



Elevate School

Regular Board Meeting

Date and Time

Monday September 9, 2024 at 4:00 PM PDT

Elevate Middle School Campus, Room 102
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.

Agenda

	Purpose	Presenter	Time
I. Opening Items			4:00 PM
A. Record Attendance and Guests		Cheryl Gorman	1 m
B. Call the Meeting to Order		Cheryl Gorman	1 m
C. Approve Agenda	Vote	Cheryl Gorman	1 m
D. Approve Minutes from July 31 Regular Board Meeting	Approve Minutes	Cheryl Gorman	1 m

	Purpose	Presenter	Time
E. Approve Minutes from August 28 Special Board Meeting	Approve Minutes	Cheryl Gorman	2 m
F. Core Values and Board Meeting Protocol		Cheryl Gorman	2 m
G. Non-Agenda Public Comment		Cheryl Gorman	5 m
II. Agenda Items			4:13 PM
A. Executive Director Report	FYI	Ryan Elliott	20 m
B. Financial Update	FYI	Chancellor Brown	20 m
C. Approve 23-24 Unaudited Actuals	Vote	Ryan Elliott	10 m
D. Approve Biennial Review of Conflict of Interest Code	Vote	Ryan Elliott	5 m
E. Approve Educator Effectiveness Block Grant Expenditure Report	Vote	Ryan Elliott	5 m
F. Approve Expanded Learning Opportunities Program (ELO-P) Plan, Revised	Vote	Ryan Elliott	10 m
III. Consent Agenda			5:23 PM
A. Approve Board Policies - revised per YMC Parent Engagement Policy Universal School Meals Policy Education Records Policy Education of Foster Youth Education of Homeless Children Special Education Policy Section 504 Policy Freedom of Speech Policy Harassment, Intimidation, Discrimination and Bullying Title IX Policy Prohibiting Harassment on the Basis of Sex Uniform Complaint Policy	Vote	Ryan Elliott	5 m
B. Approve Heat Illness Prevention Plan Plan Viewable Here	Vote	Ryan Elliott	2 m

	Purpose	Presenter	Time
IV. Closing Items			5:30 PM
A. Adjourn Meeting	Vote		

Coversheet

Approve Minutes from July 31 Regular Board Meeting

Section: I. Opening Items
Item: D. Approve Minutes from July 31 Regular Board Meeting
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for July Board Meeting on July 31, 2024

DRAFT



Elevate School

Minutes

July Board Meeting

Date and Time

Wednesday July 31, 2024 at 2:00 PM

Elevate Middle School Campus, Room 102
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.

Directors Present

Becky Madeja, Chancellor Brown, Cheryl Gorman, Veronica Maxwell

Directors Absent

None

Guests Present

Ryan Elliott

I. Opening Items

A.

Record Attendance and Guests

B. Call the Meeting to Order

Chancellor Brown called a meeting of the board of directors of Elevate School to order on Wednesday Jul 31, 2024 at 2:05 PM.

C. Approve Agenda

Cheryl Gorman made a motion to approve the July 31, 2024 Board meeting agenda.

Becky Madeja seconded the motion.

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

D. Approve Minutes from June 24 Regular Board Meeting

Becky Madeja made a motion to approve the minutes from June Board Meeting on 06-24-24.

Veronica Maxwell seconded the motion.

Chancellor Brown abstained from vote.

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

E. Core Values and Board Meeting Protocol

Core values were read aloud.

F. Non-Agenda Public Comment

Veronica Maxwell asked Board to consider keeping cameras on while zooming in for a Board meeting. Board agreed.

II. Agenda Items

A. Executive Director Report

Ryan Elliott provided an overview of current activities and developments at Elevate School, highlighting the following key points:

1. Strategic Plan Alignment:

- The school is moving forward with a strong strategic plan, which was developed with input from the board and various community educational partners. This plan serves as the roadmap for the school's operations, in conjunction with the LCAP.

2. Team and Staffing Updates:

- The leadership team returned to the office early in July, marking the beginning of preparations for the upcoming school year. A successful staff welcome event was held at the Serra Mesa campus, where 18 staff members were greeted by the leadership team.

- Staffing changes include the departure of a valued middle school counselor and art teacher. Despite the loss, the school is excited about the new hires and the upcoming teacher retreat scheduled for Thursday and Friday.

3. Enrollment Status:

- Current enrollment stands strong with 472 confirmed spots, 22 applications in process, and 10 offers pending. The only potential concern is in the 7th and 8th grades, where a few spots remain open. More definitive enrollment data will be shared in September.

4. Investment Plan Update:

- An unexpected issue arose with the previously approved investment plan, as the initial brokerage firm was unable to accommodate the school's public status. As a result, an interim solution was implemented with Bank of America, where a portion of the funds was placed in a 7-month CD with a 5% return. The team is exploring alternative options for the remaining investments.

5. Board Candidate Process:

- A potential board candidate has been identified, and their application has been shared with the board members for review. The next steps involve coordinating an interview and following the established candidate evaluation process.

Ryan concluded by expressing optimism about the team's direction and the upcoming school year, noting that the earlier start this year will become the norm, allowing for a longer summer break in future years.

B. Approve 24-25 Student/Family Handbook

Veronica Maxwell made a motion to approve 24-25 Student/Family Handbook.

Becky Madeja seconded the motion.

Ryan Elliott presented the updated 2024-2025 Student/Family Handbook for board approval, highlighting the following points:

Annual Updates:

- The handbook undergoes updates each year, with this year's changes focused on clarity and transparency. The specific updates were detailed in the link provided to the board members prior to the meeting. Most changes were minor and aimed at improving communication and understanding between the school and families.

Contributions and Collaboration:

- Acknowledgment was given to the Deans and Lindsey for their significant role in updating the handbook, drawing from their direct interactions with students and

families on campus. Their insights ensured that the handbook remained relevant and practical.

Discussion on Artificial Intelligence (AI):

- A board member raised a question about the absence of a policy regarding the use of artificial intelligence (AI), such as ChatGPT, in the handbook. The conversation highlighted the growing importance and use of AI in education, particularly in relation to academic integrity and student learning.
- Ryan acknowledged the relevance of AI and noted that while it hadn't been a focal point in the current handbook, it would be a topic for future discussion. He suggested that the school leadership team would need to deliberate on how AI should be addressed, especially as it becomes increasingly prevalent in both educational and professional contexts.

The board was asked to approve the handbook with the understanding that AI policy discussions would be an ongoing process throughout the academic year.

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

C. Approve 24-25 Personnel Handbook

Becky Madeja made a motion to approve 24-25 Personnel Handbook.

Chancellor Brown seconded the motion.

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

D. Approve 24-25 Board Meeting Schedule

Becky Madeja made a motion to approve 24-25 Board Meeting Schedule.

Veronica Maxwell seconded the motion.

Board members agreed to change the upcoming Board Retreat from September 14 to October 5.

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

E. Election of Officers: Chairperson, Vice-Chair, CFO, Secretary

Chancellor Brown made a motion to Elect the Officers: Chairperson, Vice-Chair, CFO, Secretary.

Becky Madeja seconded the motion.

The following officers were elected:

Cheryl Gorman - Chairperson

Veronica Maxwell - Vice Chairperson

Becky Madeja - Secretary

Chancellor Brown - CFO

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

F.

The Elevate School Foundation (TESF) Collaboration/Partnership Discussion

The discussion focused on the collaboration and partnership between The Elevate School Foundation (TESF) and the Elevate School Board. Key points included:

Foundation Overview:

- TESF was established in March 2022, and recent changes in its leadership prompted a review of the foundation's bylaws and relationship with the Elevate School Board.

Bylaw Review and Oversight:

- It was noted that the foundation operates as a supporting organization to the Elevate School Board, which holds oversight responsibilities. A specific bylaw stating that the foundation acts "at the pleasure of the board" raised questions about the level of oversight and the need for possible revisions to clarify the board's role in the foundation's governance.

Proposed Bylaw Changes:

- The foundation may request board approval to revise its bylaws, particularly regarding the designation of directors and the extent of the board's involvement in appointing foundation members. Although no specific changes were presented at the meeting, the board discussed the importance of maintaining a balance between oversight and autonomy for the foundation.

Collaboration and Accountability:

- The board emphasized the need for regular communication and transparency between TESF and the Elevate School Board. Suggestions included scheduling regular reports or updates from TESF to ensure ongoing collaboration and accountability. The board also discussed the value of having a designated board member consistently attend TESF meetings to provide continuity and maintain a strong connection between the two entities.

G. Approve BP 6001 Independent Study Policy (Revised)

Cheryl Gorman made a motion to approve BP 6001 Independent Study Policy.

Chancellor Brown seconded the motion.

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

H. Approve Workplace Violence Prevention Plan

Veronica Maxwell made a motion to approve Workplace Violence Prevention Plan.

Becky Madeja seconded the motion.

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

I.

Approve Agreement with Third Plateau: Culture Planning

Chancellor Brown made a motion to approve Agreement with Third Plateau: Culture Planning.

Cheryl Gorman seconded the motion.

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

J. 22-23 Teacher Assignment Monitoring Outcome (TAMO) Report

The 22-23 Teacher Assignment Monitoring Outcome (TAMO) Report was reviewed with the Board.

III. Closing Items

A. Adjourn Meeting

Cheryl Gorman made a motion to adjourn the meeting.

Becky Madeja 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 3:40 PM.

Respectfully Submitted,
Veronica Maxwell

Coversheet

Approve Minutes from August 28 Special Board Meeting

Section: I. Opening Items
Item: E. Approve Minutes from August 28 Special Board Meeting
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Special Board Meeting on August 28, 2024

APPROVED



Elevate School

Minutes

Special Board Meeting

Date and Time

Wednesday August 28, 2024 at 11:00 AM

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

Teleconference Locations: [Zoom Link](#)

11922 Bernardo Plaza Drive
San Diego, CA 92128

15074 Almond Orchard Lane
San Diego, CA 92131

1030 Maxie Place
Escondido, CA 92027

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Directors Present

Becky Madeja (remote), Chancellor Brown (remote), Cheryl Gorman (remote)

Directors Absent

Veronica Maxwell

Guests Present

Ryan Elliott (remote)

I. Opening Items

A. Record Attendance and Guests

B. Call the Meeting to Order

Cheryl Gorman called a meeting of the board of directors of Elevate School to order on Wednesday Aug 28, 2024 at 11:07 AM.

C. Approve Agenda

Becky Madeja made a motion to approve the August 28th Special Board Meeting agenda.

Chancellor Brown seconded the motion.

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

Roll Call

Cheryl Gorman Aye

Becky Madeja Aye

Chancellor Brown Aye

Veronica Maxwell Absent

D. Core Values and Board Meeting Protocol

Core Values were read aloud by Board Members.

E. Non-Agenda Public Comment

There were no public comments.

II. Agenda Items

A. Approve Client Engagement Agreement with E&E Financial Services

Chancellor Brown made a motion to approve the Client Engagement Agreement with E&E Financial Services.

Cheryl Gorman seconded the motion.

The firm's experience was discussed, detailing their work with 20+ other charter schools. Specific fund information and strategy were also discussed, including the good safety and security of the fund, with high yield and low risk, and high liquidity. The board **VOTED** to approve the motion.

Roll Call

Cheryl Gorman Aye
Becky Madeja Aye
Chancellor Brown Aye
Veronica Maxwell Absent

III. Closing Items

A. Adjourn Meeting

Chancellor Brown made a motion to adjourn the meeting. Becky Madeja seconded the motion. The board **VOTED** to approve the motion.

Roll Call

Veronica Maxwell Absent
Cheryl Gorman Aye
Chancellor Brown Aye
Becky Madeja Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 11:21 AM.

Respectfully Submitted,
Becky Madeja

Coversheet

Core Values and Board Meeting Protocol

Section: I. Opening Items
Item: F. Core Values and Board Meeting Protocol
Purpose:
Submitted by:
Related Material: Elevate Core Values & Board Meeting Norms.pdf

Elevate Core Values & Board Meeting Norms

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

- We seek opportunities and are prepared to take advantage of them
- We challenge each other in order to achieve the highest standards
- We follow-through on our commitments

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 + staff to practice and achieve their leadership potential.

- We model the 7 Habits in our interactions and influence our school community to do the same
- We recognize and build upon the creativity, innovation, and leadership of one another and all those in our school community
- We take a learning stance and seek out examples of innovation and best practice in order to grow

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

- We solicit and listen to all community input, especially voices that often go unheard
- We are transparent with our rationale for decision-making
- We make decisions honoring our most vulnerable members
- We make decisions consistent with Elevate Core Values

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

- We speak to each other in-person, and with kindness and respect, when expressing thoughtful and challenging ideas
- We listen with an ear of understanding and consideration for different perspectives and life experiences
- We focus on bringing the entire Elevate community together by honoring the benefits of our diversity

This is a living document: we will check in on our Elevate Board Meeting Norms based on our Core Values at our annual retreat. As a Board we will undergo a self-assessment of Elevate Board Meeting Norms as needed to encourage mindfulness.

Coversheet

Financial Update

Section: II. Agenda Items
Item: B. Financial Update
Purpose: FYI
Submitted by:
Related Material: EE School June 24 Financial Packet.pdf

ELEVATE SCHOOL - Financial Dashboard (June 2024)

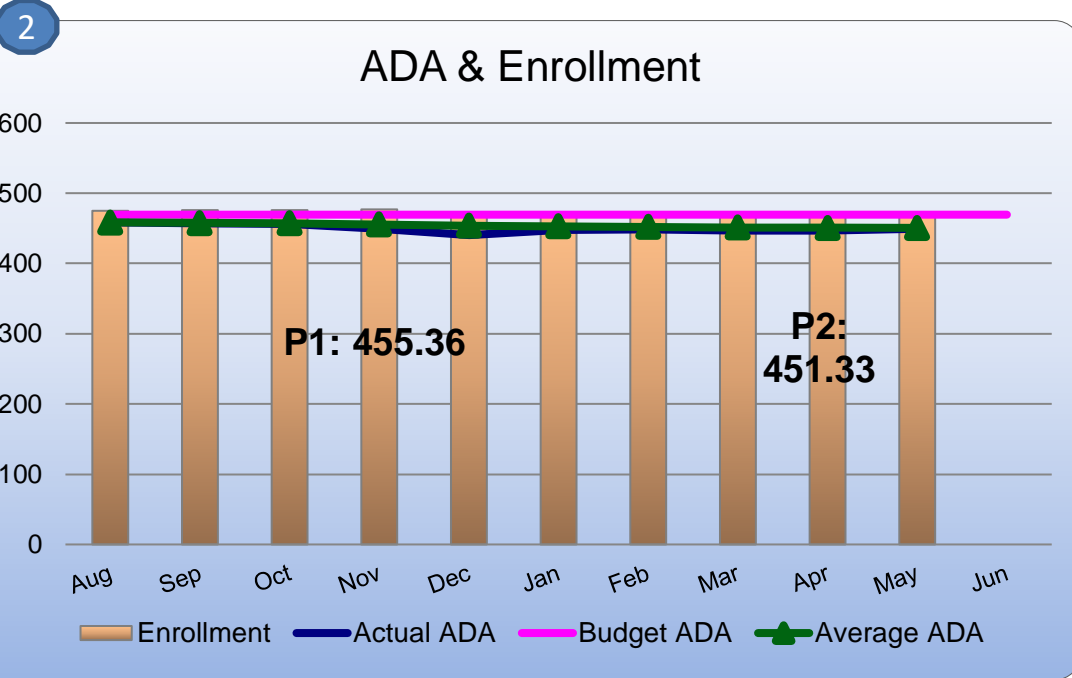
1 Key Performance Indicators

- ADA vs. Budget ● Cash on Hand ●
- Net Income / (Loss) ● Year-End Cash ●

KEY POINTS

On Tuesday, August 13, 2024, the Legislature published the anticipated cleanup language for the 2024-25 Enacted State Budget.

