Executive Director and HR Coordinator and to the individual responsible for reporting to the School's insurance carrier. Failure by an employee to report a work-related injury by the end of his/her shift could result in loss of insurance coverage for the employee. An employee may choose to be treated by his/her personal physician at his/her own expense, but he/she is still required to go to the School's approved medical center for evaluation. All job-related injuries must be reported to the appropriate State Workers' Compensation Bureau and the insurance carrier.
- When there is a job-related injury that results in lost time, the employee must have a medical release from the School's approved medical facility before returning to work.
- Any time there is a job-related injury, the School's policy requires drug/alcohol testing along with any medical treatment provided to the employee.

### **Military and Military Spousal Leave of Absence**

Elevate School shall grant a military leave of absence to any employee who must be absent from work due to service in the uniformed services in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 ("USERRA"). All employees requesting military leave must provide advance written notice of the need for such leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable.

If military leave is for thirty (30) or fewer days, the School shall continue the employee's health benefits. For service of more than thirty (30) days, employee shall be permitted to continue their health benefits at their option through COBRA. Employees are entitled to use accrued personal days as wage replacement during time served, provided such time accrued prior to the leave.

Except for employees serving in the National Guard, Elevate School will reinstate those employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within ninety (90) days after release from active duty or within such extended period, if any, as required by law. For those employees serving in the National Guard, if he or she left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if he or she left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

An employee who was absent from work while fulfilling his or her covered service obligation under the USERRA or California law shall be credited, upon his or her return to the School, with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. Exceptions to this policy will occur wherever necessary to comply with applicable laws.

Elevate School shall grant up to ten (10) days of unpaid leave to employees who work more than twenty (20) hours per week and who are spouses of deployed military servicemen and servicewomen. The leave may be taken when the military spouse is on leave from deployment during a time of military conflict. To be eligible for leave, an employee must provide the School with (1) notice of intention to take military spousal leave within two (2) business days of receiving official notice that the employee's military spouse will be on leave from deployment, and (2) documentation certifying that the employee's military spouse will be on leave from deployment during the time that the employee requests leave.

### **Bereavement Leave**

Elevate School provides full-time employees up to three (3) days paid bereavement leave, beyond sick or personal time, due to the death of an immediate family member. This includes a parent (including an in-law and stepparent), spouse, domestic partner, dependent, sibling, stepsibling, grandparent or grandchild. If a funeral is more than five hundred (500) miles from an employee's home, they may receive paid leave for five with prior approval from their supervisor.

### **Jury Duty or Witness Leave**

For all exempt employees, the School will pay for time off if an employee is called to serve on a jury provided the employee continues to perform work duties as assigned. For all nonexempt employees, the School will pay for up to three (3) days if an employee is called to serve on a jury. Exempt employees on a 10.5-month calendar are requested to postpone a summons to perform jury duty to the summer period. Employees who receive a jury duty summons and who desire a written verification of this policy should contact the Office Manager. Employees who receive a jury duty summons and need to take time off must notify their supervisor immediately.

### **Voting Time Off**

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall

be taken at the beginning or the end of the regular working shift, whichever allows for more free time and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two (2) hours combined. Under these circumstances, an employee will be allowed a maximum of two (2) hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give the HR Coordinator at least two (2) days' notice.

### **School Appearance and Activities Leave**

As required by law, Elevate School will permit an employee who is a parent or guardian (including a stepparent, foster parent, or grandparent) of school children, from kindergarten through grade twelve (12), or a child enrolled with a licensed child care provider, up to forty (40) hours of unpaid time off per school year (up to eight (8) hours in any calendar month of the school year) to participate in activities of a child's school or child care. If more than one (1) parent or guardian is an employee of Elevate School, the employee that first provides the leave request will be given the requested time off. Where necessary, additional time off will also be permitted where the school requires the employee(s) appearance.

The employee requesting school leave must provide reasonable advanced notice of the planned absence. The employee must use accrued but unused paid leave (e.g., personal days or sick leave) to be paid during the absence.

When requesting time off for school activities, the employee must provide verification of participation in an activity as soon as practicable. When requesting time off for a required appearance, the employee(s) must provide a copy of the notice from the child's school requesting the presence of the employee.

### **Bone Marrow and Organ Donor Leave**

As required by law, eligible employees who require time off to donate bone marrow to another person may receive up to five (5) workdays off in a 12-month period. Eligible employees who require time off to donate an organ to another person may receive up to sixty (60) workdays off in a twelve (12) month period.

To be eligible for bone marrow or organ donation leave ("Donor Leave"), the employee must have been employed by the School for at least ninety (90) days immediately preceding the Donor Leave.

An employee requesting Donor Leave must provide written verification to the School that he or she is a donor and that there is a medical necessity for the donation of the organ or bone marrow.

Up to five (5) days of leave for bone marrow donation, and up to thirty (30) days of leave for organ donation, may be paid provided the employee first uses five (5) days of accrued paid leave for bone marrow donation and two (2) weeks of accrued paid leave for organ donation. If the employee has an insufficient number of paid leave days available, the leave will otherwise be paid.

Employees returning from Donor Leave will be reinstated to the position held before the leave began, or to a position with equivalent status, benefits, pay and other terms and conditions of employment. The School may refuse to reinstate an employee if the reason is unrelated to taking a Donor Leave. A Donor Leave is not permitted to be taken concurrently with an FMLA/CFRA Leave.

### **Volunteer Civil Service Leave**

Employees are allowed to be absent from work to engage in volunteer emergency duty as a volunteer firefighter or emergency rescue personnel. This is an unpaid leave, but the employee may use any earned sick or personal days as applicable.

### **Crime Victim Leave**

Employees are allowed to be absent from work to attend judicial proceedings related to a crime if they are:

- A victim of a crime;
- An immediate family member of a victim;
- A registered domestic partner of a victim; or
- The child of a registered domestic partner of a victim

An employee must give reasonable advanced notice to the school by providing documentation of the proceeding. Documentation may be any of the following:

- Notice from the court or government agency setting the hearing;
- The district attorney or prosecuting attorney's office; or
- The victim/witness assistance office advocating on the victim's behalf.

This leave is unpaid, but the employee may choose to use accrued sick or personal days as applicable. Employees will not be discharged or discriminated against because of an absence protected by this law.

### **Victims of Abuse Leave**

Elevate School provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking. Such leave may be taken to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety, or welfare, or that of the employee's child or children. Employees may also request unpaid leave for the following purposes:

- Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- Obtain services from a domestic violence shelter, program, or rape crisis center.
- Obtain psychological counseling for the domestic violence, sexual assault, or stalking.

- Participate in safety planning, such as relocation, to protect against future domestic violence, sexual assault, or stalking.

