



# Elevate School

## Board Retreat and Regular Board Meeting

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### Date and Time

Saturday August 12, 2023 at 8:00 AM PDT

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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.</b>	Record Attendance and Guests	Chancellor Brown	1 m
<b>B.</b>	Call the Meeting to Order	Chancellor Brown	1 m
<b>C.</b>	Approve Agenda	Vote Chancellor Brown	1 m
<b>D.</b>	Approve Minutes from June 28 Board Meeting	Approve Minutes Chancellor Brown	2 m
<b>E.</b>	Welcome New Board Members	Chancellor Brown	

	Purpose	Presenter	Time
<b>F.</b> Non-Agenda Public Comment		Chancellor Brown	5 m
<b>II. Agenda Items</b>			<b>8:10 AM</b>
<b>A.</b> Approve Consent Agenda: Updated Board Policies BP 5008: Suicide Prevention Policy Title IX, Harassment, Intimidation, Discrimination and Bullying Policy Suspension and Expulsion Policy	Vote	Ryan Elliott	5 m
<b>B.</b> Executive Director Report	FYI	Ryan Elliott	15 m
<b>C.</b> Approve Lease Extension at SM Campus with Faith Community Church	Vote	Adam McWethy	5 m
<b>D.</b> Approve 23-24 Student/Parent Handbook	Vote	Ryan Elliott	10 m
<b>E.</b> Approve 23-24 Personnel Handbook	Vote	Ryan Elliott	5 m
<b>F.</b> Community Building	Discuss	Veronica Maxwell	45 m
<b>G.</b> History of Elevate	FYI	Ryan Elliott	20 m
<b>H.</b> Elevate Core Values	Discuss	Chancellor Brown	30 m
<b>I.</b> 23-24 Board Items/Business a. Board Manual b. Strategic Plan Development/Third Plateau c. Board Training (Brown Act, BoardonTrack, Finance 101, Educational Policies) d. Executive Director Evaluation e. Community Communication, Involvement & Partnership f. Living out our Charter g. Employee Retention Strategies h. Committee Planning and Board Member Expansion	Discuss	Chancellor Brown	60 m
<b>J.</b> Election of Officers: Chairperson, Vice-Chair, CFO, Secretary	Vote	Chancellor Brown	15 m
<b>K.</b> Approve 23-24 Board Calendar	Vote	Ryan Elliott	5 m
<b>III. Closing Items</b>			<b>11:45 AM</b>

	Purpose	Presenter	Time
<b>A.</b> Adjourn Meeting	Vote		

# Coversheet

## Approve Minutes from June 28 Board Meeting

**Section:** I. Opening Items  
**Item:** D. Approve Minutes from June 28 Board Meeting  
**Purpose:** Approve Minutes  
**Submitted by:**  
**Related Material:** Minutes for Board Meeting on June 28, 2023

APPROVED



# Elevate School

## Minutes

### Board Meeting

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#### **Date and Time**

Wednesday June 28, 2023 at 2:00 PM

#### **Location**

Elevate Middle School Campus, Room 104  
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, Chancellor Brown, Cheryl Gorman, Kirsten Grimm

#### **Directors Absent**

Robin McCulloch

#### **Guests Present**

5 members of the public, DeAnna Jones, Ryan Elliott

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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 Wednesday Jun 28, 2023 at 2:10 PM.

Kirsten Grimm made a motion to call motion to order.

Adam McWethy seconded the motion.

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

### **C. Approve Agenda**

Kirsten Grimm made a motion to approve the minutes from 6/28/2023.

Adam McWethy seconded the motion.

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

### **D. Approve Minutes from May 8 Regular Board Meeting**

Cheryl Gorman made a motion to approve the minutes from Board Meeting on 05-08-23.

Chancellor Brown seconded the motion.

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

### **E. Approve Minutes from May 30 Special Board Meeting**

Motion to Kirsten Grimm.

Adam McWethy seconded the motion.

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

Adam McWethy made a motion to approve the minutes from Special Board Meeting on 05-30-23.

Chancellor Brown seconded the motion.

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

### **F. Core Values and Board Meeting Protocol**

Board read core values

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

Two Members of the public made public comment.

## **II. Agenda Items**

### **A. Board Goal Updates**

Kirsten provided an update to board manual, strategic plan, board evaluation, compensation package, leadership planning.

### **B. Executive Director Report**

Ryan gives director's report.  
Kinder, 5th and 8th grade promotions and other items  
Kinder with 8th grade "buddies" was a success, leadership role.  
Issues with unexpected turnover last year and projected high levels of staff stability for Fall23.

**C. Financial Update**

DeAnna gave a financial update.  
Governor proposed reduction in block grants

**D. 2023-24 Local Indicators Report**

Ryan gave updates on test scores

**E. Public Hearing for 2023-24 LCAP**

DeAnna shared Parent Budget Overview.

**F. Approve 23-24 LCAP**

Chancellor Brown made a motion to Approve 2023-2024 LCAP.  
Cheryl Gorman seconded the motion.  
The board **VOTED** to approve the motion.

**G. Approve 23-24 Budget**

DeAnna gave 2023-2024 Budget presentation.  
Arts, music etc and LRE block grants may be reduced  
Enrollment projection 488

Chancellor Brown made a motion to approve 2023-2024 budget.  
Cheryl Gorman seconded the motion.  
The board **VOTED** to approve the motion.

**H. Approve 23-24 EPA Spending Plan**

Ryan gives update on EPA Spending Plan.

Adam McWethy made a motion to Approve 2023-2024 EPA Spending Plan.  
Chancellor Brown seconded the motion.  
The board **VOTED** to approve the motion.

**I. Approve 23-24 Declaration of Need (DON)**

Cheryl Gorman made a motion to approve 23-24 Declaration of Need.  
Adam McWethy seconded the motion.

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

**J. Approve Revised 23-24 Academic Calendar and Instructional Minutes**

Adam McWethy made a motion to approve revised 23-24 Academic Calendar and Instructional Minutes.