Expanded Learning Opportunities Program (ELO-P): SB 176 requires LEAs to report final expenditures for their 2021-22 and 2022-23 ELO-P funds to the California Department of Education (CDE) by October 31, 2024. If an LEA fails to report final expenditures to the CDE, then the LEA shall forfeit all of its 2021-22 and 2022-23 ELO-P funds. For 2023-24 ELO-P funds, and each fiscal year thereafter, the bill requires reporting of final expenditures to the CDE by September 30 of the second fiscal year following the fiscal year in which the appropriation is made (remember that starting in 2023-24, LEAs have two fiscal years to spend ELO-P funds). Failure to report will lead to the forfeiture of that fiscal year's ELO-P funds.



3 Average Daily Attendance Analysis

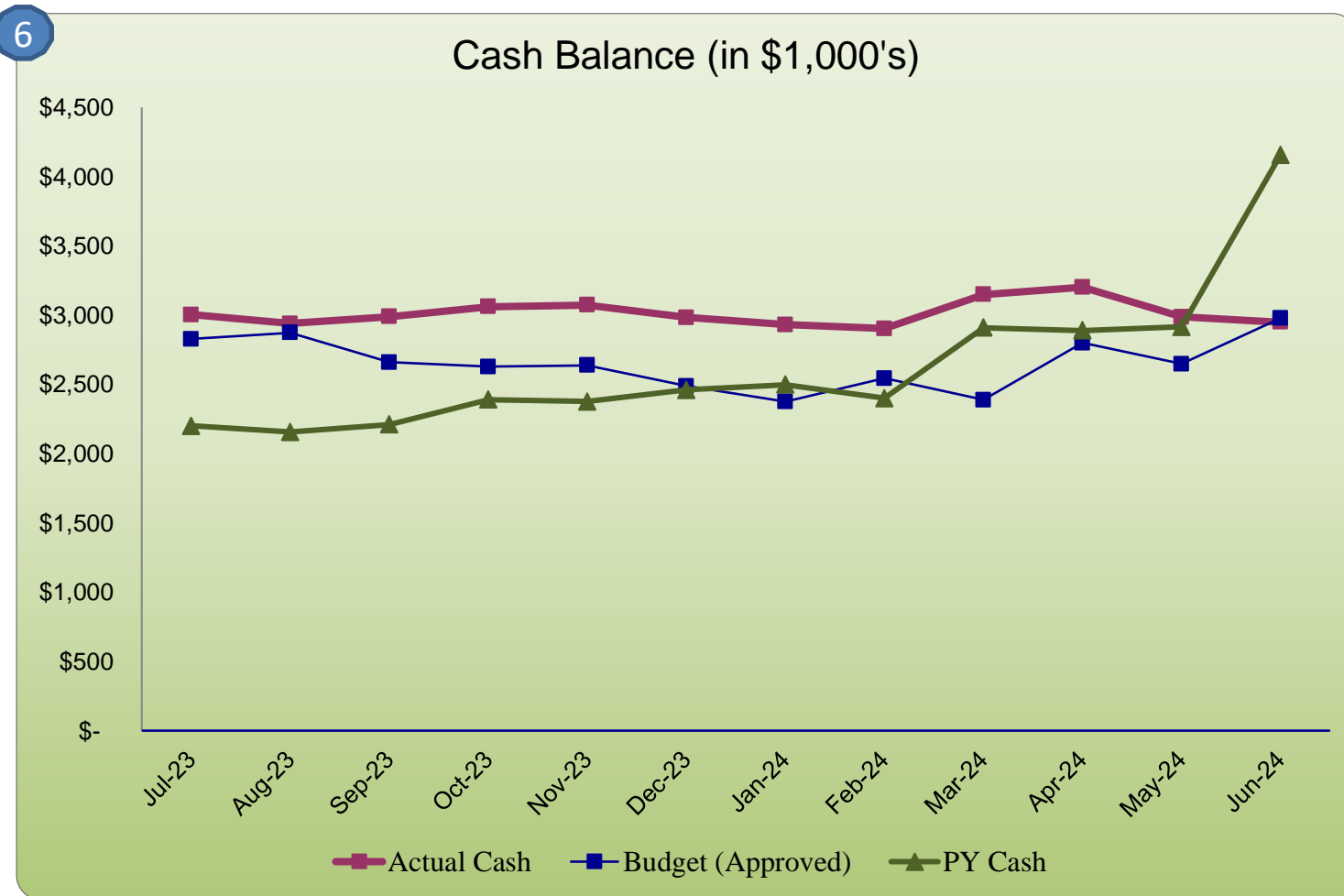
Category	P-1	Actual P2	Budgeted P2	Better/ (Worse)	Prior Year P2
Enrollment	467	470	488	(18)	459
ADA %	95.4%	95.3%	96.2%	-0.9%	95.0%
ADA	455.36	451.33	469.50	(18.17)	437.82

4 LCFF Supplemental & Concentration Grant Factors

Category	Budget	Forecast	Variance	Prior Year
Unduplicated Pupil %	49.2%	46.0%	-3.2%	38.2%
3-Year Average %	44.3%	43.1%	-1.2%	41.1%
District UPP C. Grant Cap	58.5%	59.5%	1.0%	58.5%

5 INCOME STATEMENT

INCOME STATEMENT	As a % of Revenue	Prelim			Historical	
		As of 06/30/24	FY 23-24 Budget	Variance B/(W)	FY 22-23	FY 21-22
Local Control Funding Formula		5,149,792	5,366,364	(216,572)	4,601,574	3,762,827
Federal Revenue		1,034,686	860,527	174,159	1,232,637	934,496
State Revenue		812,719	728,589	84,130	532,089	450,739
Other Local Revenue		499,047	441,620	57,427	379,563	245,463
Grants/Fundraising		90,314	112,260	(21,946)	71,159	117,904
TOTAL REVENUE		7,586,558	7,509,360	77,198	6,817,021	5,511,428
<i>Total per ADA</i>		<i>16,809</i>	<i>15,994</i>	<i>815</i>	<i>15,570</i>	<i>14,047</i>
Certificated Salaries		3,139,199	3,228,477	89,278	2,858,842	2,268,347
Classified Salaries		971,550	949,038	(22,512)	836,563	675,155
Benefits		1,192,138	1,245,252	53,114	1,038,360	831,976
<i>Total Payroll Expenses</i>	<i>\$ 5,302,886 70%</i>					
Student Supplies		504,266	417,325	(86,941)	493,487	410,742
Operating Expenses		1,698,026	1,559,079	(138,946)	1,539,633	1,162,128
Other		47,876	45,523	(2,353)	45,491	28,363
<i>Total Other Operating Expenses</i>	<i>\$ 2,250,167 30%</i>					
TOTAL EXPENSES		7,553,054	7,444,694	(108,360)	6,812,376	5,376,712
NET INCOME / (LOSS)		33,505	64,667	(31,162)	4,646	134,716
OPERATING INCOME		81,380	110,189	(28,809)	66,136	163,079



7 Balance Sheet

Balance Sheet	6/30/2023	5/31/2024	6/30/2024 Prelim
Assets			
Cash, Operating	1,856,485	1,965,027	1,816,973
Cash, Restricted	1,021,856	1,021,856	1,132,958
Accounts Receivable	842,436	162,315	825,077
Due From Others	(0)	640	840
Other Assets	611,893	1,167,292	1,162,521
Net Fixed Assets	119,383	83,663	89,531
Total Assets	4,452,054	4,400,793	5,027,900
Liabilities			
A/P & Payroll	185,454	147,639	298,073
Due to Others	115,853	1,190,595	632,660
Deferred Revenue	1,038,860	986,402	951,776
Other Liabilities	510,756	510,756	510,756
Total Liabilities	1,850,923	2,835,392	2,393,264
Equity			
Beginning Fund Bal.	2,580,485	2,601,131	2,601,131
Net Income/(Loss)	20,646	(1,035,729)	33,505
Total Equity	2,601,131	1,565,402	2,634,636
Total Liabilities & Equity	4,452,054	4,400,793	5,027,900

Year-End Cash Balance

Actual	Budget	Variance
2,949,931	2,977,495	(27,564)

Days Cash on Hand	100	96	88
Cash Reserve %	27.4%	26.2%	24.2%

ELEVATE SCHOOL
 2023-24 Cash Flow Forecast
 Prepared by ExED. For use by ExED and ExED clients only. © 2023 ExED

	Actuals as of											6/30/2024	FORECAST	Budget Variance			
	ACTUAL Jul-23	ACTUAL Aug-23	ACTUAL Sep-23	ACTUAL Oct-23	ACTUAL Nov-23	ACTUAL Dec-23	ACTUAL Jan-24	ACTUAL Feb-24	ACTUAL Mar-24	ACTUAL Apr-24	ACTUAL May-24	ACTUAL Jun-24		ACTUAL Accrual	Jul-23 - Jun-24	Better / (Worse)	% Better / (Worse)
Income																	
8011-8098 · Local Control Funding Formula Sources																	
8011 Local Control Funding Formula	62,804	62,804	113,047	113,047	113,047	113,047	113,047	56,485	56,485	56,485	56,485	212	-	916,995	(554,336)	-38%	
8012 Education Protection Account	-	-	21,891	-	-	21,891	-	-	24,504	-	-	21,980	-	90,266	(3,634)	-4%	
8019 Local Control Funding Formula - Prior Year	-	(147)	-	(147)	294	-	(25,888)	(3,799)	(3,775)	(3,799)	(3,799)	(6,873)	-	(47,933)	(47,933)	100%	
8096 In Lieu of Property Taxes	-	218,171	436,342	290,895	290,895	290,895	290,895	290,895	673,495	336,748	336,748	685,226	-	4,141,205	340,072	9%	
8098 In Lieu of Property Taxes, Prior Year	-	-	-	-	-	-	25,967	-	20,217	-	-	3,075	-	49,259	49,259	100%	
Total 8011-8098 · Local Control Funding Formula Sources	62,804	280,828	571,280	403,795	404,236	425,833	404,021	343,581	770,926	389,434	389,434	703,620	-	5,149,792	(216,572)	-4%	
8100-8299 · Federal Revenue																	
8181 Special Education - Federal (IDEA)	-	-	-	-	-	-	-	-	-	-	-	72,520	-	72,520	14,895	26%	
8221 Child Nutrition - Federal	-	17,647	-	-	1,502	11,525	-	8,211	6,141	-	16,278	(8,160)	-	53,144	(97,350)	-65%	
8291 Title I	-	-	-	-	-	-	23,481	-	-	24,277	-	7,755	-	55,513	(8,152)	-13%	
8292 Title II	-	-	-	-	-	-	-	2,350	-	2,350	-	4,853	-	9,553	(1,578)	-14%	
8295 Title IV, SSAE	-	-	-	-	-	-	-	-	-	-	-	7,500	-	10,000	-	-	
8296 Title IV, PCSGP	-	-	-	-	-	-	30,765	-	-	-	-	46,182	-	93,752	88,752	1775%	
8299 All Other Federal Revenue	-	-	91,822	175,870	65,684	-	14,044	126,431	796	122,632	11,715	131,211	-	740,205	177,593	32%	
Total 8100-8299 · Other Federal Income	-	17,647	91,822	175,870	67,186	11,525	70,790	136,992	6,937	166,064	27,993	261,860	-	1,034,686	174,159	20%	
8300-8599 · Other State Revenue																	
8520 Child Nutrition - State	-	-	-	-	28,989	22,424	-	28,291	21,784	-	-	91,151	-	192,640	99,082	106%	
8550 Mandate Block Grant	-	-	-	-	8,650	-	-	-	-	-	-	-	-	8,650	(40)	0%	
8560 Lottery Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	170,564	59,293	53%	
8592 State Mental Health	1,771	1,771	3,188	3,188	3,188	3,188	3,188	3,363	3,363	3,363	3,363	3,219	-	36,153	10,050	39%	
8595 Expanded Learning Opportunity Program	13,112	13,112	23,602	23,602	23,602	23,602	23,602	23,610	23,610	23,610	23,610	33,518	-	272,192	183,182	206%	
8596 Prop 28 Arts & Music	-	-	-	-	-	-	-	12,651	12,651	12,651	12,651	(22,429)	-	28,175	(39,782)	-59%	
8599 State Revenue - Other	-	-	-	121,394	-	-	-	1,794	-	-	-	(18,843)	-	104,345	(227,655)	-69%	
Total 8300-8599 · Other State Income	14,883	14,883	26,790	156,626	64,429	49,214	81,728	69,709	97,234	39,624	39,624	157,974	-	812,719	84,130	12%	
8600-8799 · Other Local Revenue																	
8660 Interest & Dividend Income	-	-	12,574	3,249	-	15,611	8,219	-	15,548	8,416	-	34,805	-	98,422	63,422	181%	
8692 Grants	-	-	-	-	-	-	-	20,900	-	-	-	62,650	-	83,550	83,550	100%	
8695 Contributions & Events	-	-	-	-	-	1,726	901	900	230	-	-	16	-	3,773	(101,977)	-96%	
8696 Other Fundraising	-	-	-	-	-	123	70	50	297	1,010	763	679	-	2,992	(3,518)	-54%	
8699 All Other Local Revenue	-	-	-	-	-	15	-	-	-	-	-	-	-	15	(21,615)	-100%	
8792 Transfers of Apportionments - Special Education	-	-	-	-	86,265	33,756	-	67,511	36,691	-	-	176,387	-	400,610	15,620	4%	
Total 8600-8799 · Other Income-Local	-	-	12,574	3,249	86,265	51,230	9,190	89,361	52,766	9,426	763	274,536	-	589,361	35,481	6%	
Prior Year Adjustments																	
8999 Other Prior Year Adjustment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Prior Year Adjustments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL INCOME	77,687	313,358	702,466	739,540	622,117	537,802	565,729	639,644	927,864	604,548	457,814	1,397,990	-	7,586,558	77,198	1%	
Expense																	
Total 1000 · Certificated Salaries	40,272	173,671	294,220	299,112	305,423	288,553	284,856	287,181	289,205	283,082	290,999	302,625	-	3,139,199	89,278	3%	
Total 2000 · Classified Salaries	22,023	58,995	89,967	93,740	76,266	71,780	79,810	100,099	97,231	93,135	95,293	93,210	-	971,550	(22,512)	-2%	
3000 · Employee Benefits																	
3111 STRS - State Teachers Retirement System	7,692	32,631	54,551	51,227	57,566	54,460	52,028	53,100	52,435	51,473	51,800	54,921	-	573,883	42,756	7%	
3311 OASDI - Social Security	1,290	3,438	5,401	5,139	4,224	3,971	4,974	6,150	6,177	5,861	6,403	5,720	-	58,746	94	0%	
3331 MED - Medicare	886	3,338	5,488	5,565	5,418	5,127	5,197	5,527	5,515	5,367	5,514	5,658	-	58,601	1,973	3%	
3401 H&W - Health & Welfare	48,930	72,665	14,385	52,420	20,161	31,511	39,984	27,795	37,169	37,149	41,752	17,313	-	441,235	3,549	1%	
3501 SUI - State Unemployment Insurance	31	115	189	192	187	177	179	191	190	185	190	195	-	2,021	68	3%	
3601 Workers' Compensation Insurance	-	15,872	11,018	3,968	3,968	3,968	3,968	3,968	3,968	3,968	3,968	-	-	54,666	(6,576)	-14%	
3901 Other Retirement Benefits	-	341	352	374	339	326	333	358	353	348	367	374	-	3,865	10,371	73%	
3902 Other Benefits	-	3,403	-	(3,403)	-	-	-	-	-	-	-	(880)	-	(880)	880	100%	
Total 3000 · Employee Benefits	58,828	131,804	91,385	115,481	91,863	99,539	106,663	97,089	105,807	104,351	106,028	83,301	-	1,192,138	53,114	4%	
4000 · Supplies																	
4111 Core Curricula Materials	-	14,488	651	-	24,675	10,300	-	366	4,071	-	573	11,110	-	66,233	3,154	5%	
4211 Books & Other Reference Materials	-	4,716	647	1,423	935	1,209	537	297	1,142	304	-	2,860	-	14,069	(4,931)	-54%	
4311 Student Materials	479	16,583	11,050	3,693	3,355	2,944	226	2,207	9,878	2,897	2,491	14,102	-	69,907	(11,115)	-19%	
4351 Office Supplies	218	4,011	4,019	3,486	2,499	2,121	1,906	2,382	2,209	2,187	1,723	3,025	-	29,786	1,653	5%	
4371 Custodial Supplies	217	151	2,084	1,246	472	1,657	1,514	2,086	1,041	1,512	996	1,230	-	14,206	(358)	-3%	
4391 Food (Non Nutrition Program)	94	139	5,017	1,079	1,630	806	2,329	758	2,399	1,868	1,512	5,238	-	22,867	(9,869)	-76%	
4392 Uniforms	-	-	-	1,558	5,175	3,589	-	-	48	4,629	6,835	805	-	22,640	(7,113)	-46%	
4393 PE & Sports Equipment	-	-	1,250	2,683	-	-	176	431	-	177	136	(177)	-	4,675	(563)	-14%	
4395 Before & After School Program Supplies	-	-	-	-	1,031	-	-	-	-	186	-	-	-	1,217	(1,217)	100%	
4399 All Other Supplies	28	1,016	2,151	1,978	(135)	645	1,038	537	679	282	2,890	3,414	-	14,523	6,131	30%	