To request leave under this policy, an employee should provide Elevate School with as much advance notice as practicable under the circumstances. If advance notice is not possible, the employee requesting leave under this policy should provide Elevate School one (1) of the following certifications upon returning back to work:

1. A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking.
2. A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
3. Documentation from a licensed medical professional, domestic violence or sexual assault counselor, licensed health care provider, or counselor showing that the employee's absence was due to treatment for injuries or abuse from domestic violence, sexual assault, or stalking.

Employees requesting leave under this policy may choose to use accrued paid leave. In addition, Elevate School will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking for the employees' safety while at work. To request an accommodation under this policy, an employee should contact the HR Coordinator.

### **Returning From Leave of Absence**

Employees cannot return from a medical leave of absence without first providing a sufficient doctor's return to work authorization.

When business considerations require, the job of an employee on leave may be filled by a temporary or regular replacement. An employee should give the HR Coordinator thirty (30) days' notice before returning from leave. Whenever the School is notified of an employee's intent to return from a leave, the School will attempt to place the employee in his former position or in a comparable position with regard to salary and other terms and conditions for which the employee is qualified. However, re-employment cannot always be guaranteed. If employees need further information regarding Leaves of Absence, they should be sure to consult the Executive Director.



## DISCIPLINE AND TERMINATION OF EMPLOYMENT

### Rules of Conduct

The following conduct is prohibited and will not be tolerated by the School. This list of prohibited conduct is illustrative only and applies to all employees of the School; other types of conduct that threaten security, personal safety, employee welfare and the School's operations also may be prohibited. Further, the specification of this list of conduct in no way alters the at-will employment relationship as to at-will employees of the School. If an employee is working under a contract with the School which grants procedural rights prior to termination, the procedural terms in the contract shall apply.

1. Insubordination - refusing to perform a task or duty assigned or act in accordance with instructions provided by an employee's manager or proper authority.
2. Inefficiency - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties, or responsibilities.
3. Unauthorized soliciting, collecting of contributions, distribution of literature, written or printed matter is strictly prohibited on School property by non-employees and by employees. This rule does not cover periods of time when employees are off their jobs, such as lunch periods and break times. However, employees properly off their jobs are prohibited from such activity with other employees who are performing their work tasks.
4. Damaging, defacing, unauthorized removal, destruction, or theft of another employee's property or of School property.
5. Fighting or instigating a fight on School premises.
6. Violations of the drug and alcohol policy.
7. Using or possessing firearms, weapons, or explosives of any kind on School premises.
8. Gambling on School premises.
9. Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, specifically including applications for employment and timecards.
10. Recording the clock card, when applicable, of another employee or permitting or arranging for another employee to record the clock card.
11. Use of profane, abusive, or threatening language in conversations with other employees and/or intimidating or interfering with other employees.
12. Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
13. Excessive absenteeism or tardiness excused or unexcused.
14. Posting any notices on School premises without prior written approval of management, unless posting is on a School bulletin board designated for employee postings.
15. Immoral or indecent conduct.
16. Conviction of a criminal act.
17. Engaging in sabotage or espionage (industrial or otherwise)
18. Violations of the sexual harassment policy.
19. Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures, or treatment.
20. Sleeping during work hours.

21. Release of confidential information without authorization.
22. Any other conduct detrimental to other employees or the School's interests or its efficient operations.
23. Refusal to speak to supervisors or other employees.
24. Dishonesty.
25. Failure to possess or maintain the credential/certificate required of the position.

For employees who possess an employment contract which provides for other than at-will employment, the procedures and process for termination during the contract shall be specified in the contract.

### **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 legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the School or its 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 his or her work will not be tolerated.

While employed by the School, employees are expected to devote their energies to their jobs with the School. For this reason, second jobs are strongly discouraged. The following types of additional employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at our School.
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with our School.
- Additional employment that impairs or has a detrimental effect on the employee's work performance with our School.
- Additional employment that requires the employee to conduct work or related activities on the School's property during the employer's working hours or using our School's facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of our School.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to the School explaining the details of the additional employment. If the additional employment is authorized, the School assumes no responsibility for it. Elevate School shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

## **Termination of Employment**

Should it become necessary for an employee to terminate their at-will employment with the School, employees should notify the Executive Director regarding their intention as far in advance as possible. At least two (2) weeks' notice is expected whenever possible.

When an employee terminates their at-will employment, they will be entitled to all earned but unused personal days' pay. If an employee is participating in the medical and/or dental plan, they will be provided information on their rights under COBRA.

## **Exit Interviews**

All employees who leave employment at Elevate School will be asked to take part in an exit interview with the Executive Director or HR Coordinator to communicate their challenges and growth while employed at Elevate School. Information shared during an exit interview will be treated as confidential to the extent possible.

## **Verification and Reference Policy**

All requests for employment verification, references or personal information verification or disclosures must be directed to the Executive Director. Only the Executive Director is authorized to provide verifications or references, or disclose personal information, pertaining to current or former employees.

With respect to verification requests, Elevate School will disclose only the dates of employment and the title of the last position held. Elevate School will verify or disclose additional information about the employee only if the employee provides written authorization for Elevate School to provide the information. However, Elevate School will provide information about current or former employees as required by law or court order. Elevate School will not provide any letters of reference for current or former employees. Please refer all questions about this policy to the Executive Director or HR Coordinator.

## **INTERNAL COMPLAINT REVIEW**

The purpose of the “Internal Complaint Review Policy” is to afford all employees of the School the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the Executive Director or Board of Directors to express their work-related concerns.

Specific complaints of unlawful harassment, discrimination, and retaliation are addressed under the School’s “Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation.”

### **Open Communication Policy**

Elevate School wants to hear from employees. Elevate School strongly encourages employee participation in decisions affecting their employment and their daily professional responsibilities. The School’s greatest strength lies in its employees and ability to work together. Elevate School encourage open communication about all aspects of the School and organization. Employees are encouraged to openly discuss with their supervisors any problems or suggestions they believe would make our organization better and stronger. Elevate School is interested in all employee’s success and fulfillment. The School welcomes all constructive suggestions and ideas.

Employees should request a meeting with the HR Coordinator if they have work-related concerns or complaints. Employees are encouraged to raise their work-related concerns as soon as possible after the events that cause concern.

### **Internal Complaints**

(Complaints by Employees Against Employees)

This section of the policy is for use when a School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

1. The complainant will bring the matter to the attention of the HR Coordinator as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the Chairperson of the School’s Board of Directors, who will then confer with the Board and may conduct a fact-finding or authorize a third party

investigator on behalf of the Board. The Board Chairperson or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

### **Policy for Complaints Against Employees**

(Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Executive Director or Board Chairperson (if the complaint concerns the Executive Director) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, Executive Director (or designee) shall abide by the following process:

1. The Executive Director or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Executive Director (or designee) finds that a complaint against an employee is valid, the Executive Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board shall be final.