Chancellor Brown seconded the motion.

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

**K. Vote to Reappoint Cheryl Gorman for a 2nd Board Term (July 1, 2023-June 20, 2026)**

Three parents made public comment

Chancellor Brown made a motion to reappoint Cheryl Gorman for a 2nd Board Term (7/2023 - 6/2026).

Adam McWethy seconded the motion.

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

**L. Vote to Appoint Two (2) New Board Members (July 1, 2023-June 20, 2026)**

Adam McWethy made a motion to Vote 2 new Board Members 7/2023-6/2026.

Cheryl Gorman seconded the motion.

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

**III. Consent Agenda**

**A. Approve 23-24 Contracts with: The Uniform Store, Top Notch, LunchAssist, Camp Cuyamaca, Specialized Services, Apex Therapies, Sound Therapies**

Adam McWethy made a motion to Approve 23-24 Contracts.

Chancellor Brown seconded the motion.

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

**IV. Closed Session**

**A. Employee Evaluation (Executive Director)**

Discussed Ryan's review and the review process.

**V. Reconvene To Open Session**

**A. Report Any Action Taken in Closed Session**

Discussed Ryan's review and the review process. Executive Director received 8.5% increase.

**VI. Closing Items**

**A.**



### **Adjourn Meeting**

Chancellor Brown made a motion to Adjourn meeting.

Adam McWethy seconded the motion.

The board **VOTED** 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 5:45 PM.

Respectfully Submitted,

Chancellor Brown

# Coversheet

## Approve Consent Agenda: Updated Board Policies

**Section:** II. Agenda Items  
**Item:** A. Approve Consent Agenda: Updated Board Policies  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:**  
BP5009 Student Suspension and Expulsion Policy.pdf  
BP5008 Suicide Prevention Policy.pdf  
BP5145.71 Title IX, Harassment, Intimidation, Discrimination and Bullying Policy.pdf

Board Policy #: BP5009  
Adopted/Ratified: Sept 1, 2014  
Revision Date: August 12, 2023



*Inspiring tomorrow's innovators & leaders*

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San Diego, CA 92123

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## Student Suspension and Expulsion Policy

Elevate believes that one of the major functions of education is the preparation of youth for responsible citizenship. Elevate fosters a learning environment that reinforces self-discipline and the acceptance of personal responsibility. In addition, Elevate works with its families to provide a safe school environment that protects the safety and well-being of students so as to ensure that they have the opportunity to have a high quality education.

This Pupil Suspension and Expulsion Policy has been established in order to promote a safe school environment. When this Policy and its Administrative Procedures ("Policy") are violated, it may be necessary to suspend or expel a student from regular classroom instruction. The following Policy is designed to guide Elevate and personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

This Policy will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary without the need to amend Elevate Elementary School's charter petition, so long as the amendments comport with legal requirements.

This Policy shall be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability among all students. This Policy will be printed and distributed as part of the Student and Parent Handbook and will clearly describe behavior expectations and discipline procedures.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension, and expulsion.

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

Board Policy #: BP5009

Adopted/Ratified: Sept 1, 2014

Revision Date: August 12, 2023

The Charter School administration shall ensure that students and their parents/guardians<sup>1</sup> are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this policy and its procedures are available upon request at the Executive Director's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

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

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian, and shall inform the student, and the student's parent/guardian, of the basis for which the student is being involuntarily removed and the student's parent/guardian's, right to request a hearing to challenge the involuntary removal. If a student's parent/guardian requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent/guardian requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below. Students may be involuntarily removed for reasons including, but not limited to, failure to comply with the terms of the student's independent study Master Agreement pursuant to Education Code Section 51747(c)(4).

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<sup>1</sup> The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term "parent/guardian" shall include these parties.

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Adopted/Ratified: Sept 1, 2014  
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## GROUNDS FOR SUSPENSION AND EXPULSION

### SCOPE OF ACTIVITIES

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

### ENUMERATED OFFENSES:

#### a) *Discretionary Suspension Offenses*

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.
3. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
7. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
11. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
12. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
13. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a

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witness.

14. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
15. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
16. Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property, which includes but is not limited to, electronic files and databases, damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property, which includes but is not limited to, electronic files and databases of the person threatened or his or her immediate family.
17. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
18. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
19. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

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- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - 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 subparagraph (1) above.
    - b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - a) For purposes of this policy, "cyber sexual bullying" means 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 subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - b) For purposes of this policy, "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-

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sanctioned activities.

- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
21. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
22. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

#### **NON-DISCRETIONARY SUSPENSION OFFENSES**

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

1. Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
2. Brandished a knife at another person.
3. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
4. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4

#### **DISCRETIONARY EXPELLABLE OFFENSES**

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

- 1) Caused, attempted to cause, or threatened to cause physical injury to another person.



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- 2) Willfully used force of violence upon the person of another, except self-defense.
- 3) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- 4) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- 5) Committed or attempted to commit robbery or extortion.
- 6) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- 7) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- 8) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- 9) Committed an obscene act or engaged in habitual profanity or vulgarity.
- 10) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- 11) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- 12) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- 13) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- 14) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

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- 15) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- 16) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property, which includes but is not limited to, electronic files and databases. damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property, which includes but is not limited to, electronic files and databases. of the person threatened or his or her immediate family.
- 17) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- 18) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- 19) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- 20) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are

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directed toward one or more student that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - 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 subparagraph (1) above.
    - b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - a) For purposes of this policy, "cyber sexual bullying" means 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 subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph,

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visual recording, or other electronic act.

- b) For purposes of this policy, “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.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- 21) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- 22) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.

#### **NON-DISCRETIONARY EXPELLABLE OFFENSES**

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

1. Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
2. Brandished a knife at another person.
3. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
4. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289, or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

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- The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
- The term “destructive device” means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-----quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.
- The term “knife” means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.