ELEVATE SCHOOL
2023-24 Cash Flow Forecast
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	Actuals as of												6/30/2024	FORECAST	Budget Variance		
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL		Accrual	Jul-23 - Jun-24	Better / (Worse)
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24					
4390 Other Supplies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	65,922	(12,630)	-24%
4411 Non Capitalized Equipment	2,747	9,775	1,754	645	871	4,114	108	4,532	3,754	865	656	22,199	-	52,018	(11,700)	-29%	
4711 Nutrition Program Food & Supplies	-	334	7,169	21,130	22,779	17,567	12,137	21,660	20,080	23,163	-	46,108	-	192,125	(51,015)	-36%	
Total 4000 - Supplies	3,784	51,213	35,792	38,920	63,286	44,951	19,970	35,255	45,300	38,071	17,811	109,914	-	504,266	(86,941)	-21%	
5000 - Operating Services																	
5211 Travel & Conferences	-	250	197	255	161	-	3,745	1,499	296	(514)	176	190	-	6,254	2,561	29%	
5311 Dues & Memberships	9,171	8,916	180	-	(886)	-	3,600	-	-	-	119	519	-	21,618	(5,749)	-36%	
5451 General Insurance	-	-	-	-	-	-	-	-	-	-	-	35,859	-	35,859	4,141	10%	
5511 Utilities	-	2,043	-	(2,746)	-	2,652	-	3,282	-	-	-	4,416	-	9,647	9,550	50%	
5521 Security Services	-	-	-	-	-	-	-	-	-	-	195	-	-	195	(195)	100%	
5531 Housekeeping Services	6,099	5,365	3,120	4,150	4,120	3,737	6,695	3,497	5,058	4,295	3,466	4,220	-	53,820	(315)	-1%	
5599 Other Facility Operations & Utilities	-	108	108	(43)	1,647	108	1,815	600	199	402	1,518	2,682	-	9,143	3,268	26%	
5611 School Rent - Private Facility	25,054	25,054	25,054	25,054	25,054	25,054	25,054	25,054	25,054	25,054	25,054	25,054	-	300,650	(300,650)	100%	
5613 School Rent - Prop 39	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
5619 Other Facility Rentals	102,276	112,729	64,730	65,676	64,932	63,722	65,999	64,898	65,508	64,798	70,160	(546,546)	-	258,883	288,057	53%	
5621 Equipment Lease	766	3,587	4,478	3,190	1,807	6,351	2,916	3,536	3,789	5,800	2,004	(7,023)	-	31,202	(8,202)	-36%	
5631 Vendor Repairs	992	851	-	-	-	-	-	493	-	-	2,069	-	-	4,405	1	0%	
5812 Field Trips & Pupil Transportation	-	(360)	-	-	5,954	6,567	1,613	4,069	22,940	-	1,089	18,558	-	60,429	(15,429)	-34%	
5821 Legal	-	1,733	120	143	-	-	-	1,286	-	1,010	1,085	1,108	-	6,484	18,516	74%	
5823 Audit	-	-	-	4,212	-	-	2,106	2,106	-	-	1,500	5,317	-	15,241	497	3%	
5831 Advertisement & Recruitment	-	-	1,363	-	2,635	-	-	-	-	5,625	-	2,117	-	11,741	(4,758)	-68%	
5841 Contracted Substitute Teachers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
5842 Special Education Services	-	2,452	16,102	21,400	25,399	25,767	7,534	32,339	18,569	33,739	11,764	47,382	-	242,447	(82,447)	-52%	
5843 Non Public School	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15,000	100%	
5844 After School Services	-	1,800	9,625	2,697	3,571	-	23,660	2,606	10,574	9,879	23,871	19,500	-	107,782	(18,772)	-21%	
5849 Other Student Instructional Services	-	500	8,590	(390)	3,000	2,000	4,000	3,000	5,000	-	-	6,304	-	32,004	7,996	20%	
5852 PD Consultants & Tuition	2,700	2,700	-	4,275	11,838	(2,700)	-	2,000	1,500	1,500	-	4,000	-	27,813	22,187	44%	
5854 Nursing & Medical (Non-IEP)	-	-	-	94	-	-	-	-	-	-	114	418	-	626	(626)	100%	
5859 All Other Consultants & Services	13,400	24,463	24,800	-	58,378	23,108	12,861	250	18,520	17,147	28,425	45,997	-	267,348	(86,548)	-48%	
5861 Non Instructional Software	12,576	13,343	5,723	366	744	1,332	186	5,103	181	729	1,024	632	-	41,938	8,062	16%	
5865 Fundraising Cost	-	-	72	-	-	-	-	-	-	-	-	612	-	683	5,067	88%	
5871 District Oversight Fees	-	-	-	-	-	6,958	6,958	6,958	6,958	6,958	6,958	29,657	-	71,404	(17,740)	-33%	
5872 Special Education Fees (SELPA)	-	-	-	-	767	986	-	986	536	-	-	16,606	-	19,881	(6,603)	-50%	
5899 All Other Expenses	197	240	2,278	104	(681)	842	847	787	806	673	781	2,983	-	9,858	504	5%	
5911 Office Phone	1,768	-	2,512	1,349	1,321	-	1,321	2,644	1,332	-	-	3,703	-	15,950	4,952	24%	
5921 Internet	-	-	6,148	3,248	3,074	3,078	-	6,260	-	-	-	11,290	-	33,098	14,902	31%	
5923 Website Hosting	-	-	16	-	-	-	55	-	-	-	-	-	-	71	4,054	98%	
5931 Postage & Shipping	-	97	337	121	229	42	44	112	152	17	74	64	-	1,288	(135)	-12%	
5999 Other Communications	-	12	132	12	12	12	12	12	12	12	12	24	-	264	(94)	-56%	
Total 5000 - Operating Services	174,999	205,884	175,686	133,164	213,076	169,617	171,021	173,377	186,982	177,123	181,457	(264,358)	-	1,698,026	(138,946)	-9%	
6000 - Capital Outlay																	
6901 Depreciation Expense	3,856	3,856	3,856	3,856	4,366	4,008	4,008	4,008	4,008	4,008	3,983	4,065	-	47,876	(2,353)	-5%	
6911 Amortization Expense - Lease Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total 6000 - Capital Outlay	3,856	3,856	3,856	3,856	4,366	4,008	4,008	4,008	4,008	4,008	3,983	4,065	-	47,876	(2,353)	-5%	
7000 - Other Outgo																	
7438 Interest Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total 7000 - Other Outgo	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL EXPENSE	303,762	625,422	690,905	684,273	754,279	678,448	666,328	697,009	728,533	699,769	695,570	328,756	-	7,553,054	(108,360)	-1%	
NET INCOME	(226,075)	(312,063)	11,561	55,268	(132,162)	(140,647)	(100,599)	(57,366)	199,331	(95,221)	(237,757)	1,069,234	-	33,505	(31,162)	-48%	
Operating Income														81,380			
EBITDA														81,380			
Beginning Cash Balance	2,878,342	3,003,481	2,940,288	2,989,314	3,061,113	3,072,903	2,984,576	2,932,824	2,903,284	3,149,247	3,201,558	2,986,883	2,949,931	2,878,342	32,276		
Cash Flow from Operating Activities																	
Net Income	(226,075)	(312,063)	11,561	55,268	(132,162)	(140,647)	(100,599)	(57,366)	199,331	(95,221)	(237,757)	1,069,234	-	33,505	(31,162)		
Change in Accounts Receivable																	
Prior Year Accounts Receivable	409,654	62,328	27,283	24,041	955	57,229	25,880	600	-	72,151	-	(662,761)	-	17,359	(731,784)		
Current Year Accounts Receivable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	182,901		
Change in Due from	(13,239)	(30,120)	-	26,479	16,631	(640)	250	-	-	-	-	(200)	-	(840)	(840)		
Change in Accounts Payable	(17,665)	40,497	(57,992)	(30,495)	81,792	(36,909)	4,826	(24,690)	170	32,992	(23,385)	146,258	-	115,401	124,003		
Change in Due to	1,083,726	(953)	(3,577)	(827)	4,963	(7,173)	(20,702)	5,083	4,909	4,734	4,558	(557,935)	-	516,806	806,100		

ELEVATE SCHOOL
 2023-24 Cash Flow Forecast
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	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	Actuals as of	6/30/2024	FORECAST	Budget Variance	
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Accrual	Jul-23 - Jun-24	Better / (Worse)	% Better / (Worse)
Change in Accrued Vacation	-	-	-	-	-	-	-	-	-	-	-	(880)	-	(880)	(880)	
Change in Payroll Liabilities	(73,604)	41,895	30,272	3,914	(833)	(4,507)	(4,818)	2,168	(287)	(3,234)	2,075	5,055	-	(1,903)	(1,903)	
Change in Prepaid Expenditures	(2,690)	96,740	(2,173)	-	-	-	-	-	-	(4,125)	(5,328)	(36,588)	-	45,836	202,943	
Change in Deposits	-	-	-	-	-	-	-	-	(3,000)	-	-	-	-	(3,000)	(3,000)	
Change in Deferred Revenue	-	-	-	(50,405)	(2,049)	-	-	-	-	-	(4)	(34,626)	-	(87,084)	(87,084)	
Change in Other Long Term Assets	(1,038,821)	39,627	39,797	39,967	40,138	40,311	40,483	40,657	40,831	41,006	41,182	41,358	-	(593,464)		
Change in Other Long Term Liabilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Depreciation Expense	3,856	3,856	3,856	3,856	4,366	4,008	4,008	4,008	4,008	4,008	3,983	4,065	-	47,876	2,353	
Cash Flow from Investing Activities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Capital Expenditures	-	(5,000)	-	-	(2,010)	-	(1,080)	-	-	-	-	(9,933)	-	(18,023)	71,977	
Cash Flow from Financing Activities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Source - Sale of Receivables	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Use - Sale of Receivables	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Source - Loans	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Use - Loans	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Ending Cash Balance	3,003,481	2,940,288	2,989,314	3,061,113	3,072,903	2,984,576	2,932,824	2,903,284	3,149,247	3,201,558	2,986,883	2,949,931	2,949,931	2,949,931		(27,564)



**Elevate School
Financial Analysis
June 30, 2024 - Preliminary**

Net Income

Elevate School's Fiscal Year 2023-24 net income is \$33,505. This is \$31,162 less than the current board-approved budget.

Balance Sheet

As of June 30, 2024, the school's operating cash balance was \$1,816,973, with an additional amount of \$1,132,958 reserved for Economic Uncertainty.