### **General Requirements**

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board (if a complaint is about the Executive Director) or the Executive Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

## **AMENDMENT TO EMPLOYEE HANDBOOK**

This Employee Handbook contains the employment policies and practices of the School in effect at the time of publication.

Elevate School reserves the right to amend, delete or otherwise modify this Handbook at any time provided that such modifications are in writing and duly approved by the employer.

Any written changes to the Handbook will be distributed to all employees. No oral statements can in any way alter the provisions of this Handbook.

## APPENDIX A

### HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM

*It is the policy of the School that all of its employees be free from harassment, discrimination, and retaliation. This form is provided for you to report what you believe to be harassment, discrimination, or retaliation so that the School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment, discrimination, or retaliation.*

*If you are an employee of the School, you may file this form with the Executive Director or Board Chairperson.*

*Please review the School's policies concerning harassment, discrimination, and retaliation for a definition of such unlawful conduct and a description of the types of conduct that are considered unlawful.*

*Elevate School will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged offender.*

*In signing this form below, you authorize the School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the School will be able to address your complaint to your satisfaction.*

*Charges of harassment, discrimination, and retaliation are taken very seriously by the School both because of the harm caused by such unlawful conduct, and because of the potential sanctions that may be taken against the offender. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.*

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

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

Name of Person(s) you believe harassed, or discriminated or retaliated against, you or someone else: \_\_\_\_\_

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

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

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

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I acknowledge that I have read and that I understand the above statements. I hereby authorize the School to disclose the information I have provided as it finds necessary in pursuing its investigation.

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Complainant

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

\_\_\_\_\_  
Print Name

Received by: \_\_\_\_\_

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



**APPENDIX B**

**INTERNAL COMPLAINT FORM**

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature of Complainant

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

\_\_\_\_\_  
Print Name

To be completed by School:

Received by: \_\_\_\_\_

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

# Coversheet

## Approve Updated Board Policies (to align with Ed Code)

**Section:** III. Consent Agenda  
**Item:** A. Approve Updated Board Policies (to align with Ed Code)  
**Purpose:** Vote

**Submitted by:**

**Related Material:**

2022.8.20 BP0002 Homeless Youth Policy .pdf

2022.8.20 BP5005 Student Freedom of Speech and Expression Policy.pdf

2022.8.20 BP3001 Free and Reduced Price Meal Policy.pdf

2022.8.20 BP5145.71 Elevate Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy.pdf

2022.8.20 BP6003 Foster Youth Policy.pdf

2022.8.20 BP6001 Independent Study Policy.pdf

2022.8.20 BP5125 Educational Records and Student Information Policy .pdf

Board Policy #: BP 0002

Adopted/Ratified: September 21, 2019

Revision Dates: August 18, 2020, August 20, 2022



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## **EDUCATION FOR HOMELESS CHILDREN AND YOUTH POLICY**

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

### **Definition of Homeless Children and Youth**

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

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

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

### **Charter School Liaison**

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

Cassandra Bahr, Middle School Administrative Assistant  
2285 Murray Ridge Road, San Diego, CA 92123

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Board Policy #: BP 0002  
Adopted/Ratified: September 21, 2019  
Revision Date: N/A

858-751-4774/cbahr@elevateschool.com

OF 5

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

1. Homeless students are identified by school personnel through outreach and coordination activities with other entities and agencies, and through the annual housing questionnaire administered by Elevate.
2. Homeless students enroll in and have a full and equal opportunity to succeed at Elevate.
3. Homeless students and families receive educational services for which they are eligible, including: services through Head Start programs (including Early Head Start programs) under the Head Start Act; early intervention services under part C of the Individuals with Disabilities Education Act (“IDEA”); any other preschool programs administered by Elevate, if any; and referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, Elevate charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. Charter School personnel providing services receive professional development and other support.
9. The Charter School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.

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Adopted/Ratified: September 21, 2019  
Revision Date: N/A

10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students and that the youths may obtain assistance from the Charter School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid.

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

### **Enrollment**

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

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

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

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

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

### **Enrollment Disputes**

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

Board Policy #: BP 0002  
Adopted/Ratified: September 21, 2019  
Revision Date: N/A

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

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

### **Housing Questionnaire**

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

### **Comparable Services**

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

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

### **Transportation**

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

Board Policy #: BP 0002  
 Adopted/Ratified: September 21, 2019  
 Revision Date: N/A

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

### **Professional Development**

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

### **Acceptance of Course Work**

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

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

### **Notice**

For any homeless student who seeks enrollment at the Charter School, written notice will be provided to the parent/guardian at the time of enrollment at least twice (2) annually while enrolled at the Charter School. This notice must be signed by the parent/guardian. The notice must outline general rights, include the name of the Charter School Liaison with contact information, and specifically state that (1) the choice of schools homeless children and youth are eligible to attend; (2) that no [homeless](#) student is required to attend a separate school for [homeless](#) children; (3) that homeless children and youth shall be provided comparable services; and (4) that homeless children should not be stigmatized by Charter School personnel. (42 U.S.C. § 11432(e)(3)(C).)

Board Policy #: BP 0002  
Adopted/Ratified: September 21, 2019  
Revision Date: N/A

### **Annual Policy Review**

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

### **School Website Posting**

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

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



Board Policy #: BP 5005

Adopted/Ratified: September 21, 2019

Revision Date: 8/18/2020, 8/20/2022



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## **STUDENT FREEDOM OF SPEECH AND EXPRESSION POLICY**

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

### **A. Definitions:**

1. **Obscenity:** when the (1) average person applying current community standards finds the work as a whole appeals to the prurient interest, (2) the work is patently offensive, and (3) the work lacks serious literary, artistic, political, or scientific value. Examples include pornography or sexually explicit material.
2. **Defamation:** Libel (written defamation) and Slander (oral defamation), which includes but is not limited to inaccurately attributing a statement to another, either on purpose for public officials (which includes Charter School staff) or by mistake for private officials, that mischaracterizes the statement.
3. **Discriminatory Material:** material that demeans a person or group because of the person/group’s mental or physical disability, sex (including pregnancy and related conditions and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation that has the purpose of humiliating, offending, or provoking a person/group.
4. **Harassment (including sexual harassment), Intimidation and/or Bullying:** severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an

Board Policy #: BP 5005  
Adopted/Ratified: September 21, 2019  
Revision Date: N/A

intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following: (1) placing a reasonable student or students in fear of harm to that student's or those students' person or property, (2) causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health, (3) causing a reasonable student to experience a substantial interference with his or her academic performance, (4) causing a reasonable student to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

5. **Fighting Words:** words likely to cause (1) the average person to fight or (2) the creation of a clear and present danger of violence, unlawful acts in violation of lawful school regulations, or the substantial disruption of school.
6. **Vulgarity and/or Profanity:** the continual use of curse words by a student, even after warning.
7. **Violating Privacy:** publicizing or distributing confidential or private material without permission.