**Suggested interventions in lieu of suspension/expulsion include:**

- Daily parent contact
- Referral to district counselor or community agency
- Individual or small group counseling
- Growth groups
- Parent community system
- Parent education classes
- Behavior contracts
- Tutoring or other academic interventions
- Mentoring programs
- Review of IEP for special education students
- SST meeting

**PROTOCOLS AND PROCEDURES TO ORDER SUSPENSION**

When faced with processing a student suspension, Elevate will follow the procedures and protocols as outlined below:

**A. CONFERENCE**

Suspension shall be preceded, if possible, by a conference conducted by the Principal (or designee) and the student and his or her parent and, whenever practicable, the school employee making the referral for suspension. At the conference, the Principal will explain the reasons disciplinary action is being recommended. The Principal listens to the student’s version of the incident and any evidence presented in his or her defense. Additionally, the

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Principal will present all the evidence of the student's offense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

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

#### **B. DECISION AND PARENT NOTIFICATION**

At the time of the suspension, the Principal or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. A written notification will be mailed to the parents no later than one school day following the decision to suspend a student. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school

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officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay. Within one school day of the beginning of any suspension, the suspension will be entered in the student's disciplinary record.

**C. THE PRINCIPAL OR DESIGNEE'S DECISION TO SUSPEND A STUDENT IS FINAL.**

**D. Right to Academic Work During Suspension**

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class

**E. SUSPENSION TIME LIMITS/RECOMMENDATION FOR PLACEMENT/EXPULSION**

For each act that warrants a suspension, a student may be suspended for up to a maximum of five (5) consecutive school days. However, the Principal or designee may suspend the student for up to, but not more than, ten (10) consecutive school days if he or she poses an immediate threat to the safety of himself/herself or others. In a case where a student is considered truly dangerous, a suspension may exceed the ten consecutive days if the student's parent/guardian agrees, or if ordered by a court of law. Students may be suspended for a maximum of twenty (20) days per school year.

If the Principal or designee recommends expulsion, the student and the student's parent(s) or guardian(s) will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal upon either of the following determinations

- the pupil's presence will be disruptive to the education process; or
- the pupil poses a threat or danger to others.

Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

**PROTOCOLS AND PROCEDURES FOR EXPULSION**



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Expulsion is Elevate School's most serious discipline approach. A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. At a minimum, the Administrative Panel should consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

### A. EXPULSION HEARING

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

In the event the Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under the Family Educational Rights and Privacy Act ("FERPA")) unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

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



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- 8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel and decision by the Board to expel must be supported by substantial evidence that the student committed an expellable offense.

The student and parents or guardian will be permitted to present all evidence in their defense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

### **B. Expulsion Decision**

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The Expulsion Panel will provide a decision that shall be in the best interest of the students and the School. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, or the Board ultimately decides not to expel, the pupil shall immediately be returned to his/her educational program.

The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on

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probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

### **C. SPECIAL PROCEDURES FOR EXPULSION HEARINGS INVOLVING SEXUAL ASSAULT OR BATTERY OFFENSES**

Elevate School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the student.

- 1) The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) days' notice of their scheduled testimony; (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian or legal counsel; and (c) elect to have the hearing closed while testifying.
- 2) The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
- 3) At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
- 4) The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
- 5) The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- 6) Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for

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the complaining witness to accompany him or her to the witness stand.

- 7) If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
- 8) The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
- 9) Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
- 10) Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

### **C. WRITTEN NOTICE TO EXPEL**

The Principal or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

- 1) Notice of the specific offense committed by the student
- 2) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with Elevate.

The Principal or designee shall send a copy of the written notice of the decision to expel to the District.

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This notice shall include the following:

- 1) The student's name
- 2) The specific expellable offense committed by the student

Additionally, in accordance with Education Code Section 47605(d)(3), upon expulsion of any student, Elevate shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information.

#### **D. NO RIGHT TO APPEAL**

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

#### **E. EXPELLED PUPILS/ALTERNATIVE EDUCATION**

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

#### **REHABILITATION PLANS**

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

#### **READMISSION OR ADMISSION OF PREVIOUSLY EXPELLED STUDENT**

THE DECISION TO READMIT A STUDENT AFTER THE END OF THE STUDENT'S EXPULSION TERM OR TO ADMIT A PREVIOUSLY EXPELLED STUDENT FROM ANOTHER SCHOOL DISTRICT OR CHARTER SCHOOL WHO HAS NOT BEEN READMITTED/ADMITTED TO ANOTHER SCHOOL OR SCHOOL DISTRICT AFTER THE END OF THE STUDENT'S EXPULSION TERM, SHALL BE IN THE SOLE DISCRETION OF THE BOARD OF DIRECTORS FOLLOWING A MEETING WITH THE PRINCIPAL OR DESIGNEE AND THE STUDENT AND STUDENT'S PARENT/GUARDIAN TO DETERMINE WHETHER THE STUDENT HAS SUCCESSFULLY COMPLETED THE REHABILITATION PLAN AND TO DETERMINE WHETHER THE STUDENT POSES A THREAT TO OTHERS OR WILL BE DISRUPTIVE TO THE SCHOOL ENVIRONMENT. THE PRINCIPAL OR DESIGNEE SHALL MAKE A RECOMMENDATION TO THE BOARD OF DIRECTORS FOLLOWING THE MEETING REGARDING THE PRINCIPAL'S OR DESIGNEE'S DETERMINATION. THE BOARD SHALL THEN

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MAKE A FINAL DECISION REGARDING READMISSION OR ADMISSION OF THE STUDENT DURING THE CLOSED SESSION OF A PUBLIC MEETING, REPORTING OUT ANY ACTION TAKEN DURING CLOSED SESSION CONSISTENT WITH THE REQUIREMENTS OF THE BROWN ACT. THE STUDENT'S READMISSION IS ALSO CONTINGENT UPON THE CHARTER SCHOOL'S CAPACITY AT THE TIME THE STUDENT SEEKS READMISSION OR ADMISSION TO THE CHARTER SCHOOL.