As of June 30, 2024, the Accounts Receivable balance was \$825,077.

As of June 30, 2024, the Accounts Payable balance, including payroll liabilities, totaled \$298,073. The balance consists of \$181,460 for current payables, \$84,945 for current payroll liabilities, and \$31,668 for accrued payroll vacation.

Income Statement

Revenue

Total revenue for Fiscal Year 2023-24 is \$7,586,558, which is \$77,198 less than the board-approved budget.

- LCFF is \$216,572 unfavorable based on a 470 enrollment and 95.3% ADA, resulting in a 451.33 ADA.
- Federal Revenue is \$174,156 favorable due to an increase in PCSGP allocation and additional Impact Aid revenue.
- Other State Revenue is \$84,130 unfavorable due to a reduction in Learning Recovery BG revenue.
- Other Local Revenue is \$57,427 favorable due to an increase in State SPED Revenue and Interest Income.

Expenses

Total expenses for the year are \$7,553,054. This is \$108,360 more than the budgeted amount.

- Certificated Salaries are \$89,278 less than the budgeted amount due primarily to an adjustment to the FTE for staff members.
- Student Supplies are \$86,941 more than the budgeted amount due to Higher than expected Nutrition Program Food & Supplies.
- Operating Expenses are \$138,946 more than the budgeted amount due primarily to higher expenses in Special Education Services and All Other Consultants & Services.

**Elevate School
Check Register
From 06/01/2024 to 06/30/2024**

Check #	Vendor Name	Date	Description	Amount
1475M		6/7/2024 06/24 - PAYROLL		4,947.64
1476M	TONY LAW	6/7/2024 05/24-06/24 - CUSTODIAL SERVICES		519.75
1477M		6/7/2024 06/24 - PAYROLL		305.20
1478M		6/7/2024 06/24 - PAYROLL		1,352.80
1479M		6/7/2024 06/24 - PAYROLL		1,728.73
1480M		6/7/2024 06/24 - PAYROLL		7,028.88
1481M	DAWIT YEMANE	6/28/2024 MILEAGE		187.60
1482M	FAITH COMMUNITY CHURCH	6/28/2024 07/24 - RENT		25,240.00
1483M	DBA CITY VIEW CHURCH	6/28/2024 07/24 - OFFICE SPACE & MS CAMPUS RENTAL		21,000.00
1484M	KYLE LINNIK	6/28/2024 03/24 - STEAM NIGHT STIPEND		100.00
1485M	MICHELLE SAN PEDRO	6/28/2024 03/24 - STEAM NIGHT STIPEND		100.00
1486M		6/28/2024 06/24 - PAYROLL		329.92
1487M		6/28/2024 06/24 - PAYROLL		1,075.29
2406030-1019M	HEALTH NET OF CALIFORNIA, INC	6/3/2024 06/24 - HEALTH PREMIUM		17,923.20
2406060-1019M	BUSINESS CARD	6/6/2024 05/07/24-06/06/24 - CREDIT CARD PURCHASES		30,951.80
2406210-1019M	CHOICE BUILDER ADMINISTRATORS	6/21/2024 07/24 - HEALTH PREMIUM		4,149.72
2406250-1019M	KAISER FOUNDATION HEALTH PLAN INC	6/25/2024 07/24 - HEALTH PREMIUM		16,555.17
2406280-1019M	ASSURITY LIFE INSURANCE COMPANY	6/28/2024 06/24 - HEALTH PREMIUM		2,042.85
A017370	ODP BUSINESS SOLUTIONS LLC	6/6/2024 STAMPS, FOLDERS		83.26
A017563	TOP NOTCH CATERING	6/17/2024 05/24 - MEALS		42,242.75
A017564	ODP BUSINESS SOLUTIONS LLC	6/17/2024 TAPE, COPY PAPER, BLUE TAPE, CARDSTOCK, ETC		698.43
A017565	SOUND THERAPIES, INC.	6/17/2024 05/24 - SPEECH & LANGUAGE THERAPY		28,764.96
A017566	JEREMIAH GIRARD	6/17/2024 05/12/24-06/06/24 - MAINTENANCE & CUSTODIAL SERVICES		602.00
A017567	EXED	6/17/2024 05/24 - MANAGEMENT CONTRACT FEE, CALPADS & SIS SUPPORT SERV		11,458.49
A017568	OPEN WORKS	6/17/2024 06/24 - JANITORIAL SERVICES AT TS CAMPUS		2,734.00
A017569	YOUNG, MINNEY & CORR, LLP	6/17/2024 05/24 - LEGAL SERVICES		827.50
A017570	SCOTT DUKA	6/17/2024 AMAZON - CASTER WHEELS		21.54
A017571	DBA CITY VIEW CHURCH	6/17/2024 05/30/24 - FACILITY RENTAL - 10 YEAR CELEBRATION & TV REPAIR		2,823.24
A017572	DBA BEARCOM	6/17/2024 (20) TWO-WAY RADIOS		12,770.96
A017656	ODP BUSINESS SOLUTIONS LLC	6/21/2024 SHARPIES, COPY PAPER, NOTEBOOK, FOLDERS, PENCILS, ETC		373.57
A017657	MICHELLE SAN PEDRO	6/21/2024 TARGET - CREAMER, GRAHAM CRACKERS, MILK, FROSTING, ETC		204.17
A017658	DENISE FINNEY	6/21/2024 06/11/24-06/13/24 - EDUCATIONAL CONSULTATION		3,000.00
E015487	CINTAS	6/6/2024 SIG SANTS, MICROFIBER TOWELS, SANITIZER, ETC FOR SM CAMPUS		112.02
E015634	FRANKLIN COVEY CLIENT SALE INC.	6/17/2024 STUDENT & TEACHER LEADERSHIP GUIDE		4,903.36
E015635	SPECIALIZED THERAPY SERVICES, INC	6/17/2024 04/24 - APE & NURSING SERVICES		8,784.60
E015636	CINTAS	6/17/2024 MICROFIBER TOWELS, SIG SANTS, SANITIZER FOR TS CAMPUS		566.74
E015637	SHARP ELECTRONICS CORPORATION	6/17/2024 03/08/24-06/07/24 - COPIER LEASE MS CAMPUS		1,688.35
E015638	EMS LINQ INC	6/17/2024 07/01/24-06/30/25 - POS STUDENT MANAGEMENT		2,347.71
E015728	CINTAS	6/21/2024 SIG SANTS, MICROFIBER TOWELS, SANITIZER, ETC FOR SM CAMPUS		112.02
E015729	SPECIALIZED THERAPY SERVICES, INC	6/21/2024 05/24 - APE & NURSING SERVICES		7,132.00
E015730	FRANKLIN COVEY CLIENT SALE INC.	6/21/2024 07/14/24-06/30/25 -COACHING SUBSCRIPTION		8,835.00
P054917	INNOVATIVE IMPRINTS LLC	6/6/2024 10 YEAR CELEBRATION T-SHIRTS		6,366.17
P055422	JUEL COPELAND	6/17/2024 CHICK-FIL-A - LUNCH FOR LEADER IN ME TRAINING		17.79
P055423	RENAISSANCE	6/17/2024 EDUCLIMBER SOFTWARE LICENSE		11,145.56
P055424	BRENDA BEYER	6/17/2024 AMAZON - SMILEY STICKERS, STRESS BALLS, COSTCO - SNACKS		37.67
P055425	MICHELLE HUTCHINSON	6/17/2024 TREE RING - YEARBOOKS		698.50
P055426	CHARTER TECH SERVICES	6/17/2024 06/24 - MONTHLY TECH SERVICE		5,502.20
P055427	CHRISTY WHITE ASSOCIATES	6/17/2024 FY22-23 TAX SERVICES - 2022 TAX RETURN		2,436.00
P055428	NOEL BRAY-HOAGLAND	6/17/2024 AMAZON - MIRRORS AND LIGHTS		43.68
P055429	REDBEAK CREATIVE LLC	6/17/2024 04/25/24 - VIDEO PRODUCTION - PART 2 - 10 YEAR ANNIVERSARY		1,875.00
P055430	APEX THERAPIES, INC	6/17/2024 05/24 - OCCUPATIONAL THERAPY SERVICES		6,456.00
P055431	BILLY ATTINGER	6/17/2024 04/18/24-05/29/24 - MASCOT CHARACTER DESIGN & LOGO BRANDING		1,000.00
P055432	AZTEC LEASING, INC (SMX6071)	6/17/2024 05/10/24-06/09/24 - COPIER LEASE		261.84
P055433	DANIELLE ALDEN	6/17/2024 DOLLAR TREE - STYROFOAM & CONES FOR 10 YEAR CELEBRATION		56.57
P055434	SUNDOWN OUTDOOR MOVIES	6/17/2024 05/24 - RENTAL OF INDOOR MOVIE SCREEN FAMILY FUN		495.00
P055435	FAITH COMMUNITY CHURCH	6/17/2024 05/24 - ROOM RENTAL		1,000.00
P055436	BOARDONTRACK, INC	6/17/2024 07/01/24-06/30/25 - SOFTWARE FOR BOARDONTRACK		4,495.00
P055437	AZTEC LEASING, INC	6/17/2024 05/27/24-06/26/24 - COPIER LEASE		765.94
P055438	SAN DIEGO STATE UNIVERSITY FOUNDATION	6/17/2024 NO. 223152 - NCUST FOR THE PERIOD 07/01/2023 THRU 06/30/2024		6,000.00
P055439	IDENTITY THEFT GUARD SOLUTIONS, INC	6/17/2024 05/24 - IDENTITY THEFT PROTECTION		488.05
P055440	THE UNIFORM STORE	6/17/2024 GRADUATION STOLEES - 8TH GRADE		426.41
P055441	SARA KAZMIERSKI	6/17/2024 FIVE BELOW -TOYS, BALLS - PLAYGROUND EQUIP & PRIZES		77.65
P055442	SHARP ELECTRONICS CORPORATION	6/17/2024 04/26/24-05/26/24 - COPIER LEASE TS & SM CAMPUS		1,050.61
P055670	KCE CHAMPIONS LLC	6/21/2024 05/06/24-05/31/24 - AFTER SCHOOL TUITION		10,245.85
P055671	CAMILLE KLEPACZ	6/21/2024 SDSU - TUITION REIMBURSEMENT		1,000.00
P055672	EAGLE SOFTWARE	6/21/2024 07/01/24-06/30/25 - HOSTING SERVICES SUBSCRIPTION		13,535.00
P055673	A PLUS CHARTER CONSULTING	6/21/2024 FY24-25 - LCAP COMPLETION		3,000.00
Total				355,101.71

Coversheet

Approve 23-24 Unaudited Actuals

Section: II. Agenda Items
Item: C. Approve 23-24 Unaudited Actuals
Purpose: Vote
Submitted by:
Related Material: FY 24 EE Certification Form.pdf
FY 24 EE Unaudited Actuals Report.pdf

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2023-24 Unaudited Actuals
Charter School Alternative Form
Certification

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CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2023 to June 30, 2024

CHARTER SCHOOL CERTIFICATION

Charter School Name: Elevate
CDS #: 37-68338-0129395
Charter Approving Entity: San Diego Unified
County: San Diego
Charter #: 1633

NOTE: An Alternative Form submitted to the California Department of Education will not be considered a valid submission if the following information is missing:

For information regarding this report, please contact:

For County Fiscal Contact:	For Approving Entity:	For Charter School:
Roxanna Travers	Nadine Creer	DeAnna Jones
Name	Name	Name
Financial Accounting & Data Support Manager	Senior Financial Accountant	VP of School Finance
Title	Title	Title
(858)295-6700	(619)725-7592	(619)266-3230 ext. 308
Telephone	Telephone	Telephone
roxanna.travers@sdcoe.net	ncreer@sandi.net	djones@exed.org
Email address	Email address	Email address

To the entity that approved the charter school:

X 2023-24 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been approved, and is hereby filed by the charter school pursuant to Education Code Section 42100(b).

Signed: _____ Date: _____
Charter School Official
(Original signature required)
Printed Name: Ryan Elliott Title: _____

To the County Superintendent of Schools:

X 2023-24 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report is hereby filed with the County Superintendent pursuant to Education Code Section 42100(a).

Signed: _____ Date: _____
Authorized Representative of
Charter Approving Entity
(Original signature required)
Printed Name: _____ Title: _____

To the Superintendent of Public Instruction:

X 2023-24 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been verified for mathematical accuracy by the County Superintendent of Schools pursuant to Education Code Section 42100(a).