### **On-Campus Expression**

Student free speech rights include, but are not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school or by use of school facilities. Student expression on the Charter School website and online media shall generally be afforded the same protections as print media within the Policy.

Student freedom of expression shall be limited only as allowed by state and federal law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community.

Unprotected Expression includes the following: obscenity; defamation; discriminatory material; harassment (including sexual harassment), intimidation and/or bullying; fighting words; vulgarity and/or profanity; or violating privacy as defined above. Also prohibited shall be material that incites a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations or the substantial disruption of the orderly operation of Elevate.

### **Distribution of Circulars, Un-Official Newspapers, and Other Printed Matter**

Board Policy #: BP 5005  
 Adopted/Ratified: September 21, 2019  
 Revision Date: N/A

Free inquiry and exchange of ideas are essential parts of a democratic education. Students shall be allowed to distribute circulars, leaflets, newspapers, and pictorial or other printed matter, and to circulate petitions, subject to the following specific limitations:

1. Leaflets, pictorial and other printed matter to be distributed shall be submitted to the Charter School Principal or designee at least one (1) school day prior to distribution. The Charter School Principal or designee shall review material submitted in a reasonable amount of time and shall allow the approved material to be distributed according to the time and manner established by this Policy. The Charter School Executive Director or designee shall notify student(s) if distribution will be granted or denied (and if denied, why distribution is not in compliance with this Policy).
2. Distribution, free or for a fee, may take place before school, after school, and/or during lunch provided there is no substantial disruption in the school programs (as determined by the Charter School Principal). Distribution may not occur during instructional time and should not occur in locations that disrupt the normal flow of traffic within the school or at school entrances.
3. The manner of distribution shall be such that coercion is not used to induce students to accept the printed matter or to sign petitions.
4. The solicitation of signatures must not take place in instructional classes or school offices, nor be substantially disruptive to the school program (as determined by the Charter School Principal or designee).

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

### **Official School Publications**

Student editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this Policy. However, it shall be the responsibility of the journalism staff adviser(s) of student publications to supervise the production of the student staff, to maintain professional standards of English and journalism, and to maintain the provisions of this Policy.<sup>1</sup> The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication.

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

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<sup>1</sup> “Official school publications” refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

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Adopted/Ratified: September 21, 2019  
Revision Date: N/A

adviser(s) consider material submitted for publication to violate this Policy, he or she will notify the student without undue delay and give specific reasons why the submitted material may not be published. The student should be given the opportunity to modify the material or appeal the decision of the journalism staff adviser to the Charter School Principal.

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

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

### **Use of Bulletin Boards**

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

### **Organized Demonstrations**

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

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

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

### **B. Student Speeches**

If a student is selected to speak at a Charter School sponsored event, including but not limited to graduation or school assemblies, Charter School has the right to review the pre-prepared speech to

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Adopted/Ratified: September 21, 2019  
Revision Date: N/A

ensure that unprotected speech is not included. If unprotected speech is included, the student will be given the opportunity to revise the speech or deliver a modified speech. If not revised or removed, the student will not be permitted to speak at the Charter School sponsored event.

### C. Off-Campus Expression

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

Relevant considerations include:

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

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

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

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

### D. Enforcement

1. Upon learning that students are considering actions in the areas covered by this Policy. they will be informed of the possible consequences of their action under each specific circumstance. The Charter School Principal shall ensure that due process is followed when resolving disputes regarding student freedom of expression.
2. This Policy does not prohibit or prevent the Elevate Governing Board from adopting otherwise valid rules and regulations relating to oral communications by students upon the Elevate campus.

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Revision Date: N/A

3. No Elevate employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in the conduct authorized under this Policy, or refusing to infringe upon conduct that is authorized under this Policy, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.
4. Elevate shall not make or enforce a rule subjecting a student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

#### E. Complaints and Appeals

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

1. The student and faculty member shall first attempt to resolve the problem internally.
2. If the student and faculty member are unable to resolve the dispute, the student and/or faculty member may bring the matter to the Charter School Principal or designee, who shall hear both sides and strive to resolve the dispute as quickly as possible.
3. Any student or faculty member may appeal the decision of the Charter School Principal or designee to the Board who shall render a decision within a reasonable period of time after receipt of the appeal. The appeal by the student must be made within five (5) school days from the time the unsatisfactory decision was rendered.

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

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Adopted/Ratified: September 21, 2019

Revision Dates: August 18, 2020, August 20, 2022



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## **FREE AND REDUCED-PRICE MEALS POLICY**

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

Commencing with the 2022-23 school year, each Elevate school site shall provide two (2) nutritionally adequate meals to each student who requests a meal without consideration of the student’s eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal per meal service (breakfast and lunch) each school day. This shall apply to all pupils in kindergarten through grade twelve (12).

### **Universal Free Meals Application and Notification**

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

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

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

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

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

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

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



“About WIC and How to Apply,” or another Internet Web page identified by the State Department of Public Health that connects families to the Special Supplemental Nutrition Program for Women, Infants and Children.

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

### **Direct Certification**

Although every family should submit an application for school meals, in certain circumstances, TFSCS may be able to determine student eligibility without further application. TFSCS shall directly certify as eligible the following students:

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

This Policy prohibits the Charter School from disciplining a student which would result in the denial or delay of a nutritionally adequate meal to that student.

### **Confidentiality/Release of Records**

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

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

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

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

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

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

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

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

This information released shall adhere to the following requirements:

1. Individual indicators of participation in a free or reduced-price meal program shall not be maintained in the permanent record of any pupil, unless otherwise authorized by law.
2. The public release of information regarding individual pupil participation in a free or reduced-price meal program is not permitted.
3. All other confidentiality requirements imposed by law or regulation are met.

### **USDA Nondiscrimination Statement**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 800877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination

Complaint Form, (AD-3027) found online at the Filing a Program Discrimination Complaint as a USDA Customer webpage (<https://www.ascr.usda.gov/filing-program-discrimination-complaintusda-customer>), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410
- (2) fax: 202-690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

Adopted/Ratified: September 6, 2018

Revision Dates: August 18, 2020, August 20, 2022



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

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

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

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

Moreover, Elevate will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom Elevate does business, or any other individual, student, or volunteer. This policy applies to all employees, students, or volunteers actions and relationships, regardless of position or gender. Elevate will promptly

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and thoroughly investigate any complaint of such misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. Elevate, complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

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

**(“Coordinator”)**: Ryan Elliott, Executive Director  
2285 Murray Ridge Road  
San Diego, CA 92123  
858-751-4774

### **Definitions**

#### **Prohibited Unlawful Harassment**

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

#### **Prohibited Unlawful Harassment under Title IX**

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

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

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

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educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

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

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

### **Prohibited Bullying**

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

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

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
  - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to:
  - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude,

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<sup>1</sup> "Reasonable Student" is defined as a student, including, but not limited to, an exceptional needs student, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

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

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

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

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

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

Elevate advises students:

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

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

#### **2. Education**

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

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

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

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

### **3. Professional Development**

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

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

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

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

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

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

## **Grievance Procedures**

### **1. Scope of Grievance Procedures**

Elevate will comply with its Uniform Complaint Procedures ("UCP") policy when investigating

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and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person's association with a person or group with one or more of the protected characteristics set forth in the UCP that:

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

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

## **2. Reporting**

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

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

Ryan Elliott, Executive Director  
2285 Murray Ridge Road  
San Diego, CA 92123  
858-751-4774

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

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

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Executive Director/Coordinator, a staff person or a family member so that Student can get assistance in resolving the issue in a manner that is consistent with this Policy.