### **NOTICE TO TEACHERS**

THE CHARTER SCHOOL SHALL NOTIFY TEACHERS OF EACH STUDENT WHO HAS ENGAGED IN OR IS REASONABLY SUSPECTED TO HAVE ENGAGED IN ANY OF THE ACTS LISTED IN EDUCATION CODE SECTION 49079 AND THE CORRESPONDING ENUMERATED OFFENSES SET FORTH ABOVE.

### **INVOLUNTARY REMOVAL FOR TRUANCY**

AS CHARTER SCHOOLS ARE SCHOOLS OF CHOICE AND AS A CHARTER SCHOOL STUDENT WHO FAILS TO ATTEND SCHOOL IS POTENTIALLY DEPRIVING ANOTHER STUDENT OF THEIR OPPORTUNITY TO ENROLL, A STUDENT MAY BE INVOLUNTARILY REMOVED AS DESCRIBED WITHIN THE CHARTER SCHOOL'S BOARD ADOPTED ATTENDANCE POLICY FOR TRUANCY AND ONLY AFTER THE CHARTER SCHOOL FOLLOWS THE REQUIREMENTS OF THE ATTENDANCE POLICY AND ONLY IN ACCORDANCE WITH THE POLICY DESCRIBED ABOVE WHICH REQUIRES NOTICE AND AN OPPORTUNITY FOR A PARENT, GUARDIAN, EDUCATIONAL RIGHTS HOLDER TO REQUEST A HEARING PRIOR TO ANY INVOLUNTARY REMOVAL. STUDENTS WHO ARE INVOLUNTARILY REMOVED FOR TRUANCY WILL BE GIVEN A REHABILITATION PLAN AND WILL BE SUBJECT TO THE READMISSION PROCEDURES SET FORTH HEREIN.

### **SPECIAL PROCEDURES FOR THE CONSIDERATION OF SUSPENSION OR EXPULSION OF INVOLUNTARY REMOVAL OF STUDENTS WITH DISABILITIES**

#### **a. Notification of District**

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District of the discipline of any student with a disability or student who the Charter School or District would be deemed to have knowledge that the student had a disability.

#### **b. Services During Suspension**

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

#### **c. Procedural Safeguards/Manifestation Determination**

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

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

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

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

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.
- d) If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### d. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the



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student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-----five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing. In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

e. Special Circumstances

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

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

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

f. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability

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if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.
- d) If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.
- e) If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.
- f) The Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.



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## **SUICIDE PREVENTION POLICY**

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

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

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

### **Suicide Prevention Crisis Team**

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, Elevate created an in-house Suicide Prevention Crisis Team (“SPCT”) consisting of administrators, mental health professionals, and relevant staff.

Elevate designates the following administrators to act as the primary and secondary suicide prevention liaisons to lead the SPCT:

1. Karla Sanchez, Director of Special Education and Student Support Services
2. Ryan Elliott, Executive Director
3. Desiree Wooden, Assistant Director

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The functions of the SPCT are to:

- Review mental health related school policies and procedures;
- Provide annual updates on school and district data and trends;
- Review and revise school prevention policies;
- Review and select general and specialized mental health and suicide prevention training;
- Review and oversee staff, parent/guardian, and student trainings;
- Ensuring the suicide prevention policy, protocols, and resources are posted on the district and school websites;
- Collaborate with community mental health organizations,
- Identify resources and agencies that provide evidence-based or evidence-informed treatment,
- Help inform and build skills among law enforcement and other relevant partners, and
- Collaborate to build community response.

### **Staff Development**

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

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

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Charter School in collaboration with Community Mental Health Agencies review the training materials and content to ensure it is evidence-based, evidence-informed, and aligned with best practices. Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
2. At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
3. Charter School shall ensure that training is available for new hires during the school year.
4. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:
  - a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.
  - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses

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- shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment.
- d. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member.
  - e. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide.
  - f. Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.
  - g. Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
    - i. Youth affected by suicide.
    - ii. Youth with a history of suicide ideation or attempts.
    - iii. Youth with disabilities, mental illness, or substance abuse disorders.
    - iv. Lesbian, gay, bisexual, transgender, or questioning youth.
    - v. Youth experiencing homelessness or in out-of-home settings, such as foster care.
    - vi. Youth who have suffered traumatic experiences.
5. In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff may include the following components:
- a. The impact of traumatic stress on emotional and mental health.
  - b. Common misconceptions about suicide.
  - c. Charter School and community suicide prevention resources.
  - d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
  - e. The factors associated with suicide (risk factors, warning signs, protective factors).

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- f. How to identify youth who may be at risk of suicide.
- g. Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on Elevate guidelines.
- h. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
- i. Charter School-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention).
- j. Responding after a suicide occurs (suicide postvention).
- k. Resources regarding youth suicide prevention.
- l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
- m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

### **Specialized Professional Development for School-based Mental Health Staff (Screening and/or Assessment)**

Additional professional development in suicide risk assessment (SRA) and crisis intervention is provided to designated student mental health professionals, including but not limited to school counselors, psychologists, social workers, administrators, and nurses employed by Charter School. Training for these staff is specific to conducting SRAs, intervening during a crisis, de-escalating situations, interventions specific to preventing suicide, making referrals, safety planning, and re-entry.

Specialized Professional Training for targeted School-based mental health staff includes the following components:

- Best practices and skill building on how to conduct an effective suicide risk screening/SRA using an evidence-based, Charter-approved tool; Patient Health Questionnaire 9 (PHQ-9) Depression Scale; BSS Beck Scale for Suicide Ideation ; National Institute of Mental Health (NIMH)'s Ask Suicide-Screening Questions (ASQ) Toolkit; and the Adolescent Suicide Assessment Protocol – 20.
- Best practices on approaching and talking with a student about their thoughts of suicide and how to respond to such thinking, based on district guidelines and protocols.
- Best practices on how to talk with a student about thoughts of suicide and appropriately respond and provide support based on district guidelines and protocols.
- Best practices on follow up with parents/caregivers.
- Best practices on re-entry.