Signed: _____ Date: _____
County Superintendent/Designee
(Original signature required)

CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2023 to June 30, 2024

Charter School Name: Elevate
CDS #: 37-68338-0129395
Charter Approving Entity: San Diego Unified
County: San Diego
Charter #: 1633

This charter school uses the following basis of accounting:

(Please enter an "X" in the applicable box below; check only one box)

- Accrual Basis (Applicable Capital Assets/Interest on Long-Term Debt/Long-Term Liabilities/Net Position objects are 6900, 6910, 7438, 9400-9489, 9660-9669, 9796, and 9797)**
- Modified Accrual Basis (Applicable Capital Outlay/Debt Service/Fund Balance objects are 6100-6170, 6200-6500, 6600, 7438, 7439, and 9711-9789)**

Description	Object Code	Unrestricted	Restricted	Total
A. REVENUES				
1. LCFF Sources				
State Aid - Current Year	8011	916,995.00		916,995.00
Education Protection Account State Aid - Current Year	8012	90,266.00		90,266.00
State Aid - Prior Years	8019	(47,933.00)		(47,933.00)
Transfers to Charter Schools in Lieu of Property Taxes	8096	4,190,464.00		4,190,464.00
Other LCFF Transfers	8091, 8097			0.00
Total, LCFF Sources		5,149,792.00	0.00	5,149,792.00
2. Federal Revenues (see NOTE in Section L)				
Every Student Succeeds Act	8290		168,818.00	168,818.00
Special Education - Federal	8181, 8182		78,111.04	78,111.04
Child Nutrition - Federal	8220		53,143.76	53,143.76
Donated Food Commodities	8221		0.00	0.00
Other Federal Revenues	8110, 8260-8299	596,731.00	137,882.63	734,613.63
Total, Federal Revenues		596,731.00	437,955.43	1,034,686.43
3. Other State Revenues				
Special Education - State	StateRev SE		436,763.00	436,763.00
All Other State Revenues	StateRev AO	121,015.29	655,550.29	776,565.58
Total, Other State Revenues		121,015.29	1,092,313.29	1,213,328.58
4. Other Local Revenues				
All Other Local Revenues	LocalRev AO	188,751.39	0.00	188,751.39
Total, Local Revenues		188,751.39	0.00	188,751.39
5. TOTAL REVENUES				
		6,056,289.68	1,530,268.72	7,586,558.40
B. EXPENDITURES (see NOTE in Section L)				
1. Certificated Salaries				
Certificated Teachers' Salaries	1100	1,801,932.20	297,790.89	2,099,723.09
Certificated Pupil Support Salaries	1200	121,531.99	77,137.34	198,669.33
Certificated Supervisors' and Administrators' Salaries	1300	750,700.06	24,948.80	775,648.86
Other Certificated Salaries	1900	65,157.90	0.00	65,157.90
Total, Certificated Salaries		2,739,322.14	399,877.04	3,139,199.18
2. Noncertificated Salaries				
Noncertificated Instructional Salaries	2100	300,044.33	212,249.86	512,294.19
Noncertificated Support Salaries	2200	13,261.63	49,822.10	63,083.73
Noncertificated Supervisors' and Administrators' Salaries	2300	86,529.24	0.00	86,529.24
Clerical, Technical and Office Salaries	2400	305,384.78	380.39	305,765.17
Other Noncertificated Salaries	2900	0.00	3,877.25	3,877.25
Total, Noncertificated Salaries		705,219.98	266,329.60	971,549.58
3. Employee Benefits				
STRS	3101-3102	497,506.96	76,376.51	573,883.47
PERS	3201-3202	0.00	0.00	0.00
OASDI / Medicare / Alternative	3301-3302	91,174.90	26,172.43	117,347.33

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Health and Welfare Benefits	3401-3402	432,338.05	8,896.64	441,234.69
Unemployment Insurance	3501-3502	1,687.71	333.10	2,020.81
Workers' Compensation Insurance	3601-3602	52,433.45	2,232.73	54,666.18
OPEB, Allocated	3701-3702	0.00	0.00	0.00
OPEB, Active Employees	3751-3752	0.00	0.00	0.00
Other Employee Benefits	3901-3902	2,985.11	0.00	2,985.11
Total, Employee Benefits		1,078,126.17	114,011.42	1,192,137.59
4. Books and Supplies				
Approved Textbooks and Core Curricula Materials	4100	52,073.47	14,159.58	66,233.05
Books and Other Reference Materials	4200	0.00	14,068.90	14,068.90
Materials and Supplies	4300	95,399.25	84,421.93	179,821.18
Noncapitalized Equipment	4400	37,529.40	14,488.19	52,017.59
Food	4700	.25	192,125.00	192,125.25
Total, Books and Supplies		185,002.37	319,263.60	504,265.97
5. Services and Other Operating Expenditures				
Subagreements for Services	5100	0.00	0.00	0.00
Travel and Conferences	5200	6,254.47	0.00	6,254.47
Dues and Memberships	5300	18,293.47	3,325.00	21,618.47
Insurance	5400	35,859.00	0.00	35,859.00
Operations and Housekeeping Services	5500	20,440.99	52,364.41	72,805.40
Rentals, Leases, Repairs, and Noncap. Improvements	5600	572,478.38	22,661.09	595,139.47
Transfers of Direct Costs	5700-5799	0.00	0.00	0.00
Professional/Consulting Services and Operating Expend.	5800	478,234.48	437,443.92	915,678.40
Communications	5900	49,677.72	992.94	50,670.66
Total, Services and Other Operating Expenditures		1,181,238.51	516,787.36	1,698,025.87
6. Capital Outlay				
(Objects 6100-6170, 6200-6500 modified accrual basis only)				
Land and Land Improvements	6100-6170			0.00
Buildings and Improvements of Buildings	6200			0.00
Books and Media for New School Libraries or Major				
Expansion of School Libraries	6300			0.00
Equipment	6400			0.00
Equipment Replacement	6500			0.00
Lease Assets	6600			0.00
Subscription Assets	6700			0.00
Depreciation Expense (accrual basis only)	6900	39,277.97	8,597.66	47,875.63
Amortization Expense - Lease Assets	6910	0.00	0.00	0.00
Amortization Expense - Subscription Assets	6920			0.00
Total, Capital Outlay		39,277.97	8,597.66	47,875.63
7. Other Outgo				
Tuition to Other Schools	7110-7143			0.00
Transfers of Pass-Through Revenues to Other LEAs	7211-7213			0.00
Transfers of Apportionments to Other LEAs - Spec. Ed.	7221-7223SE			0.00
Transfers of Apportionments to Other LEAs - All Other	7221-7223AO			0.00
All Other Transfers	7281-7299			0.00
Transfers of Indirect Costs	7300-7399			0.00
Debt Service:				
Interest	7438	0.00	0.00	0.00
Principal (for modified accrual basis only)	7439			0.00
Total Debt Service		0.00	0.00	0.00
Total, Other Outgo		0.00	0.00	0.00
8. TOTAL EXPENDITURES		5,928,187.15	1,624,866.67	7,553,053.82
Description	Object Code	Unrestricted	Restricted	Total
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5-B8)		128,102.53	(94,597.95)	33,504.58
D. OTHER FINANCING SOURCES / USES				

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1.	Other Sources	8930-8979	0.00	0.00	0.00
	Less:				
2.	Other Uses	7630-7699	0.00	0.00	0.00
3.	Contributions Between Unrestricted and Restricted Accounts (must net to zero)	8980-8999	(86,000.02)	86,000.02	0.00
4.	TOTAL OTHER FINANCING SOURCES / USES		(86,000.02)	86,000.02	0.00
E.	NET INCREASE (DECREASE) IN FUND BALANCE /NET POSITION (C+D4)		42,102.51	(8,597.93)	33,504.58
F.	FUND BALANCE / NET POSITION				
1.	Beginning Fund Balance/Net Position				
a.	As of July 1	9791	2,606,916.80	40,211.00	2,647,127.80
b.	Adjustments/Restatements	9793, 9795	(45,996.77)	0.00	(45,996.77)
c.	Adjusted Beginning Fund Balance /Net Position		2,560,920.03	40,211.00	2,601,131.03
2.	Ending Fund Balance /Net Position, June 30 (E+F1c)		2,603,022.54	31,613.07	2,634,635.61
	Components of Ending Fund Balance (Modified Accrual Basis only)				
a.	Nonspendable				
1.	Revolving Cash (equals Object 9130)	9711			0.00
2.	Stores (equals Object 9320)	9712			0.00
3.	Prepaid Expenditures (equals Object 9330)	9713			0.00
4.	All Others	9719			0.00
b.	Restricted	9740			0.00
c.	Committed				
1.	Stabilization Arrangements	9750			0.00
2.	Other Commitments	9760			0.00
d.	Assigned	9780			0.00
e.	Unassigned/Unappropriated				
1.	Reserve for Economic Uncertainties	9789			0.00
2.	Unassigned/Unappropriated Amount	9790M			0.00
3.	Components of Ending Net Position (Accrual Basis only)				
a.	Net Investment in Capital Assets	9796	57,916.50	31,613.07	89,529.57
b.	Restricted Net Position	9797		0.00	0.00
c.	Unrestricted Net Position	9790A	2,545,106.04	0.00	2,545,106.04
	Description	Object Code	Unrestricted	Restricted	Total
G.	ASSETS				
1.	Cash				
	In County Treasury	9110	1,996,379.53	599,795.46	2,596,174.98
	Fair Value Adjustment to Cash in County Treasury	9111	(64,797.00)	0.00	(64,797.00)
	In Banks	9120	418,552.22	0.00	418,552.22
	In Revolving Fund	9130	0.00	0.00	0.00
	With Fiscal Agent/Trustee	9135	0.00	0.00	0.00
	Collections Awaiting Deposit	9140	0.00	0.00	0.00
2.	Investments	9150	0.00	0.00	0.00
3.	Accounts Receivable	9200	0.00	0.00	0.00
4.	Due from Grantor Governments	9290	473,097.31	351,980.73	825,078.04
5.	Stores	9320			0.00
6.	Prepaid Expenditures (Expenses)	9330	62,700.90	0.00	62,700.90
7.	Other Current Assets	9340	42,839.89	0.00	42,839.89
8.	Lease Receivable	9380	1,057,819.60	0.00	1,057,819.60
9.	Capital Assets (accrual basis only)	9400-9489	57,916.50	31,613.07	89,529.57
10.	TOTAL ASSETS		4,044,508.95	983,389.26	5,027,898.20
H.	DEFERRED OUTFLOWS OF RESOURCES				
1.	Deferred Outflows of Resources	9490			0.00
2.	TOTAL DEFERRED OUTFLOWS		0.00	0.00	0.00
I.	LIABILITIES				
1.	Accounts Payable	9500	266,403.84	0.00	266,403.84
2.	Due to Grantor Governments	9590	82,367.23	0.00	82,367.23
3.	Current Loans	9640	0.00	0.00	0.00

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4. Unearned Revenue	9650	0.00	951,776.19	951,776.19
5. Long-Term Liabilities (accrual basis only)	9660-9669	1,092,715.33	0.00	1,092,715.33
6. TOTAL LIABILITIES		1,441,486.40	951,776.19	2,393,262.59
J. DEFERRED INFLOWS OF RESOURCES				
1. Deferred Inflows of Resources	9690			0.00
2. TOTAL DEFERRED INFLOWS		0.00	0.00	0.00
K. FUND BALANCE /NET POSITION				
Ending Fund Balance /Net Position, June 30 (G10 + H2) - (I6 + J2) (must agree with Line F2)		2,603,022.55	31,613.07	2,634,635.61

L. FEDERAL EVERY STUDENT SUCCEEDS ACT (ESSA) MAINTENANCE OF EFFORT REQUIREMENT

NOTE: IF YOUR CHARTER SCHOOL RECEIVED FEDERAL FUNDING, AS REPORTED IN SECTION A2, THE FOLLOWING ADDITIONAL INFORMATION MUST BE PROVIDED IN ORDER FOR THE CDE TO CALCULATE COMPLIANCE WITH THE FEDERAL EVERY STUDENT SUCCEEDS ACT (ESSA) MAINTENANCE OF EFFORT REQUIREMENT:

1. Federal Revenue Used for Capital Outlay and Debt Service

Included in the Capital Outlay and Debt Service expenditures reported in sections B6 and B7 are the following amounts paid out of federal funds:

Federal Program Name (If no amounts, indicate "NONE")	Capital Outlay	Debt Service	Total
a. NONE	\$		0.00
b. _____			0.00
c. _____			0.00
d. _____			0.00
e. _____			0.00
f. _____			0.00
g. _____			0.00
h. _____			0.00
i. _____			0.00
j. _____			0.00
TOTAL FEDERAL REVENUES USED FOR CAPITAL OUTLAY AND DEBT SERVICE	0.00	0.00	0.00

2. Community Services Expenditures

Provide the amount of State and Local funds reported in Section B that were expended for Community Services Activities:

Objects of Expenditures	Amount (Enter "0.00" if none)
a. Certificated Salaries 1000-1999	0.00
b. Noncertificated Salaries 2000-2999	0.00
c. Employee Benefits 3000-3999	0.00
d. Books and Supplies 4000-4999	0.00
e. Services and Other Operating Expenditures 5000-5999	0.00
TOTAL COMMUNITY SERVICES EXPENDITURES	0.00

3. Supplemental State and Local Expenditures resulting from a Presidentially Declared Disaster

Date of Presidential Disaster Declaration	Brief Description (If no amounts, indicate "None")	Amount
a. _____	NONE	
b. _____		
c. _____		
d. _____		
TOTAL SUPPLEMENTAL EXPENDITURES (Should not be negative)		0.00

4. State and Local Expenditures to be Used for ESSA Annual Maintenance of Effort Calculation:

Results of this calculation will be used for comparison with 2022-23 expenditures. Failure to maintain the required 90 percent expenditure level on either an aggregate or per capita expenditure basis may result in reduction to allocations for covered programs in 2025-26.

a. Total Expenditures (B8)	7,553,053.82
b. Less Federal Expenditures (Total A2)	
[Revenues are used as proxy for expenditures because most federal revenues are normally recognized in the period that qualifying expenditures are incurred]	1,034,686.43
c. Subtotal of State & Local Expenditures [a minus b]	6,518,367.39
d. Less Community Services [L2 Total]	0.00
e. Less Capital Outlay & Debt Service [Total B6 plus objects 7438 and 7439, less L1 Total, less objects 6600 and 6910]	47,875.63
f. Less Supplemental Expenditures made as the result of a Presidentially	0.00

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Declared Disaster

TOTAL STATE & LOCAL EXPENDITURES SUBJECT TO MOE

[c minus d minus e minus f]

\$ 6,470,491.76

Coversheet

Approve Biennial Review of Conflict of Interest Code

Section: II. Agenda Items
Item: D. Approve Biennial Review of Conflict of Interest Code
Purpose: Vote
Submitted by:
Related Material: 2024.9.9 ElevateConflictofInterestCode - Revised .pdf
2024.9.9 Elevate School Biennial Notice Form.pdf

ELEVATE SCHOOL

CONFLICT OF INTEREST CODE

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Elevate School, a California nonprofit public benefit corporation, adopts this Conflict of Interest Code (“Code”), which shall apply to all board members, and all other designated employees of Elevate School, and Elevate Elementary, the public charter school it operates (“Charter School”), as required by California Government Code Section 87300.

II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

III. DESIGNATED REPORTERS

Board members and employees who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “Designated Reporters.” The Designated Reporters are listed in “Exhibit A” attached to this policy and incorporated by reference.

IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each Designated Reporter shall file a Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, Title 2, Section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in Exhibit A.

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific financial disclosure responsibilities assigned to each Designated Reporter are set forth in Exhibit B.

Filing of Annual Statements. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School’s filing officer shall make and retain a copy of the Statement and forward the original to the San Diego County Board of Supervisors.

V. DISQUALIFICATION

No Designated Reporter shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the Designated Reporter or a member of his or her immediate family.

VI. MANNER OF DISQUALIFICATION

A: Designated Reporters Who are NOT Board Members

When a Designated Reporter who is not a Board member determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Executive Director, who shall record the employee's disqualification. In the case of a conflict involving the Executive Director, this determination and disclosure shall be made in writing to the Board.

B: Board Member Designated Reporters

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

EXHIBIT A

DESIGNATED REPORTERS

Designated Position	Assigned Disclosure Category
Governing Board Members	1, 2, 3
Executive Director	1, 2, 3
Business Coordinator	1, 2, 3
Operations Manager	1, 2, 3
Assistant Director	1, 2, 3
Consultants/New Positions	*

*Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director may determine in writing that a particular consultant or new position, although a "designated position" is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Govt. Code §81008.)