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

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

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

### **3. Supportive Measures**

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

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to Elevate's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Elevate's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Elevate will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Elevate to provide the supportive measures.

### **4. Investigation and Response**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of Elevate, the Coordinator (or administrative designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator, or administrative designee determines that an investigation will

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take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

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

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

- Notice of the Allegations
  - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
    - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
    - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
    - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
    - A statement that Elevate prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
  - Elevate may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with Elevate's policies.
  - Elevate may remove a respondent from Elevate's education program or activity on an emergency basis, in accordance with Elevate's policies, provided that Elevate undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
  - This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
  - If a formal complaint of sexual harassment is filed, Elevate may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If Elevate offers such a process, it will do the following:
    - Provide the parties with advance written notice of:
      - The allegations;

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- The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
    - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
    - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
      - Obtain the parties' advance voluntary, written consent to the informal resolution process.
  - Elevate will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
  - The decision-maker will not be the same person(s) as the Coordinator or the investigator. Elevate shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
  - In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
  - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
  - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
  - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
  - Prior to completion of the investigative report, Elevate will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
  - The investigator will complete an investigation report that fairly summarizes all relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
  - If the investigation reveals that the alleged harassment did not occur in Elevate's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable Elevate policy.
  - Elevate may dismiss a formal complaint of sexual harassment if:
    - The complainant provides a written withdrawal of the complaint to the Coordinator;

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- The respondent is no longer employed or enrolled at Elevate; or
  - The specific circumstances prevent Elevate from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
- If a formal complaint of sexual harassment or any of the claims therein are dismissed, Elevate will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
  - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
  - Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
  - Elevate will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
    - The allegations in the formal complaint of sexual harassment;
    - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
    - The findings of facts supporting the determination;
    - The conclusions about the application of Elevate's code of conduct to the facts;
    - The decision and rationale for each allegation;
    - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
    - The procedures and permissible bases for appeals.

## 5. Consequences

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

## 6. Right of Appeal

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

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

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

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describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

## **7. Recordkeeping**

All records related to any investigation of complaints under this Policy are maintained in a secure location.

Elevate will maintain the following records for at least seven (7) years:

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

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**ELEVATE SCHOOL**

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature of Complainant

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

\_\_\_\_\_  
Print Name

**To be completed by the Charter School:**

Received by: \_\_\_\_\_

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

Follow up Meeting with Complainant held on: \_\_\_\_\_



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*Inspiring tomorrow's innovators & leaders*

2285 Murray Ridge Rd.  
San Diego, CA 92123

tel: 858.751.4774  
email: info@elevateschool.com

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## **EDUCATION FOR FOSTER AND MOBILE YOUTH POLICY**

### **Introduction**

The Governing Board of Elevate School (“Elevate” or the “Charter School”) recognizes that Foster and Mobile Youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and charter school academic standards, Elevate shall provide them with full access to Elevate’s educational program and implement strategies identified as required by law and necessary for the improvement of the academic achievement of foster youth in Elevate’s local control and accountability plan (“LCAP”).

### **Definitions**

- “*Foster youth*” means any of the following:
  1. A child who is the subject of a petition filed pursuant to California Welfare and Institutions Code (“WIC”) section 309 (whether or not the child has been removed from the child’s home by juvenile court).
  2. A child who is the subject of a petition filed pursuant WIC section 602, has been removed from the child’s home by the juvenile court, and is in foster care.
  3. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
    - a. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
    - b. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
    - c. The nonminor is participating in a transitional independent living case plan.
  4. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court.<sup>1</sup>
  5. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.
- “*Former juvenile court school pupil*” means a pupil who, upon completion of the pupil’s second year of high school, transfers from a juvenile court school to the Charter School.

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<sup>1</sup> Elevate shall not require an Indian tribe or tribal court representative to certify that any student is a dependent of an Indian tribe, consortium of tribes, or tribal organization.

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- *“Child of a military family”* refers to a student who resides in the household of an active duty military member.
- *“Currently Migratory Child”* refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency (“LEA”), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. “Currently Migratory Child” includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
- *“Pupil participating in a newcomer program”* means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.
- *“Educational Rights Holder” (“ERH”)* means a parent, guardian, responsible adult appointed by a court to make educational decisions for a minor pursuant to Welfare and Institutions Code sections 319, 361 or 726, or a person holding the right to make educational decisions

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OF 6

for the pupil pursuant to Education Code section 56055.

- *“School of origin”* means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the Charter School liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin.
- *“Best interests”* means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all Charter School students.

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

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

### **Foster and Mobile Youth Liaison**

In order to help facilitate the enrollment, placement, and transfer of Foster and Mobile Youth to Elevate, the Governing Board shall designate a Foster and Mobile Youth liaison. The Governing Board designates the following position as Elevate's liaison for Foster and Mobile Youth:

Alicia Hithe, Middle School Administrative Assistant  
2285 Murray Ridge Road  
San Diego, CA 92123  
858-751-4774

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

1. Ensure and facilitate the proper educational placement, enrollment in Elevate, and checkout from Elevate of Foster and Mobile Youth.
2. Ensure proper transfer of credits, records, and grades when Foster and Mobile Youth transfer to or from Elevate.

When a foster youth is enrolling in Elevate, the Foster and Mobile Youth Liaison shall contact the school last attended by the student within two (2) business days to obtain all academic and other records. The last school attended by the foster youth shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. When a foster youth is transferring to a new school, the Foster and Mobile Youth Liaison shall provide the student's records to the new school within two (2) business days of receiving the new school's request, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to Elevate.

3. When required by law, notify the foster youth's attorney and the appropriate representative of the county child welfare agency at least ten (10) calendar days preceding the date of the following:
  - a. An expulsion hearing for a discretionary act under Elevate's charter.
  - b. Any meeting to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act under Elevate's charter. The foster youth's attorney and the agency representative will be invited to participate.
  - c. A manifestation determination meeting prior to a change in the foster youth's placement if the change in placement is due to an act for which the recommendation for expulsion is discretionary and the student is a student with a

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

disability under state and federal special education laws. The foster youth's attorney and the agency representative will be invited to participate.