### Virtual Screenings for Suicide Risk

Virtual suicide prevention efforts include checking in with all students, promoting access to school

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and community-based resources that support mental wellbeing and those that address mental illness and give specific guidance on suicide prevention.

Charter School has established a protocol for assigning school staff to connect with students during distance learning and school closures. In the event of a school closure, Charter School has determined a process and protocols to establish daily or regular contact with all students. Staff understand that any concern about a student's emotional wellbeing and/or safety must be communicated to the appropriate school staff, according to Charter School protocols.

Charter School has determined a process and protocols for school-based mental health professionals to establish regular contact with high-risk students, students who are on their caseloads, and those who are identified by staff as demonstrating need. When connecting with students, staff are directed to begin each conversation by identifying the location of the student and the availability of parents or caregivers. This practice allows for the staff member to ensure the safety of the student, particularly if they have expressed suicidal thoughts.

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

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

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

1. Parents/guardians/caregivers may be included in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on the Elevate Web page and included in the parent handbook.
3. Charter School shall establish and widely disseminate a referral process to all parents/guardians/caregivers/families, so they are aware of how to respond to a crisis and are knowledgeable about protocols and school, community-based, and crisis resources.
4. Community-based organizations that provide evidence-based suicide-specific treatments shall be highlighted on the Charter School's website with treatment referral options marked accordingly.
5. Staff autoreplies during vacations or absences shall include links to resources and phone/text numbers so parents and students have information readily available.

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6. Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
7. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
  - a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.
  - c. How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.
  - d. Charter School's referral processes and how they or their children can reach out for help, etc.
8. Parents/guardians/caregivers are reminded that the Family Educational Rights and Privacy Act ("FERPA") generally protects the confidentiality of student records, which may sometimes include counseling or crisis intervention records. However, FERPA's health or safety emergency provision permits the disclosure of personally identifiable information from a student's education records, to appropriate parties, in order to address a health or safety emergency when the disclosure is necessary to protect the health or safety of the student or other individuals.

### **Student Participation and Education**

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

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

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

1. Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress. The content of the education may include:
  - a. Coping strategies for dealing with stress and trauma.
  - b. How to recognize behaviors (warning signs) and life issues (risk factors) associated



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- with suicide and mental health issues in oneself and others.
- c. Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help.
  - d. Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.
2. Receive developmentally appropriate guidance regarding Elevate's suicide prevention, intervention, and referral procedures.

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

Elevate will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Week, Peer Counseling).

Charter School maintains a list of current student trainings and is available upon request. Charter School has shared school-based supports and self-reporting procedures, so students are able to seek help if they are experiencing thoughts of suicide or if they recognize signs with peers. Although confidentiality and privacy are important, students should understand safety is a priority and if there is a risk of suicide, school staff are required to report. Charter-based mental health professionals are legally and ethically required to report suicide risk. **When reporting suicidal ideation or an attempt, school staff must maintain confidentiality and only share information limited to the risk or attempt.**

Charter School shall establish and widely disseminate a referral process to all students, so they know how to access support through school, community-based, and crisis services. Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they have knowledge or concerns of another student's emotional distress, suicidal ideation, or attempt.

### **Intervention and Emergency Procedures**

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

The suicide prevention liaison shall immediately notify the Executive Director or designee, who shall then notify the student's parent/guardian as soon as possible if appropriate and in the best interest of the student. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

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

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When a student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911. The call shall NOT be made in the presence of the student and the student shall not be left unsupervised. Staff shall NOT physically restrain or block an exit.

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

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

In the event a suicide occurs or is attempted on the Elevate campus, the suicide prevention liaison



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

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

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

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

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

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

A death by suicide in the school community (whether by a student or staff member) can have

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devastating consequences on the school community, including students and staff. Elevate shall follow the below action plan for responding to a suicide death, which incorporates both immediate and long-term steps and objectives:

The suicide prevention liaison shall:

1. Coordinate with the Executive Director or designee to conduct an initial meeting of the Suicide Prevention Crisis Team to:
  - a. Confirm death and cause.
  - b. Identify a staff member to contact deceased's family (within 24 hours).
  - c. Enact the Suicide Postvention Response.
  - d. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
2. Coordinate an all-staff meeting, to include:
  - a. Notification (if not already conducted) to staff about suicide death.
  - b. Emotional support and resources available to staff.
  - c. Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
  - d. Share information that is relevant and that which you have permission to disclose.
3. Prepare staff to respond to needs of students regarding the following:
  - a. Review of protocols for referring students for support/assessment.
  - b. Talking points for staff to notify students.
  - c. Resources available to students (on and off campus).
4. Identify students significantly affected by suicide death and other students at risk of imitative behavior, and refer them to a school-based mental health professional.
5. Identify students affected by suicide death but not at risk of imitative behavior.
6. Communicate with the larger school community about the suicide death. Staff shall not share explicit, graphic, or dramatic content, including the manner of death.
7. Consider funeral arrangements for family and school community.
8. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
9. Identify media spokesperson if needed.
10. Ensure that all communications, documents, materials related to messaging about suicide avoid discussing details about method of suicide, avoid oversimplifying (i.e. identifying singular cause of suicide), avoid sensational language, and only includes clear, respectful,

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people-first language that encourages an environment free of stigma. As part of safe messaging for suicide, we use specific terminology when referring to actions related to suicide or suicidal behavior:

Use	Do Not Use
<p><b>“Died by suicide”</b>  <b>or</b>  <b>“Took their own life”</b></p>	<p><b>“Committed suicide”</b>  <b>Note:</b> Use of the word “commit” can imply crime/sin</p>
<p><b>“Attempted suicide”</b></p>	<p><b>“Successful” or “unsuccessful”</b>  <b>Note:</b> There is no success, or lack of success, when dealing with suicide</p>

11. Include long-term suicide postvention responses:

- a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
- b. Support siblings, close friends, teachers, and/or students of deceased.
- c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

### **Helpful Resources**

Elevate will provide the following resources to students and families:

- National Suicide Prevention Lifeline/Suicide Crisis Lifeline:
  - Call or Text “988”
  - Call 1-800-273-8255
- National Domestic Violence Hotline: Call 1-800-799-7233
- Crisis Text Line: Text “HOME” to 741741
- Teen Line: Text “TEEN” to 839863
- Trevor Project: Text “START” to 678678
- Trans Lifeline: 1-877-565-8860
- Local suicide prevention hotline telephone number

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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

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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. Part 106) and California state law prohibit discrimination and harassment on the basis of sex. Under Title IX, “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

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In accordance with Title IX and California law, discrimination and harassment on the basis of sex in education institutions, including in the education institution's admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by 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.