EXHIBIT B

DISCLOSURE CATEGORIES

Category 1

Designated positions assigned to this category must report:

Interests in real property which are located in whole or in part within two (2) miles of any facility utilized by Elevate School, including any leaseholds, beneficial or ownership interest or option to acquire such interest in real property.

Category 2

Designated positions assigned to this category must report:

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type utilized by Elevate School.

Category 3

Designated positions assigned to this category must report:

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings of equipment of the type to be utilized by the designated positions department.

4872-6397-5394, v. 4

2024 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency’s code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

An amendment is required. The following amendments are necessary:

(Check all that apply.)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other *(describe)* _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency’s code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Designated Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, via email to:

Form700@sdcountry.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

Coversheet

Approve Educator Effectiveness Block Grant Expenditure Report

Section: II. Agenda Items
Item: E. Approve Educator Effectiveness Block Grant Expenditure Report
Purpose: Vote
Submitted by:
Related Material: 2024.9.9 Educator Effectiveness Block Grant Expenditure Report.pdf

Educator Effectiveness Block Grant Expenditure Report

September 9, 2024

The Elevate Board approved Elevate's Educator Effectiveness Block Grant Plan on December 9, 2021. Funds can be spent through the 2025-26 school year.

In the 2023-24 school year, Elevate spent \$37,000 on Professional Development and Induction expenses.

The remaining balance to be expended by June 30, 2026 is \$52,615.

Coversheet

Approve Board Policies - revised per YMC

Section: III. Consent Agenda
Item: A. Approve Board Policies - revised per YMC
Purpose: Vote

Submitted by:

Related Material:

2024.9.9 Universal School Meals Policy - Revised.pdf
2024.9.9 Educational Records and Student Information Policy - Revised.pdf
2024.9.9 Education of Foster Youth Policy - Revised.pdf
2024.9.9 Education of Homeless Children Policy - Revised.pdf
2024.9.9 Special Education Policy - Revised.pdf
2024.9.9 Section 504 Policy - Revised.pdf
2024.9.9 Student Freedom of Speech Policy - Revised.pdf
2024.9.9 Uniform Complaint Policy - Revised.pdf
2024.9.9 Harassment Intimidation Discrim. and Bullying Policy .pdf
2024.9.9 Title IX Policy Effective August 1 2024 .pdf
2024.9.9 Parent Engagement Policy - Revised.pdf

Board Policy #: BP 3001

Adopted/Ratified: September 21, 2019

Revision Dates: August 18, 2020, August 20, 2022



Inspiring tomorrow's innovators & leaders

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FREE AND REDUCED-PRICE MEALS POLICY

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

Definitions

“*Schoolday*” means any day that pupils in kindergarten or any of grades 1 to 12, inclusive, are present at a schoolsite or school facility for purposes of instruction or educational activities, as defined in Section 49010, including, but not limited to, pupil attendance at minimum days, state-funded preschool, transitional kindergarten, summer school including incoming kindergarten pupils, extended school year days, school-sponsored field trips, independent study when a pupil is onsite during the schoolday, and Saturday school sessions.

“*Nutritionally adequate breakfast*” is one that qualifies for reimbursement under the most current meal pattern for the federal School Breakfast Program (“SBP”), as defined in Section 220.8 of Title 7 of the Code of Federal Regulations.

“*Nutritionally adequate lunch*” is one that qualifies for reimbursement under the most current meal pattern for the federal National School Lunch Program (“NSLP”), as defined in Section 210.10 of Title 7 of the Code of Federal Regulations.

Commencing with the 2022-23 school year, each Elevate school site shall make available a nutritionally adequate breakfast and a nutritionally adequate lunch free of charge and with adequate time to eat, to any 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 breakfast meal per and one (1) free lunch each school day. This shall apply to all pupils in kindergarten through grade twelve (12).

Universal Free Meals Application and Notification

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

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

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

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

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

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

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

“About WIC and How to Apply,” or another Internet Web page identified by the State Department of Public Health that connects families to the Special Supplemental Nutrition Program for Women, Infants and Children.

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

Charter School shall ensure that a pupil is not denied an available reimbursable meal of the pupil’s choice and is not shamed or treated differently from other pupils due to the pupil’s eligibility for a federally reimbursable free or reduced-price meals. This paragraph does not prohibit Charter School from serving an alternative reimbursable meal to a pupil who may need one for dietary or religious reasons, or as a regular menu item.

If Charter School is required to provide to the California Department of Education or to the United States Department of Agriculture a copy of the meal charge policy required pursuant to memorandum SP 46-2016 issued by the United States Department of Agriculture, Charter School shall make that policy public.

Charter School personnel and volunteers who serves nutritionally adequate meals to pupils during the instructional day shall not allow any disciplinary action that is taken against a pupil to result in the denial or delay of a nutritionally adequate breakfast or a nutritionally adequate lunch, as defined in Section 49553, to that pupil.

Charter School shall not take any action directed at a pupil to collect school meal fees.

Direct Certification

Although every family should submit an application for school meals, in certain circumstances, TFSCS may be able to determine student eligibility without further application. TFSCS shall directly certify as eligible the following students:

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

This Policy prohibits the Charter School from disciplining a student which would result in the denial or delay of a nutritionally adequate meal to that student.

Confidentiality/Release of Records

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

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

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

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

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

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

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

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

This information released shall adhere to the following requirements:

1. Individual indicators of participation in a free or reduced-price meal program shall not be maintained in the permanent record of any pupil, unless otherwise authorized by law.
2. The public release of information regarding individual pupil participation in a free or reduced-price meal program is not permitted.
3. All other confidentiality requirements imposed by law or regulation are met.

USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 800877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination

Complaint Form, (AD-3027) found online at the Filing a Program Discrimination Complaint as a USDA Customer webpage (<https://www.ascr.usda.gov/filing-program-discrimination-complaintusda-customer>), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410
- (2) fax: 202-690-7442; or
- (3) email: program.intake@usda.gov

This institution is an equal opportunity provider.

Adopted/Ratified: May 15, 2018
Revision Dates: August 20, 2022



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EDUCATIONAL RECORDS AND STUDENT INFORMATION POLICY

The Board of Directors of Elevate School (“Elevate”) adopts this Educational Records and Student Information Policy to apply to all educational records and student information maintained by Elevate.

I. DEFINITIONS

1. Education Record

An education record is any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche that directly relates to a student and is maintained by Elevate or by a party acting for Elevate. Such information includes, but is not limited to:

- a. Date and place of birth; parent and/or guardian’s address, mother's maiden name and where the parties may be contacted for emergency purposes;
- b. Grades, test scores, courses taken, academic specializations and school activities;
- c. Special education records;
- d. Disciplinary records;
- e. Medical and health records;
- f. Attendance records and records of past schools attended;
- g. Personal information such as, but not limited to, a student’s name, the name of a student’s parent or other family member, student identification numbers, social security numbers, photographs, biometric record or any other type of information that aids in identification of a student.

An education record does not include any of the following:

- a. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
 - b. Records maintained by a law enforcement unit of Elevate that were created by that law enforcement unit for the purpose of law enforcement;
 - c. In the case of a person who is employed by Elevate but who is not in attendance at such agency or institution, records made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for use for any other purpose;
 - d. Records of a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at Elevate.
 - e. Records that only contain information about an individual after he or she is no longer a student at Elevate;
 - f. Grades on peer-graded papers before they are collected and recorded by a teacher.
2. Personally Identifiable Information

Personally identifiable information is information about a student that is contained in his or her education records that cannot be disclosed without compliance with the requirements of the Family Educational Rights and Privacy Act of 2001 ("FERPA"). Personally identifiable information includes, but is not limited to: a student's name; the name of a student's parent or other family member; the address of a student or student's family; a personal identifier, such as the student's Social Security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combinations, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who Elevate reasonably believes knows the identity of the student to whom the education record relates.

3. Directory Information

Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Elevate may disclose the personally identifiable information that it has designated as directory information, consistent with

the terms of Elevate annual notice provided pursuant to the Family Educational Rights and Privacy Act of 2001 (20 U.S.C. § 1232g) (“FERPA”). Elevate has designated the following information as directory information:

- Student’s name
- Student’s address
- Parent/guardian’s address
- Telephone listing
- Student’s electronic mail address
- Parent/guardian’s electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

4. Parent

Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

4. Eligible Student

Eligible student means a student who has reached eighteen (18) years of age.

5. School Official

A school official is a person employed by Elevate as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board of Directors of Elevate. A school official also may include a representative from San Diego Unified School District as part of its oversight, a volunteer for Elevate, consultant, vendor or an independent contractor outside of Elevate who performs an institutional

service or function for which Elevate would otherwise use its own employees and who is under the direct control of Elevate with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist, or contracted provider of digital educational platforms and/or services; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

6. Legitimate Educational Interest

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

II. DISCLOSURE OF DIRECTORY INFORMATION

At the beginning of each year, Elevate shall provide parents and eligible students with a notice containing the following information: 1) The type of personally identifiable information it designates as directory information; 2) The parent's or eligible student's right to request that Elevate not release "directory information" without obtaining prior written consent from parent or eligible student; and 3) The period of time within which a parent or eligible student may notify Elevate in writing of the categories of "directory information" that it may not disclose without the parent or eligible student's prior written consent. Elevate will continue to honor a valid request to opt out of the disclosure of a former student's directory information made while the former student was in attendance unless the student rescinds the opt out request.

III. ANNUAL NOTIFICATION TO PARENTS AND ELIGIBLE STUDENTS

At the beginning of each school year, in addition to the notice required for directory information, Elevate shall provide eligible students currently in attendance and parents of students currently in attendance with a notice of their rights under the FERPA. The notice shall inform the parents and eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that disclosure is permitted without prior written consent pursuant to FERPA; and
4. File with the U.S. Department of Education a complaint concerning alleged failures by Elevate to comply with the requirements of FERPA and its promulgated regulations.

5. Request that Elevate not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

1. The procedure for exercising the right to inspect and review educational records;
2. The procedure for requesting amendment of records;
3. A statement that Elevate forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer; and
4. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

IV. PARENTAL AND ELIGIBLE STUDENT RIGHTS RELATING TO EDUCATION RECORDS

Parents and eligible students have the right to review the student's education records. In order to do so, parents and eligible students shall submit a request to review education records in writing to the Principal/Executive Director. Within five (5) business days, Elevate shall comply with the request.

1. Copies of Education Records

Elevate will provide copies of requested documents within five (5) business days of a written request for copies. Elevate may charge reasonable fees for copies it provides to parents or eligible students. However, no charge shall be made for furnishing (1) up to two transcripts of former students' records or (2) up to two verifications of various records of former students. The charge will not include a fee to search for or to retrieve the education records.

2. Request for Amendment to Education Records

Following the inspection and review of a student's education record, a parent or eligible student may file a written request with the Executive Director to correct or remove any information in the student's education record that is any of the following:

- (1) Inaccurate;
- (2) An unsubstantiated personal conclusion or inference;
- (3) A conclusion or inference outside of the observer's area of competence;
- (4) Not based on the personal observation of a named person with the time and place of the observation noted;
- (5) Misleading; or
- (6) In violation of the privacy rights of the student.

Elevate will respond within thirty (30) days of the receipt of the request to amend. Elevate's response will be in writing and if the request for amendment is denied, Elevate will set forth the reason for the denial and inform the parent or eligible student of his or her right to a hearing challenging the content of the education record.

If the Executive Director sustains any or all of the allegations, he or she must order the correction or the removal and destruction of the information. The Principal or Principal's designee must then inform the parent or eligible student of the amendment in writing. If the Executive Director sustains the parent or eligible student's request to change the student's name and/or gender, Charter School shall add a new document to the student's record that includes all of the following information:

- a. The date of the request.
- b. The date the requested records were corrected.
- c. A list of the records requested to be corrected.
- d. The type of documentation, if any, provided to demonstrate a legal change to the student's name and/or gender. The parent or guardian of the student is not required to provide documentation of a legal change to the student's name and/or gender.
- e. The name of the employee that completed the request.
- f. The student's corrected and former names and/or genders.

Charter School shall immediately update a **former** student's records to include the student's updated legal name or gender if the Charter School receives government-issued documentation demonstrating that the former student's legal name or gender has been changed. Acceptable government issued identification includes but is not limited to:

- a. State-issued driver's license.
- b. Birth certificate.
- c. Passport.
- d. Social security card.
- e. Court order indicating a name change or a gender change, or both.

If requested by the former student, the Charter School shall reissue any documents conferred upon the former student with the former student's updated legal name or gender. Documents that may be reissued by Charter School include, but are not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents conferred upon the former student.

If a former student requests that their name or gender be changed and the requested records are reissued, the Charter School shall add a new document to the former student's file that includes all of the following:

- a. The date of the request.
- b. The date the requested records were reissued to the former student.
- c. A list of the records that were requested by, and reissued to, the former student.
- d. The type of documentation provided by the former student in order to demonstrate the legal name or gender change.
- e. The name of the school district, charter school, or county office of education staff person that completed the request.
- f. The current and former name or gender of the former student.

3. Hearing to Challenge Education Record

Elevate School

Adopted/Ratified: 5/15/2018

Revision Date: 8/20/2022

If Elevate denies a parent or eligible student's request to amend an education record, the parent or eligible student may, within thirty (30) days of the denial, request in writing that the parent or eligible student be given the opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading or in violation of the privacy rights of the student. Notice of the date, time and place of the hearing will be sent by Charter School to the parent or eligible student no later than twenty (20) days before the hearing.

Parent/Guardian or Eligible Student Rights at the Hearing

- To present information and evidence concerning a clerical or recording error in the education record which needs to be corrected. The hearing is not an opportunity to review substantive decisions by Charter School concerning evaluation of academic work or outcomes of disciplinary proceedings.
- To have the hearing adjudicated by a hearing entity that does not have a direct interest in the outcome of the hearing;
- To be advised by one or more individuals, including counsel at their own expense;
- To have a full and fair opportunity to present evidence concerning requested corrections to the education record;
- To receive, within a reasonable period of time after the hearing, but not more than thirty (30) business days, a written decision based solely on the evidence provided at the hearing. The decision will include a summary of evidence and reasons for the decision; and
- To submit a statement into the student's education record commenting on the contested portion of the record which will be provided to any person who later views that portion of their education record, if the amendment is denied.