4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.
5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services.
6. Develop protocols and procedures for creating awareness for Charter School staff, including but not limited to Directors, Deans, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth.
7. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, and other appropriate agencies to help coordinate services for Elevate's foster youth.
8. Monitor the educational progress of foster youth and provide reports to the Principal or designee and the Governing Board based on indicators identified in Elevate's local control and accountability plan.

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

### **School Stability and Enrollment**

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

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin if it is their best interest. Elevate will immediately enroll a foster youth, a

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

currently migratory child, or child of a military family seeking reenrollment in Elevate as their school of origin.

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

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

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

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

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

Prior to making any recommendation to move a foster youth from their school of origin, the Foster and Mobile Youth Liaison shall provide the foster youth and the foster youth's ERH with a written

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

explanation of the basis for the recommendation and how the recommendation serves the foster youth's best interests.

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

### **Transportation**

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

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

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

### **Effect of Absences on Grades**

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

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

### **Transfer of Coursework and Credits**

Elevate shall accept coursework satisfactorily completed by a Foster and Mobile Youth while attending another public school\*\*, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for the coursework completed.

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

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

In no event shall Elevate prevent a Foster and Mobile Youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

### **Eligibility for Extracurricular Activities**

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

### **Waiver of Fees for Afterschool Programs**

Elevate shall not charge any student who Elevate knows is currently in foster care any family fees associated with an After School Education and Safety ("ASES") Program operated by Elevate.

### **Student Records**

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

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

### **Complaints of Noncompliance**

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

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

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



Board Policy #: BP 6001

Adopted/Ratified: October 15, 2014

Revision Dates: 9/21/2019, 8/23/2021, 10/14/2021, 8/18/2020, 8/20/2022



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## Elevate School - Independent Study Policy

In the interest of maintaining a student's academic progress and minimizing disruption to the educational program, Elevate School ("Elevate" or the "Charter School") may offer Independent Study to meet the educational needs of students enrolled in the Charter School. Independent study is an optional educational alternative in which no student may be required to participate and is designed to teach the knowledge and skills of the core curriculum. The Charter School shall provide appropriate existing services and resources to enable students to complete their independent study successfully.

Short-term independent study is available for students who are unable to participate in classroom instruction for a minimum of three (3) consecutive school days to a maximum of fourteen (14) school days. The purpose of independent study is to accommodate extended illness, quarantine, or other extenuating circumstances that prohibit the student from accessing on-campus instruction. In cases of family vacation/travel, Independent Study contracts will only be issued when the duration is five (5) or more days.

In special circumstances and only upon prior written approval by the Executive Director, a student may be approved to participate in independent study for longer than the fourteen (14) cumulative school days permitted by this Policy. Such requests will be granted on a case-by-case basis at the sole direction of the Executive Director, for reasons including but not limited to, healthcare provider or county office of public health quarantine instructions, medical fragility, or extended illness. If a student is not approved for an extension of the fourteen (14) day cumulative maximum, further absences will be addressed in accordance with the Charter School's attendance policy and may be considered unexcused and/or lead to truancy prevention measures, depending on the nature of the absence. *Participation in independent study shall be limited to staffing capacity and shall be maintained to be lower than 20% of the attendance at Elevate at any given time.* Should interest in independent study exceed capacity, participation shall be determined by public random drawing. All requests will be considered on a case-by-case basis. Any use of independent study shall be restricted to occasional, incidental instances of extended absences, and shall fully comply with all applicable independent study laws and regulations. Students' attendance records and overall performance records will be considered in granting independent study applications. Priority for independent study shall be provided to those students with written documentation from a physician that states that a student cannot safely attend school in-person even with appropriate safety measures as required by the local, state, and federal departments of health.

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

1. For students in all grade levels and programs offered by the Charter School, the **maximum length of time** that may elapse between the time an assignment is made and the date by which the student must complete the assigned work shall be ten (10) school days.
2. The Executive Director or designee shall conduct an evaluation to determine whether it is in the best interest of the student to remain in independent study upon the following triggers:

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Adopted/Ratified: October 15, 2014

Revision Dates: 9/21/2019, 8/23/2021, 10/14/2021, 8/18/2020, 8/20/2022

- a. When any student fails to complete more than 50% of assignments during any period of ten (10) school days.
  
- b. In the event a student's educational progress falls below satisfactory levels as determined by Elevate's School Success Team process which considers ALL of the following indicators:
  - i. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student level measures of student achievement and student engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).
  - ii. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments.
  - iii. Learning required concepts, as determined by the supervising teacher.
  
  - iv. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

The teacher of record in coordination with school leadership will conduct additional reengagement strategies, including but not limited to phone calls, home visits, and truancy notices to support student learning and attendance. A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim student record. The record shall be maintained for a period of three years from the date of the evaluation and, if the student transfers to another California public school, the record shall be forwarded to that school.

3. The Charter School shall provide content aligned to grade level standards that is substantially equivalent to in-person instruction.
  
4. The Charter School has adopted tiered reengagement strategies\* for the following pupils:
  - a. All pupils who are not generating attendance for more 10 percent of required minimum instructional time over four continuous weeks of the Charter School's approved instructional calendar;
  - b. Pupils found not participatory in synchronous instructional offerings pursuant to Education Code Section 51747.5 for more than the greater of three school days or 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span; or
  - c. Pupils who are in violation of the written agreement pursuant to Education Code Section 51747(g)<sup>1</sup>.

These procedures shall include local programs intended to address chronic absenteeism, as applicable, with at least all of the following:

- a. Verification of current contact information for each enrolled pupil;
- b. Notification to parents or guardians of lack of participation within one (1) school day of the recording of a non-attendance day or lack of participation;
- c. A plan for outreach from the Charter School to determine pupil needs including connection with health and social services as necessary;
  
- d. A clear standard for requiring a pupil-parent-educator conference to review a pupil's written agreement and reconsider the independent study program's impact on the pupil's achievement and

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well-being consistent with the policies adopted pursuant to paragraph (4) of subdivision (g) of Education Code Section 51747.

5. The following plan shall be in place in accordance with Education Code Section 51747(e) for synchronous instruction and live interaction\*:
  - a. For pupils in transitional kindergarten through grade 3, inclusive, the plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year by each pupil's teacher of record shall be as follows: Charter School will provide opportunity for daily synchronous instruction in math and language arts via Zoom with a credentialed teacher.
  - b. For pupils in grades 4-5, inclusive, the plan to provide opportunities for daily live interaction between the pupil and a certificated or non-certificated employee of the Charter School and at least weekly synchronous instruction for all pupils throughout the school year by each pupil's teacher(s) of record shall be as follows: Charter School will provide opportunity for daily "wellness checks" and progress monitoring with RTI staff, and daily opportunity for synchronous instruction in math and language arts via Zoom with the supervising teacher.
  - c. For pupils in grades 6-8, inclusive, the plan to provide opportunities for daily live interaction between the pupil and a certificated or non-certificated employee of the Charter School and at least weekly synchronous instruction for all pupils throughout the school year by each pupil's teacher(s) of record shall be as follows: Charter School will provide opportunity for daily "wellness checks" and progress monitoring with RTI staff, and weekly opportunity for synchronous instruction in math and language arts via Zoom with the supervising teacher.
  