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- 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>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

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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.



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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, 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.



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- 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

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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:

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- 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 based on a protected characteristic , or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the 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

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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 to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

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, and any person who facilitates an

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informal resolution process 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 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

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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



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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.

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- 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.



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

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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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**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

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

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

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

# Coversheet

## Approve Lease Extension at SM Campus with Faith Community Church

**Section:** II. Agenda Items  
**Item:** C. Approve Lease Extension at SM Campus with Faith Community Church  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** Extension 2024 - San Diego CA 31747 Lease Extension.pdf

**LEASE RENEWAL, EXTENSION AND/OR AMENDMENT**

Lessor and Lessee entered into a Lease Agreement for Five years related to premises located at 2285 Murray Ridge Road, San Diego, California, commencing on July 1, 2019 and ending on June 30, 2024. The parties desire to renew, extend and/or amend this Lease Agreement.

Therefore, for good and valuable consideration, Lessor and Lessee agree as follows:

1. The lease term shall be extended to 11:59 p.m. June 30, 2026.
2. The monthly rental amount shall be modified to Twenty Five Thousand Two Hundred Forty Dollars (\$25,240).
3. Lessee acknowledges and agrees it has no claims, defenses or offsets related to the lease or otherwise against Landlord.
4. Except as herein stated, all terms and conditions of the lease, including any exhibits, addenda and/or modifications, shall continue and remain in full force and effect.

Dated: \_\_\_\_\_

**Lessor: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL,  
A California Nonprofit Religious Corporation, dba San Diego  
Foursquare Church**

By: \_\_\_\_\_  
Andrew Nakamura, Assistant Corporate Secretary

By: \_\_\_\_\_  
Jon R. Wolfe, Property Advisor

**Lessee: Elevate School**

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

# Coversheet

## Approve 23-24 Student/Parent Handbook

**Section:** II. Agenda Items  
**Item:** D. Approve 23-24 Student/Parent Handbook  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** 2023.8.12 23.24 Elevate Student:Parent Handbook.pdf



**ELEVATE**  
S C H O O L

# Student & Family Handbook

## 2023-2024

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)  
Phone: 858.751.4774 Fax: 619.839.3700



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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.

## Core Values

The Elevate community (Board, staff, parents) identified our Core Values during the 21-22 school year. These core values serve as anchors for how we will educate our students and interact within our school community (student-student, adult-student, adult-adult).

### ***Excellence***

We hold ourselves to a high standard and believe everyone in our community is capable of achieving greatness.

### ***Leadership***

We believe every person is capable of creativity and innovation that can cause positive change in the world. We will create the opportunities for all students and staff to practice and achieve their leadership potential.

### ***Justice***

We are agents of change committed to exploring how our identities, community diversity, and action lead to justice.

### ***Community***

We are better together. Each member is valued as an essential contributor to our community.

When situations arise where there is disagreement, our core value of Community means we will dialogue in-person and with an ear for understanding others’ perspectives.

## 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.

The California Common Core State Standards serve as the framework in all grades and content areas. As a public school, Elevate adheres to the instruction of these standards, which include representation and inclusion so that all students see themselves represented in the learning curriculum.

To access state standards, [click here](#).

## 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

<b>Name</b>	<b>Position</b>	<b>Area of Expertise</b>
Chancellor Brown	Trustee	Trustee
Becky Madeja	Trustee	Trustee
Veronica Maxwell	Trustee	Trustee
Adam McWethy	Trustee	Trustee
Cheryl Gorman	Trustee	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 [attendance@elevateschool.com](mailto:attendance@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.

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 elevates 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 2-1-1 to services, resources and programs

#### 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.

## Campus Search and Seizure

The Charter School recognizes and has determined that the occurrence of incidents which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law or Charter School rules and regulations, jeopardizes the health, safety and welfare of students and Charter School employees.

The California Constitution requires that all students and staff of public schools have the inalienable right to attend campuses which are safe, secure, and peaceful. As such, Charter School has adopted a Policy

outlining the reasonable search of students and their property, student use areas, and/or student lockers and the seizure of illegal, unsafe, unauthorized or contraband items and materials through a search based upon reasonable suspicion.

A student's personal cell phone, smartphone, or other personal electronic device shall not be searched by school officials without a warrant, the student's consent, or a legitimate emergency, unless the device is lost or abandoned. An emergency is any situation involving danger of death or serious physical injury to any person, that requires access to the information located or reasonably believed to be located on the electronic device. If the Charter School has a good faith belief that the device is lost, stolen, or abandoned, the Charter School may only access electronic device information in order to attempt to identify, verify, or contact the owner of the device.

The Charter School is not prohibited from seizing/confiscating a student's personal electronic device, without searching its contents, if the student's use or possession of the private electronic device is in violation of Charter School rules or regulations.

## 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 Karla Sanchez, Director of Special Education, 858-751-4774, [ksanchez@elevateschool.com](mailto:ksanchez@elevateschool.com).

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

## Dangers of Synthetic Drug

The illicit use and abuse of synthetic drugs represents an emerging and ongoing public health threat in California. The fentanyl crisis specifically, has impacted communities across the state, leading to a sharp increase in fentanyl poisonings and deaths in recent years.