Charter School Rights and Responsibilities When a Hearing is Requested

- Charter School shall appoint a neutral hearing entity that does not have a direct interest in the hearing outcome to preside over the hearing in accordance with FERPA requirements. The hearing shall in all respects be under the control of the hearing entity and shall not be subject to formal rules of evidence or procedure. The hearing entity may be either 1) a neutral hearing officer who is appointed by the Board Chair, and a Charter School employee, or 2) the Charter School Board of Directors.
- Charter School shall deny a request for a hearing when the proposed amendment to the education record includes anything more than correcting clerical errors.
- Charter School shall schedule a hearing within a reasonable time, but not more than thirty (30) business days, after receiving the hearing request.
- Charter School shall provide evidence to the hearing entity to support the previous determination not to amend the student's education record.

Role of the Hearing Entity

- To allow the parent/guardian or an eligible student the opportunity to present evidence relevant to the issues raised. The hearing entity has the right to determine whether particular evidence presented is relevant to the record and issue(s) in question.
- To make their decision solely on the evidence presented at the hearing.
- To provide the parent/guardian or eligible student with a written decision, including a summary of the evidence and reason for the decision within a reasonable period of time after the hearing.

Outcome

If the hearing entity finds that the record is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, Charter School will amend the record accordingly. The parent/guardian or eligible student will be notified in writing of the correction. If the hearing entity finds that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, Charter School will notify the student of the right to place a statement in the record commenting on the contested portion of the record, or stating why the student disagrees with the decision not to amend, or both. Charter School will maintain this statement with the contested portion of the student's education record for as long as the record is maintained. The statement will be disclosed whenever the Charter School is required to disclose the portion of the record to which the statement relates.

V. DISCLOSURE OF EDUCATION RECORDS AND DIRECTORY INFORMATION

Elevate must have a signed and dated written consent from the parent or eligible student before releasing any nondirectory information from a student's education record except as provided below. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records and Elevate shall provide the requestor with a copy of the records disclosed upon request. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent.

Elevate will only disclose personally identifiable information on the condition that the receiving party not disclose the information to any party without the prior written consent of the parent or eligible student and that the receiving party use the information for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below. Elevate must maintain the appropriate records related to these disclosure exceptions, as described below. Except for disclosures pursuant to a judicial order or lawfully issued subpoena, or directory information or to parents or eligible students, the Elevate will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior written consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made. Note specifically that Elevate will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

Elevate will disclose education records, without prior written consent of the parent or eligible student, to the following parties:

1. School officials who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, Elevate will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. Elevate will make a reasonable attempt to notify the parent or eligible student of the request for records at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, Elevate will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing pursuant to Section (IV)(3) above;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for Elevate in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or

eligible student may seek a protective order;

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

VI. SOLICITATION AND DISCLOSURE OF STUDENT INFORMATION FOR IMMIGRATION PURPOSES

Charter School shall observe the following:

1. Except as required by state or federal law or as required to administer a state or federally supported education program, Charter School officials and employees will not collect information or documents regarding citizenship or immigration status of students or their family members.
2. If Charter School possesses information that could indicate immigration status, citizenship status, or national origin information, Charter School will not use the acquired information to discriminate against any student or families or bar children from enrolling in or attending school.
3. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin, Charter School will not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.
4. Charter School will not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.
5. During the enrollment process:
 - a. Where permitted by law, Charter School shall accept alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.

- b. Charter School will not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.
 - c. Charter School will not collect entire social security numbers or cards or a statement that the parent or guardian does not possess a Social Security number for the purposes of enrollment, and failure to provide this information will not bar a student from enrolling or attending Charter School. However, the last four digits of an adult household member's Social Security number may be solicited and/or collected if required to establish eligibility for federal benefit programs such as free or reduced-price meals. This Social Security information will only be collected for the limited purpose of establishing eligibility for federal benefit programs and will not affect student enrollment.
6. Charter School will not release information to third parties for immigration-enforcement purposes, except as required by law or court order. Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the Charter School prohibits disclosure, Charter School shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information that this not otherwise subject to release, Charter School shall not release the information. Charter School will permanently keep the consent notice with the record file.

Charter School personnel shall take the following steps upon receiving an information request related to a student's or family's immigration or citizenship status:

1. Notify a designated Charter School official about the information request.
2. Provide students and families with appropriate notice and a description of the immigration officer's request.
3. Document any verbal or written request for information by immigration authorities.
4. Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.

VII. CONTRACT FOR DIGITAL STORAGE, MANAGEMENT, AND RETRIEVAL OF STUDENT RECORDS

The Charter School may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code section 49073.1 and other applicable state and federal laws.

VII. RECORD KEEPING REQUIREMENTS

Elevate will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.

For disclosures of personally identifiable information to institutions that make disclosures of the information on behalf of Elevate in accordance with 34 C.F.R. 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of Elevate and the legitimate interests that each of the additional parties has in requesting or obtaining the information.

These record keeping requirements do not apply to requests from or disclosure to parents and eligible students, Elevate officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.

The records relating to disclosures of personally identifiable student information may be inspected by parents and eligible students, Elevate officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of Elevate.

Student cumulative records may not be removed from the premises of Elevate, unless the individual removing the record has a legitimate educational interest, and is authorized by the Principal, or by a majority of a quorum of the Board of Directors at a duly agendized meeting. Employees who remove student cumulative records or other student records from the Elevate premises without a legitimate educational interest and authorization may be subject to discipline. Employees are permitted to take student work-product, or other appropriate student records, off premises without authorization for legitimate academic purposes (e.g. grading work-product, assigning credit, reviewing materials for classroom discussion, etc.)

IX. COMPLAINTS

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

Student Privacy Policy Office

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, D.C. 20202-8520

X. RECORD RETENTION

Charter School complies with the definition and retention of student records as established in Title 5 of the California Code of Regulations (“CCR”) sections 431 through 438, per the following:

Elevate School

Adopted/Ratified: 5/15/2018

Revision Date: 8/20/2022

- “*Mandatory Permanent Student Records*”: must be maintained indefinitely or an exact copy thereof for every student who was enrolled in the charter school. These records are defined as:
 1. Legal name of student
 2. Date of birth
 3. Method of verification of birth date
 4. Sex of student
 5. Place of birth
 6. Name and address of parent of minor student
 7. Address of minor student if different than above
 8. An annual verification of the name and address of the parent and the residence of the student
 9. Entering and leaving date of each school year and for any summer session or other extra session Subjects taken during each year, half year, summer session or quarter
 10. If marks or credit are given, the mark or number of credits toward graduation allows for work taken.
 11. Verification of or exemption from required immunizations
 12. Date of high school graduation or equivalent

The mandatory permanent student record or a copy thereof shall be forwarded by the Charter School upon request of a public or private school in which the student has enrolled or intends to enroll. If the Charter School forwards the original mandatory permanent student record, a copy must be maintained by the Charter School. If the Charter School forwards a copy, the original must be maintained by the Charter School.

- “*Mandatory Interim Student Records*”: Must be maintained until judged to be disposable defined as “when the student leaves the charter school or when their usefulness ceases.” These records may be destroyed during the third (3rd) school year following the determination that the records are disposable (i.e. 2019-2020 records may be destroyed after July 1, 2023). These records are defined as:
 1. A log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record. The log or record shall be accessible only to the legal parent or guardian or the eligible student, or a dependent adult student, or an adult student, or the custodian of records.
 2. Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver
 3. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
 4. Language training records
 5. Progress slips and/or notices
 6. Parental restrictions regarding access to directory information or related stipulations.
 7. Parental or adult student rejoinders to challenged records and to disciplinary action
 8. Parental authorizations or prohibitions of student participation in specific programs
 9. Results of standardized tests administered within the preceding three years

The mandatory interim student record or a copy thereof shall be forwarded by the Charter School upon request of a public school in California in which the student has enrolled or intends to enroll. If the transfer is to an out of state or to a private school, the mandatory interim student record may be forwarded. If the Charter School forwards the original mandatory interim student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.

- “*Permitted Student Records*”: may be maintained and may be destroyed when their usefulness ceases or after six (6) months following the student’s completion or withdrawal from school. These records are defined as:
 1. Objective counselor and/or teacher ratings
 2. Standardized test results older than three years
 3. Routine discipline data
 4. Verified reports of relevant behavioral patterns
 5. All disciplinary notices
 6. Attendance records not covered in 5 CCR § 400

Permitted student records may be forwarded upon a request by a public or private school in which a student is enrolling. If the Charter School forwards the original permitted student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.

Board Policy #: BP 6003
Adopted/Ratified: September 21, 2019
Revision Date: N/A
Revision Date: August 18, 2020, August 20, 2022



Inspiring tomorrow's innovators & leaders

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EDUCATION FOR FOSTER AND MOBILE YOUTH POLICY

Introduction

The Governing Board of Elevate School (“Elevate” or the “Charter School”) recognizes that Foster and Mobile Youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and charter school academic standards, Elevate shall provide them with full access to Elevate’s educational program and implement strategies identified as required by law and necessary for the improvement of the academic achievement of foster youth in Elevate’s local control and accountability plan (“LCAP”).

Definitions

- “*Foster youth*” means any of the following:
 1. A child who has been removed from their home pursuant to Section 309 of the California Welfare and Institutions Code (“WIC”).
 2. A child who is the subject of a petition filed pursuant to WIC section 300 or 602 (whether or not the child has been removed from the child’s home by juvenile court).
 3. 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.
 4. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
 - a. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
 - b. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
 - c. The nonminor is participating in a transitional independent living case plan.
 5. 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.¹
 6. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.

- “*Former juvenile court school student*” means a student who, upon completion of the student’s

¹ 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.

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

second year of high school, transfers from a juvenile court school to the Charter School.

- “*Child of a military family*” refers to a student who resides in the household of an active duty military member.
- “*Currently Migratory Child*” refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency (“LEA”), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. This 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.
- “*Newcomer pupil*” is a person aged 3 to 21 years, who was not born in any of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, and has not been attending one or more schools in any one or more of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, for more than three (3) full academic years.
- “*Educational Rights Holder*” (“ERH”) means a parent, guardian, or responsible adult appointed by a court to make educational decisions for a minor pursuant to WIC sections 319, 361 or 726, or a person holding the right to make educational decisions for the student pursuant to Education Code section 56055.
- “*School of origin*” means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the Charter School liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin. For a foster youth who is an individual with exceptional needs as defined in Education Code section 56026, “school” as used in the definition of “school of origin” includes a placement in a nonpublic, nonsectarian school as defined in Education Code section 56034, subject to the requirements of Education Code section 56325.
- “*Best interests*” means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all Charter School students.
- “*Partial coursework satisfactorily completed*” includes any portion of an individual course, even if the pupil did not complete the entire course.

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

Within this Policy, foster youth, former juvenile court school students, a child of a military family, a currently migratory child, and a newcomer pupil will be referred to collectively as “Foster and Mobile Youth.”

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

Foster and Mobile Youth Liaison

In order to help facilitate the enrollment, placement, and transfer of Foster and Mobile Youth to Elevate, the Governing Board shall designate a Foster and Mobile Youth liaison. The Governing Board designates the following position as Elevate's liaison for Foster and Mobile Youth:

Cassandra Bahr, Parent Engagement Coordinator
2285 Murray Ridge Road
San Diego, CA 92123
858-751-4774

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

1. Ensure and facilitate the proper educational placement, enrollment in Elevate, and checkout from Elevate of Foster and Mobile Youth.
2. Ensure proper transfer of credits, records, and grades when Foster and Mobile Youth transfer to or from Elevate.
3. When a foster youth is enrolling in Elevate, the Foster and Mobile Youth Liaison shall contact the school last attended by the student within two (2) business days to obtain all academic and other records. The last school attended by the foster youth shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. When a foster youth is transferring to a new school, the Foster and Mobile Youth Liaison shall provide the student's records to the new school within two (2) business days of receiving the new school's request, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to Elevate.
4. When required by law, notify the foster youth's ERH, attorney, county social worker, and the appropriate representative of the county child welfare agency, and an Indian child's ERH, tribal social worker and if applicable, county social worker of the student's expulsion or involuntary removal, and, at least ten (10) calendar days preceding the date of the following:
 - a. An expulsion hearing for a discretionary act under Elevate's charter.
 - b. Any meeting to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act under Elevate's charter. The foster youth's ERH, attorney, county social worker, an Indian child's ERH, tribal social worker and if applicable, county social worker, and the agency representative will be invited to participate.

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- c. A manifestation determination meeting prior to a change in the foster youth's placement if the change in placement is due to an act for which the recommendation for expulsion is discretionary and the student is a student with a disability under state and federal special education laws. The foster youth's ERH, attorney, county social worker, an Indian child's ERH, tribal social worker and if applicable, county social worker, and the agency representative will be invited to participate.
5. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.
6. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services.
7. Develop protocols and procedures for creating awareness for Charter School staff, including but not limited to Directors, Deans, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth.
8. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, and other appropriate agencies to help coordinate services for Elevate's foster youth.
9. Monitor the educational progress of foster youth and provide reports to the Principal or designee and the Governing Board based on indicators identified in Elevate's local control and accountability plan.

This Policy does not grant the Foster and Mobile Youth Liaison authority that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible person appointed by the court to represent the child pursuant to Welfare and Institutions Code sections 319, 361 or 726, a surrogate parent, or a foster parent exercising authority under Education Code section 56055. The role of the Foster and Mobile Youth Liaison is advisory with respect to placement options and determination of the school of origin.

School Stability and Enrollment

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

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin if it is their best interest. Elevate will immediately enroll a foster youth, a

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currently migratory child, or child of a military family seeking reenrollment in Elevate as their school of origin.

A foster youth, currently migratory child or child of a military family who seeks to transfer to Elevate will be immediately enrolled (subject to Elevate's capacity, if Elevate is not the student's school of origin, and pursuant to the procedures stated in Elevate's charter and Board policy) even if the student has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to meet normal enrollment documentation or school uniform requirements (e.g. producing medical records or academic records from a previous school).

At the initial detention or placement, or any subsequent change in placement, a foster youth may continue in their school of origin for the duration of the court's jurisdiction. A currently migratory child or a child of a military family may continue in their school of origin as long as the student meets the definition of a currently migratory child or a child of a military family as described above. Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the court's jurisdiction or termination of the child's status as a currently migratory child or child of a military family, as follows:

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

If the foster youth, currently migratory child or child of a military family is transitioning between school grade levels, the youth shall be allowed to continue in the district of origin in the same attendance area to provide the youth the benefit of matriculating with their peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The Foster and Mobile Youth Liaison may, in consultation with and with the agreement of the foster youth and the ERH for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the student be enrolled in any district school that the student would otherwise be eligible to attend as a resident of the school district or in Elevate consistent with current enrollment procedures. All decisions shall be made in accordance with the foster youth's best interests.