6. The following plan\* shall be utilized to transition pupils whose families wish to return to in person instruction from independent study expeditiously, and, in no case, later than five instructional days: Families who wish to return to in-person instruction from independent may contact the Charter School Executive Director, who shall convene a meeting with parent and student to facilitate transition.
  
7. A current written agreement shall be maintained on file for each independent study student, including but not limited to, all of the following:
  - a. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent or guardian regarding a student's academic progress..
  - b. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
  - c. The specific resources, including materials and personnel, that will be made available to the student. These resources shall include confirming or providing access to all students to the connectivity and devices adequate to participate in the educational program and complete assigned work.
  - d. A statement of the policies adopted pursuant to Education Code Section 51747, subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the student should be allowed to continue in independent study.
  - e. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.

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- f. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.
  - g. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the student's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), students in foster care or experiencing homelessness, and students requiring mental health supports.
  - h. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no student may be required to participate. In the case of a student who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through independent study only if the student is offered the alternative of classroom instruction.
  - i. For a pupil participating in an independent study program that is scheduled for more than 14 school days, each written agreement shall be signed, before the commencement of independent study, by the student, the student's parent, legal guardian, or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. Beginning in the 2022-23 school year, for a pupil participating in an independent study program that is scheduled for less than 15 school days, each written agreement shall be signed within 10 school days of the commencement of the first day of the pupil's enrollment in independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.
  - j. Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.
8. The Charter School shall comply with the Education Code sections 51745 through 51749.3 and the provisions of the Charter Schools Act of 1992 and the State Board of Education regulations adopted there under.
9. The Executive Director may establish regulations to implement these policies in accordance with the law.
- \* The tiered reengagement strategies, plan for synchronous instruction and live interaction, and plan to transition pupils whose families wish to return to in-person instruction shall not apply to pupils who participate in an independent study program for fewer than 15 schooldays in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient

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Adopted/Ratified: October 15, 2014

Revision Dates: 9/21/2019, 8/23/2021, 10/14/2021, 8/18/2020, 8/20/2022

treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision. These sections shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected pupils under one or more of the circumstances described in Education Code Sections 41422 and/or 46392, and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

Adopted/Ratified: May 15, 2018

Revision Dates: August 20, 2022



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## EDUCATIONAL RECORDS AND STUDENT INFORMATION POLICY

The Board of Directors of Elevate School (“Elevate”) adopts this Educational Records and Student Information Policy to apply to all educational records and student information maintained by Elevate.

### I. DEFINITIONS

#### 1. Education Record

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

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

An education record does not include any of the following:

- a. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
  - b. Records maintained by a law enforcement unit of Elevate that were created by that law enforcement unit for the purpose of law enforcement;
  - c. In the case of a person who is employed by Elevate but who is not in attendance at such agency or institution, records made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for use for any other purpose;
  - d. Records of a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at Elevate.
  - e. Records that only contain information about an individual after he or she is no longer a student at Elevate;
  - f. Grades on peer-graded papers before they are collected and recorded by a teacher.
2. Personally Identifiable Information

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

3. Directory Information

Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Elevate may disclose the personally identifiable information that it has designated as directory information, consistent with

the terms of Elevate annual notice provided pursuant to the Family Educational Rights and Privacy Act of 2001 (20 U.S.C. § 1232g) (“FERPA”). Elevate has designated the following information as directory information:

- Student’s name
- Student’s address
- Parent/guardian’s address
- Telephone listing
- Student’s electronic mail address
- Parent/guardian’s electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

4. Parent

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

4. Eligible Student

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

5. School Official

A school official is a person employed by Elevate as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board of Directors of Elevate. A school official also may include a representative from San Diego Unified School District as part of its oversight, a volunteer for Elevate, consultant, vendor or an independent contractor outside of Elevate who performs an institutional



service or function for which Elevate would otherwise use its own employees and who is under the direct control of Elevate with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist, or contracted provider of digital educational platforms and/or services; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

6. Legitimate Educational Interest

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

II. DISCLOSURE OF DIRECTORY INFORMATION

At the beginning of each year, Elevate shall provide parents and eligible students with a notice containing the following information: 1) The type of personally identifiable information it designates as directory information; 2) The parent's or eligible student's right to request that Elevate not release "directory information" without obtaining prior written consent from parent or eligible student; and 3) The period of time within which a parent or eligible student may notify Elevate in writing of the categories of "directory information" that it may not disclose without the parent or eligible student's prior written consent. Elevate will continue to honor a valid request to opt out of the disclosure of a former student's directory information made while the former student was in attendance unless the student rescinds the opt out request.

III. ANNUAL NOTIFICATION TO PARENTS AND ELIGIBLE STUDENTS

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

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that disclosure is permitted without prior written consent pursuant to FERPA; and
4. File with the U.S. Department of Education a complaint concerning alleged failures by Elevate to comply with the requirements of FERPA and its promulgated regulations.

5. Request that Elevate not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

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

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

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

1. Copies of Education Records

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

2. Request for Amendment to Education Records

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

- (1) Inaccurate;
- (2) An unsubstantiated personal conclusion or inference;
- (3) A conclusion or inference outside of the observer's area of competence;
- (4) Not based on the personal observation of a named person with the time and place of the observation noted;
- (5) Misleading; or
- (6) In violation of the privacy rights of the student.

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

If the Principal sustains any or all of the allegations, he or she must order the correction or the removal and destruction of the information. The Principal or Principal's designee must then inform the parent or eligible student of the amendment in writing. If the Executive Director sustains the parent or eligible student's request to change the student's name and/or gender, Charter School shall add a new document to the student's record that includes all of the following information:

- a. The date of the request.
- b. The date the requested records were corrected.
- c. A list of the records requested to be corrected.
- d. The type of documentation, if any, provided to demonstrate a legal change to the student's name and/or gender. The parent or guardian of the student is not required to provide documentation of a legal change to the student's name and/or gender.
- e. The name of the employee that completed the request.
- f. The student's corrected and former names and/or genders.

Charter School shall immediately update a **former** student's records to include the student's updated legal name or gender if the Charter School receives government-issued documentation demonstrating that the former student's legal name or gender has been changed.. Acceptable government issued identification includes but is not limited to:

- a. State-issued driver's license.
- b. Birth certificate.
- c. Passport.
- d. Social security card.
- e. Court order indicating a name change or a gender change, or both.