This notice aims to address the crisis with a preventative approach ensuring students and families are educated on the deadly consequences of recreational drug use.

A synthetic drug is a drug with properties and effects similar to a known hallucinogen or narcotic but having a slightly altered chemical structure, especially such a drug created in order to evade existing restrictions against illegal substances.

Synthetic drugs include but are not limited to synthetic cannabinoids (“synthetic marijuana,” “Spice,” “K2”), methamphetamines, bath salts, and fentanyl.

The California Department of Public Health (“CDPH”), has expounded on the extreme danger of drugs laced with fentanyl. Illicit fentanyl can be added to other drugs to make them cheaper, more powerful, and more addictive. Illicit fentanyl has been found in many drugs, including heroin, methamphetamine, counterfeit pills, and cocaine. Fentanyl mixed with any drug increases the likelihood of a fatal overdose. Furthermore, it is nearly impossible to tell if drugs have been laced with fentanyl without additional testing, because fentanyl cannot be seen, smelled, or tasted when used as a lacing agent. Additional information regarding fentanyl from the CDPH’s Substance and Addiction Prevention Branch can be found [here](#).

## 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

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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.



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.

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	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  NOTE: Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if

	<p>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>
<p>Entering 7<sup>th</sup> Grade</p>	<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.

## Lost or Damaged School Property

If a student willfully damages the Charter School's property or the personal property of a Charter School employee, or fails to return a textbook, library book, computer/tablet or other Charter School 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, the Charter School may withhold the student's grades, 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, the Charter School 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.

## 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 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 is available on the Elevate website.

### Physical Examinations and Right to Refuse

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 students 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.

A parent/guardian having control or charge of any child enrolled in the Charter School may file annually with the Executive Director a written and signed statement stating that the parent/guardian 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.

## 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.

## Safe Storage of Firearms

The purpose of this notice is to inform and to remind parents and legal guardians of all students at the Charter School of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this notice spells out California law regarding the storage of firearms. Please take some time to review this notice and evaluate your own personal practices to assure that you and your family are in compliance with California law:

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.
  - The criminal penalty may be significantly greater if someone dies or suffers great bodily

injury as a result of the child gaining access to the firearm.

- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

The county or city may have additional restrictions regarding the safe storage of firearms. Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

## School Safety Plan

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

## School Bus and Passenger Safety

All students who are transported in a schoolbus or school student activity bus shall receive instruction in school bus emergency procedures and passenger safety. A copy of the complete Policy 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 Suspension and Expulsion 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 Suspension and Expulsion 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

**REVISION DATE: [INSERT]**

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, 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. Part 106) and California state law prohibit discrimination and harassment on the basis of sex. Under Title IX, “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

In accordance with Title IX and California law, discrimination and harassment on the basis of sex in education institutions, including in the education institution’s admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by 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.

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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.

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

**Formal Complaint of Sexual Harassment** means a written document filed and signed by a complainant who is participating in or attempting to participate in 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 based on a protected characteristic, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the 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 to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

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, and any person who facilitates an informal resolution process 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 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.
- Within five (5) business days of Elevate's written decision or dismissal of the complaint, the complainant or respondent may submit a written appeal to the Coordinator.
- The decision-maker(s) for the appeal will not be the same person(s) as the Coordinator, the investigator or the initial decision-maker(s).
- The complainant and respondent may appeal from a determination regarding responsibility, and from Elevate's dismissal of a formal complaint or any allegations therein, on the following bases:
  - Procedural irregularity that affected the outcome of the matter;
  - New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  - The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- 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 23-24 Personnel Handbook

**Section:** II. Agenda Items  
**Item:** E. Approve 23-24 Personnel Handbook  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** 2023.8.12 23-24 Personnel Handbook.pdf



**ELEVATE**  
S C H O O L

**ELEVATE SCHOOL**  
**PERSONNEL HANDBOOK**  
**2023-2024**

Approved by the Elevate Board of Directors on [INSERT]

## 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 reproductive health decision-making, pregnancy, childbirth, breastfeeding, and medical conditions related to such);
- Sex stereotype (including an assumption about a person's appearance or behavior, gender roles, gender expression, or gender identity, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex);
- 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;
- Immigration/citizenship status;
- 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 conduct an investigation 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 child care 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. Similarly, convictions involving crimes of moral turpitude (e.g., fraud), child abuse or neglect, violence, or any offense which may make the employee unsuitable/undesirable to work around students may also serve as a bar to employment at the School. Additionally, should an employee be arrested for, charged with, or convicted of any offense during his/her employment with the School, the employee must immediately report as much to the HR Coordinator.

### **Tuberculosis Testing**

All employees of the School must submit written proof from a health care provider 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. If a search of employee records is authorized by a valid subpoena or judicial warrant, the School will give employees notice of the inspection both before and after it has occurred as required by law.

### **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 reproductive health decision-making, pregnancy, childbirth, breastfeeding, and related medical conditions); sex stereotype (including an assumption about a person's appearance or behavior, gender roles, gender expression, or gender identity, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex); 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

Operational hours at 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 7:30 a.m. to 3:30 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 are considered essential functions of all positions.

If an employee is unable to report for work on any particular day, they must contact the HR Coordinator via the designated phone number 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 by 7:30 am 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 resigned from employment.

### **Timecards/Records**

By law, Elevate School is obligated to keep accurate records of the time worked by nonexempt employees. Such employees shall 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 clock in or out or requires a timecard adjustment, the employee should use the timekeeping system to send the HR Coordinator a message with the time correction. Timecards records will be audited/reviewed on a regular basis and repeated corrections may result in individual counseling with 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 perform 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 dishonesty, 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 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. Ripped jeans or pants 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.

## **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. All employees must secure their workspace at the end of each workday. . 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. Accidents must be reported to the site coordinator and the site coordinator will contact the HR coordinator in order to document the incident.