If requested by the former student, the Charter School shall reissue any documents conferred upon the former student with the former student's updated legal name or gender. Documents that may be reissued by Charter School include, but are not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents conferred upon the former student.

If a former student requests that their name or gender be changed and the requested records are reissued, the Charter School shall add a new document to the former student's file that includes all of the following:

- a. The date of the request.
- b. The date the requested records were reissued to the former student.
- c. A list of the records that were requested by, and reissued to, the former student.
- d. The type of documentation provided by the former student in order to demonstrate the legal name or gender change.
- e. The name of the school district, charter school, or county office of education staff person that completed the request.
- f. The current and former name or gender of the former student.

### 3. Hearing to Challenge Education Record

*Elevate School*

*Adopted/Ratified: 5/15/2018*

*Revision Date: 8/20/2022*

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

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

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

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

The hearing will be conducted by the Principal or designee of a public school, who shall not be required to use formal rules of evidence or procedure. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues relating to the challenge to the education record. The parent or eligible student may also, at his/her own expense, be assisted or represented by one or more individuals of his/her choice, including an attorney. The decision of the Principal or his/her designee will be based solely on the evidence presented at the hearing and is final. Within thirty (30) days after the conclusion of the hearing, Elevate's decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision.

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

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

## V. DISCLOSURE OF EDUCATION RECORDS AND DIRECTORY INFORMATION

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

Elevate will only disclose personally identifiable information on the condition that the receiving party not disclose the information to any party without the prior written consent of the parent or eligible student and that the receiving party use the information for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below. Elevate must maintain the appropriate records related to these disclosure exceptions, as described below. Except for disclosures pursuant to a judicial order or lawfully issued subpoena, or directory information or to parents or eligible students, the Elevate will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior written consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made. Note specifically that Elevate will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

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

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

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

## VI. SOLICITATION AND DISCLOSURE OF STUDENT INFORMATION FOR IMMIGRATION PURPOSES

Charter School shall observe the following:

1. Except as required by state or federal law or as required to administer a state or federally supported education program, Charter School officials and employees will not collect information or documents regarding citizenship or immigration status of students or their family members.
2. If Charter School possesses information that could indicate immigration status, citizenship status, or national origin information, Charter School will not use the acquired information to discriminate against any student or families or bar children from enrolling in or attending school.
3. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin, Charter School will not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.
4. Charter School will not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.
5. During the enrollment process:
  - a. Where permitted by law, Charter School shall accept alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.

- b. Charter School will not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.
  - c. Charter School will not collect entire social security numbers or cards or a statement that the parent or guardian does not possess a Social Security number for the purposes of enrollment, and failure to provide this information will not bar a student from enrolling or attending Charter School. However, the last four digits of an adult household member's Social Security number may be solicited and/or collected if required to establish eligibility for federal benefit programs such as free or reduced-price meals. This Social Security information will only be collected for the limited purpose of establishing eligibility for federal benefit programs and will not affect student enrollment.
6. Charter School will not release information to third parties for immigration-enforcement purposes, except as required by law or court order. Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the Charter School prohibits disclosure, Charter School shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information that this not otherwise subject to release, Charter School shall not release the information. Charter School will permanently keep the consent notice with the record file.

Charter School personnel shall take the following steps upon receiving an information request related to a student's or family's immigration or citizenship status:

1. Notify a designated Charter School official about the information request.
2. Provide students and families with appropriate notice and a description of the immigration officer's request.
3. Document any verbal or written request for information by immigration authorities.
4. Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.

## VII. CONTRACT FOR DIGITAL STORAGE, MANAGEMENT, AND RETRIEVAL OF STUDENT RECORDS

The Charter School may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code section 49073.1 and other applicable state and federal laws.

## VII. RECORD KEEPING REQUIREMENTS

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

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

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

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

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

## IX. COMPLAINTS

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

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-8520

## X. RECORD RETENTION

Charter School complies with the definition and retention of student records as established in Title 5 of the California Code of Regulations (“CCR”) sections 431 through 438, per the following:

*Elevate School*  
*Adopted/Ratified: 5/15/2018*  
*Revision Date: 8/20/2022*



- “*Mandatory Permanent Student Records*”: must be maintained indefinitely or an exact copy thereof for every student who was enrolled in the charter school. These records are defined as:
  1. Legal name of student
  2. Date of birth
  3. Method of verification of birth date
  4. Sex of student
  5. Place of birth
  6. Name and address of parent of minor student
  7. Address of minor student if different than above
  8. An annual verification of the name and address of the parent and the residence of the student
  9. Entering and leaving date of each school year and for any summer session or other extra session Subjects taken during each year, half year, summer session or quarter
  10. If marks or credit are given, the mark or number of credits toward graduation allows for work taken.
  11. Verification of or exemption from required immunizations
  12. Date of high school graduation or equivalent

The mandatory permanent student record or a copy thereof shall be forwarded by the Charter School upon request of a public or private school in which the student has enrolled or intends to enroll. If the Charter School forwards the original mandatory permanent student record, a copy must be maintained by the Charter School. If the Charter School forwards a copy, the original must be maintained by the Charter School.

- “*Mandatory Interim Student Records*”: Must be maintained until judged to be disposable defined as “when the student leaves the charter school or when their usefulness ceases.” These records may be destroyed during the third (3rd) school year following the determination that the records are disposable (i.e. 2019-2020 records may be destroyed after July 1, 2023). These records are defined as:
  1. A log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record. The log or record shall be accessible only to the legal parent or guardian or the eligible student, or a dependent adult student, or an adult student, or the custodian of records.
  2. Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver
  3. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
  4. Language training records
  5. Progress slips and/or notices
  6. Parental restrictions regarding access to directory information or related stipulations.
  7. Parental or adult student rejoinders to challenged records and to disciplinary action
  8. Parental authorizations or prohibitions of student participation in specific programs
  9. Results of standardized tests administered within the preceding three years

The mandatory interim student record or a copy thereof shall be forwarded by the Charter School upon request of a public school in California in which the student has enrolled or intends to enroll. If the transfer is to an out of state or to a private school, the mandatory interim student record may be forwarded. If the Charter School forwards the original mandatory interim student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.

- “*Permitted Student Records*”: may be maintained and may be destroyed when their usefulness ceases or after six (6) months following the student’s completion or withdrawal from school. These records are defined as:
  1. Objective counselor and/or teacher ratings
  2. Standardized test results older than three years
  3. Routine discipline data
  4. Verified reports of relevant behavioral patterns
  5. All disciplinary notices
  6. Attendance records not covered in 5 CCR § 400

Permitted student records may be forwarded upon a request by a public or private school in which a student is enrolling. If the Charter School forwards the original permitted student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.