## **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.

Employees may also have deductions made to their paychecks when a wage overpayment occurs. The School may require the employee to reimburse an overpayment through a mutually agreeable method, including through cash repayment or a deduction of the employee's payroll check, among other options. An employee who is separated from employment before full repayment of the overpayment amount shall have any remaining amounts withheld from their final check. The School also reserves the right to exercise any and all other legal means to recover any additional amounts owed. The School shall provide employees with advance written notice of the deduction prior to the pay period where it will go into effect.

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 withdrawals dated prior to the actual payday and employees 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 must 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.

Employees who are eligible for insurance benefits may only change or update insurance outside of the open enrollment period if there is a qualifying event. The employee has 30 days from the first day of the qualifying event to change or update insurance. The employee should notify the HR coordinator as soon as possible when there is a qualifying event.

## **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) becomes 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**

For staff and teachers who receive personal days, unused personal days may accrue from year to year, up to a maximum of six (6) days. For senior leadership, unused personal days may accrue from year to year, up to a maximum of ten (10) 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) or a designated person (i.e., a person identified by the employee at the time the employees requests sick leave) who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Employees are limited to one (1) designated person per twelve (12) month period. 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/CFRA leave in any twelve (12) month period for the purposes enumerated below.

- Employee Eligibility Criteria

To be eligible for FMLA/CFRA 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 leave, and work at a location where the School has at least fifty (50) employees within seventy-five (75) miles, (except for purposes of CFRA where the School must only have at least five (5) employees).

- Events That May Entitle an Employee To FMLA/CFRA Leave

The twelve (12) week (or twenty-six (26) workweeks where indicated) FMLA/CFRA 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 each will be entitled to a separate twelve (12) weeks of leave for this purpose, which cannot be loaned or otherwise assigned from one employee to the other.
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 . A qualifying family member may also include a parent-in-law, grandparent, grandchild, sibling, or designated person for CFRA purposes. “Designated person” refers to any individual related by blood or whose association with the employee is the equivalent to a family relationship.
  - 4. 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 additional FMLA leave in a single twelve (12) month period to provide said care. CFRA does not provide leave specific to caring for a service member.
  - 5. 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. For CFRA purposes, this may also include a domestic partner.
- Amount of FMLA/CFRA Leave Which May Be Taken
    - 1. FMLA/CFRA 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 any one, 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/CFRA leave that may be taken, an employee who is the spouse, son, daughter, parent, or next of kin of a covered Armed Forces service member may 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 and CFRA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA/CFRA leave.
    - 4. If a holiday falls within a week taken as FMLA/CFRA leave, the week is nevertheless counted as a week of FMLA/CFRA 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 or CFRA leave entitlement. Similarly, if an employee uses FMLA/CFRA 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/CFRA Leave

1. An employee on FMLA/CFRA leave because of his/her own serious health condition must use all accrued paid sick leave at the beginning of any otherwise unpaid FMLA/CFRA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA/CFRA 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/CFRA leave for baby-bonding or to care for a qualifying family member with a serious health condition may use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA/CFRA leave.
3. If an employee has exhausted his/her sick leave, leave taken under FMLA/CFRA shall be unpaid leave.
4. The receipt of sick leave pay, or State Disability Insurance benefits will not extend the length of the FMLA or CFRA leave. Sick pay accrues during any period of unpaid FMLA or CFRA 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/CFRA leave, and these provisions may change from time to time. The health benefits of employees on FMLA/CFRA 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/CFRA 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/CFRA 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/CFRA 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/CFRA leave, or other circumstances beyond the control of the employee.

- Seniority

An employee on FMLA/CFRA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA/CFRA leave will return with the same seniority he/she had when the leave commenced.

- Medical Certifications

1. An employee requesting FMLA/CFRA 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/CFRA Leave

1. An employee should request FMLA/CFRA 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/CFRA 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 qualifying family member. Failure to provide such notice is grounds for denial of

a leave request, except if the need for FMLA/CFRA 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/CFRA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's qualifying family member, 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/CFRA 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/CFRA 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/CFRA leave request no later than five (5) business days of receiving the request. If an FMLA/CFRA leave request is granted, the School will notify the employee in writing that the leave will be counted against the employee's FMLA/CFRA 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/CFRA leave period, an employee 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/CFRA leave.
    2. When a request for FMLA/CFRA leave is granted to an 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/CFRA 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.

- **Employment during Leave**

No employee, including employees on FMLA/CFRA 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  $\frac{1}{3}$  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  $\frac{1}{3}$  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**

All employees who have worked for the School for at least thirty (30) days shall be eligible to take up to five (5) days of bereavement leave due to the death of a covered family member (spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law). Full-time

employees are entitled to up to three (3) days of pay during bereavement leave, or five (5) days of pay with prior approval from their supervisor if a funeral is more than five hundred (500) miles from the employee's home. For all other employees, bereavement leave shall be unpaid unless an employee elects to use available accrued/unused paid leave. Bereavement leave must be utilized within three (3) months of the covered family member's date of death. Bereavement pay will not be used in computing overtime pay. Upon request, an employee may be required to provide documentation of the death of a covered family member.

### **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, stalking, or other crimes. 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, that of the employee's child or children or when a person whose immediate family member is deceased as the direct result of a crime. A crime includes a crime or public offense that would constitute a misdemeanor or felony if the crime had been committed in California by a competent adult, an act of terrorism against a resident of California (whether or not such act occurs within the state), and regardless of whether any person is arrested for, prosecuted for, or convicted of, committing the crime. 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.
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for a purpose authorized under the law.

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.
26. Unprofessional conduct

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 may 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 encourages 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) 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 23-24 Board Calendar

**Section:** II. Agenda Items  
**Item:** K. Approve 23-24 Board Calendar  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** 2023-2024 Board Calendar.pdf

# Elevate School Board Meetings 2023-2024

Meeting Location:  
8404 Phyllis Place, San Diego CA 92123

## Meeting Dates

September 11

October 9

November 13

December 11

January 8

February 12

March 11

April 8

May 13

June 17

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