Prior to making any recommendation to move a foster youth from their school of origin, the Foster and Mobile Youth Liaison shall provide the foster youth and the foster youth's ERH with a written

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explanation of the basis for the recommendation and how the recommendation serves the foster youth's best interests.

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

If the Charter School operates an intersession program, Charter School shall grant priority access to foster youths. Notwithstanding any other law, if the foster youth will be moving during an intersession period, the pupil's educational rights holder, or Indian custodian in the case of an Indian child, shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by the Charter School on nonschooldays, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

Transportation

Elevate shall not be responsible for providing transportation to allow a foster youth to attend school, unless there is an agreement with a local child welfare agency that Elevate assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless required by federal law. Elevate is not prohibited from providing transportation, at its discretion, to allow a foster youth to attend school.

In accordance with Section 6312(c)(5) of Title 20 of the United States Code, Elevate shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of foster youth to maintain them in their school of origin, when it is in the best interest of the youth.

For any student who has an individualized education program ("IEP"), the student's IEP team will determine if the student requires special education transportation as a related service regardless of the student's status.

Effect of Absences on Grades

The grades of a foster youth shall not be lowered for any absence from Elevate that is due to either of the following circumstances:

- a. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date the student left school.
- b. A verified court appearance or related court-ordered activity.

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Revision Date: N/A

Transfer of Coursework and Credits

Elevate shall accept coursework satisfactorily completed by a Foster and Mobile Youth while attending another public school², a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency even if the student did not complete the entire course and shall issue that student full or partial credit for the coursework completed. The credits accepted pursuant to this paragraph shall be applied for enrollment purposes to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, charter school, school in a country other than the United States, or nonpublic, nonsectarian school. For purposes of the official transcript, the credits accepted pursuant to this paragraph shall be added to the credits earned from the same or equivalent course for purposes of calculating the total credits earned for the course but shall separately identify the school and local educational agency in which the credits were earned.

If a Foster and Mobile Youth transfers in or out of Charter School, Charter School shall issue the full and partial credits on an official transcript for the pupil and shall ensure the transcript includes all of the following:

1. All full and partial credits and grades earned based on any measure of full or partial coursework being satisfactorily completed, including a determination of the days of enrollment or seat time, or both, if applicable, at a school of that local educational agency or a prior local educational agency, or any other public school, juvenile court school, charter school, school in a country other than the United States, or nonpublic, nonsectarian school.
2. The credits and grades for each school and local educational agency listed separately so it is clear where they were earned.
3. A complete record of the pupil's seat time, including both period attendance and days of enrollment.

If Charter School has knowledge that the transcript from the transferring local educational agency may not include certain credits or grades for the pupil, it shall contact the prior local educational agency within two business days to request that the prior local educational agency issue full or partial credits pursuant to this paragraph. The prior local educational agency shall issue appropriate credits and provide all academic and other records to Charter School within two business days of the request.

² For purposes of coursework completed by a student who is a child of a military family, "public school" includes schools operated by the United States Department of Defense.

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Revision Date: N/A

If the Foster and Mobile Youth did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course that the student completed at another school unless Elevate, in consultation with the student's ERH, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a Foster and Mobile Youth in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

In no event shall Elevate prevent a Foster and Mobile Youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

Eligibility for Extracurricular Activities

A pupil who is in foster care whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

Waiver of Fees for Afterschool Programs

Elevate shall not charge any student who Elevate knows is currently in foster care any family fees associated with an After School Education and Safety ("ASES") Program operated by Elevate.

Student Records

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

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

Complaints of Noncompliance

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

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Adopted/Ratified: September 21, 2019
Revision Date: N/A

Board Policy #: BP 0002

Adopted/Ratified: September 21, 2019

Revision Dates: August 18, 2020, August 20, 2022



Inspiring tomorrow's innovators & leaders

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EDUCATION FOR HOMELESS CHILDREN AND YOUTH POLICY

Elevate School (“Elevate” or the “Charter School”) Governing Board desires to ensure that homeless children and youth are provided with equal access to its educational program, have an opportunity to meet the same challenging State academic standards, are provided a free and appropriate public education, are not stigmatized or segregated on the basis of their status as homeless, and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

Definition of Homeless Children and Youth

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

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

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

Charter School Liaison

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

Cassandra Bahr, Middle School Administrative Assistant
2285 Murray Ridge Road, San Diego, CA 92123

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The Charter School Liaison shall ensure that the following requirements are fulfilled by the Charter School (42 U.S.C. § 11432(g)(6)):

1. Homeless students are identified by school personnel through outreach and coordination activities with other entities and agencies, and through the annual housing questionnaire administered by Elevate.
2. Homeless students enroll in and have a full and equal opportunity to succeed at Elevate.
3. Homeless students and families receive educational services for which they are eligible, including: services through Head Start programs (including Early Head Start programs) under the Head Start Act; early intervention services under part C of the Individuals with Disabilities Education Act (“IDEA”); any other preschool programs administered by Elevate, if any; and referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, Elevate charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. Charter School personnel providing services receive professional development and other support.
9. The Charter School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.

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10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students and that the youths may obtain assistance from the Charter School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid.

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

Enrollment

The Charter School will work with homeless students and their parent/guardian to ensure that each student is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not necessarily limited to, interscholastic sports. All decisions regarding a homeless student'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.

Elevate shall immediately admit/enroll the student which the Charter School is a School of Origin. "School of Origin" means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

Elevate shall also immediately enroll a homeless youth who seeks to enroll in Elevate if the youth would otherwise be eligible to attend and (subject to Elevate's capacity and pursuant to the procedures stated in the Elevate charter and Board policy). A homeless youth who is enrolled will have the right to attend classes and participate fully in school activities, including extracurricular activities.

The youth shall be immediately enrolled even if the student lacks records normally required for enrollment (such as previous academic records, records of immunizations, other required health records, proof of residency) or has missed application or enrollment deadlines during any period of homelessness. Records will immediately be requested from the previous school. (42 U.S.C. § 11432(g)(3)(C); Education Code Section 48850(a)(3)(A).)

If the student needs to obtain immunizations or does not possess immunization or other medical records, the Executive Director or designee shall refer the parent/guardian to the Charter School Liaison. The Charter School Liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 U.S.C. § 11432(g)(3)(C).)

A homeless youth may remain in the student's school of origin for the entire period for which the youth is homeless. Homeless students have the right to remain in their school of origin following the termination of the child's status as a homeless student as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be

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allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.

2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the Charter School operates an intersession program, Charter School shall grant priority access to homeless students. Notwithstanding any other law, if the homeless student will be moving during an intersession period, the pupil's parent, guardian, educational rights holder ("ERH"), Indian custodian¹ in the case of an Indian child, or, if none of the preceding are applicable, an accompanied homeless student themselves shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by the Charter School on nonschooldays, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

Enrollment Disputes

If a dispute arises over admissions/enrollment, the student shall be immediately admitted (subject to Charter School's capacity and pursuant to the procedures stated in the Charter School charter and Board policy), pending final resolution of the dispute, including all available appeals.

¹ "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child. ~~Section 1903 of Title 25 of the United States Code~~

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The parent/guardian shall be provided with a written explanation of the admission/enrollment decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the Charter School Liaison.

The Charter School Liaison shall carry out the Board-adopted dispute resolution and complaint process as expeditiously as possible after receiving notice of the dispute.

Housing Questionnaire

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

Comparable Services

Each homeless child or youth shall promptly be provided services comparable to services offered to other students in Elevate such as (42 U.S.C. § 11432(g)(4)):

- Transportation services
- Educational services for which the child or youth meets eligibility criteria, such as educational programs for students with disabilities and educational programs for students with limited English proficiency
- Programs in vocational and technical education
- Programs for gifted and talented students
- Charter School nutrition programs

Transportation

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

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If Elevate does not otherwise provide transportation services to all Elevate students, Elevate shall ensure that transportation is provided for homeless students to and from Elevate, at the request of the parent or guardian (or Charter School Liaison) if Elevate is the student's school of origin. (42 U.S.C. § 11432(g)(1)(J).) Transportation provided by Elevate will be adequate and appropriate for the Student's situation, but Elevate does not commit to any one method of transportation for all youth.

Eligibility for Extracurricular Activities

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

Waiver of Fees for Afterschool Programs

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

Professional Development

All administrators, teachers and employees of Elevate, including the Charter School Liaison, will be provided professional development on the identification, services, and sensitivity necessary when dealing with homeless children and youth. The Charter School Liaison will verify that the Charter School is providing the required training to school personnel providing services to youth experiencing homelessness at least annually through the CDE's verification system. (Education Code Section 48852.5(c)(2).)

The Charter School Liaison shall offer training to Charter School certificated and classified employees providing services to students experiencing homelessness, including, but not limited to, teachers, support staff, and other school staff who work with pupils, at least annually relating to:

- (1) Charter School's homeless education program policies; and
- (2) Recognition of signs that pupils are experiencing, or are at risk of experiencing, homelessness.

The Charter School Liaison shall inform such employees of the availability of training and the services the Charter School Liaison provides to aid in the identification and provision of services to students who are experiencing, or are at risk of experiencing, homelessness.

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.

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

Notice

For any homeless student who seeks enrollment at the Charter School, written notice will be provided to the parent/guardian at the time of enrollment at least twice (2) annually while enrolled at the Charter School.

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Annual Policy Review

Elevate shall annually review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children and youths at Elevate. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school. Elevate's review of its homeless education program policies shall use resources developed by the CDE and posted on the CDE's internet website and resources developed by homeless education technical assistance centers established using funding from the American Rescue Plan Act of 2021.

School Website Posting

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

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

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.



SPECIAL EDUCATION POLICY

The Board of Directors of Elevate Elementary School (“Elevate” or the “Charter School”) recognizes the need to identify, evaluate, and serve students with disabilities in order to provide them with a free appropriate public education in the least restrictive environment. Accordingly, this Policy has been adopted consistent with Education Code section 56195.8.

Identification, Referral, and Evaluation for Special Education

Elevate shall follow applicable state and federal law and regulations and El Dorado County Charter Special Education Local Plan Area (“SELPA”) policy with respect to the identification, referral, and assessments of students for special education and related services.

Individualized Education Program (“IEP”) Team Meetings

Elevate shall convene IEP team meetings with the legally required composition within all legally applicable timelines, in accordance with state and federal law and regulations and SELPA policy.

If a student’s general or special education teacher requests a review of the student’s assigned class, Charter School shall ensure this review is conducted. A mandatory IEP meeting shall be convened if the review indicates a change to the student’s placement, instruction, related services, or any combination thereof may be required. The Education Specialist shall be responsible for completing the review within fifteen (15) school days of the teacher’s request.

Procedural Safeguards

Parents/guardians shall receive written notice of their rights in accordance with state and federal law and regulation, and SELPA policy.

Please see the Education Specialist for a copy of your procedural safeguards.

Nonpublic, Nonsectarian Services

Elevate may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program at Elevate is not available in accordance with Education Code section 56366 and Section 3062 of Title 5 of the California Code of Regulations. When entering into agreements with nonpublic, nonsectarian schools or agencies, Elevate shall consider the needs of the individual student and the recommendations of the IEP team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

In accordance with Education Code section 56366.1, when entering into a Master Contract with an NPS where Charter School has not previously placed a student, the Charter School shall conduct

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an onsite visit to the NPS at the time of placement. Charter School shall also conduct at least one onsite monitoring visit to the NPA during each school year in which the Charter School has a student attending pursuant to a Master Contract. The monitoring visit shall include the following:

- A review of services provided to the student through the individual service agreement between Charter School and the NPS;
- A review of progress the student is making toward the student's IEP goals;
- A review of progress the student is making toward the goals set forth in the student's behavior intervention plan;
- If applicable, an observation of the student during instruction;
- A walkthrough of the facility; and
- Any other reviews and/or observations deemed necessary by Charter School.

In accordance with Education Code section 56366.45, the Charter School shall, within fourteen (14) days of becoming aware of any change to the certification status of an NPS or NPA as a state-certified school or agency, inform parents/guardians of pupils who attend the NPS or receive services from the NPA, of the change in certification status. The notice to parents/guardians shall be sent via email or regular mail and include a copy of the procedural safeguards. The Charter School shall maintain a record of the notice and shall make this notice available for inspection upon request of the California Department of Education.

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Elevate shall follow state and federal law and regulations and SELPA policy when contracting with nonpublic, nonsectarian schools or agencies.

Resource Specialist Program

Elevate shall employ or contract with certificated resource specialists to provide services for students with disabilities which shall include, but not be limited to:

1. Providing instruction and services to students whose needs have been identified in an IEP developed by the IEP team and who are assigned to regular classroom teachers for a majority of the school day. Students shall not be enrolled in a resource specialist program for the majority of the school day without approval of the IEP team;
2. Providing information and assistance to students with disabilities and their parents/guardians;
3. Providing consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members;
4. Coordinating special education services with the regular school programs for each student with disabilities enrolled in the resource specialist program;
5. Monitoring student progress on a regular basis, participating in the review and revision of IEPs as appropriate, and referring students who do not demonstrate appropriate progress to the IEP team;
6. At the secondary school level, emphasizing academic achievement, career and vocational development, and preparation for adult life; and
7. Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes.

Elevate's resource specialist program shall be under the direction of a resource specialist who possesses:

1. A special education credential or clinical services credential with a special class authorization;
2. Three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing; and
3. Demonstration of competencies required for a resource specialist as established by the Commission on Teacher Credentialing.

The Executive Director shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, collective bargaining agreement, and/or SELPA policy. No resource specialist shall have a caseload which exceeds 28 students, unless a valid waiver is obtained through the State Board of Education, consistent with Title 5, California Code of Regulations, Section 3100.

Transportation

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Adopted/Ratified: [09/21/2019]

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Charter School shall ensure appropriate, no cost transportation services are provided for students with disabilities as specified in their IEP as a related service when required. The specific needs of the student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan. Mobile seating devices, when used, shall be compatible with the securement systems required by Federal Motor Vehicle Safety Standard No. 222 (49 C.F.R. 571.222). Elevate shall ensure school bus drivers are trained in the proper installation of mobile seating devices in the securement systems.

When transportation services are required, Executive Director or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Executive Director or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP.

Guide dogs, signal dogs and service dogs trained to provide assistance to persons with disabilities may be transported in a school bus when accompanied by students with disabilities, teachers with disabilities or persons training the dogs.

Elevate shall ensure that all school buses, school pupil activity buses, youth buses and child care motor vehicles are equipped with an operational child safety alert system. Charter School shall ensure that all buses are equipped with a passenger restraint system.

Information on the Number of Individuals with Exceptional Needs

Information regarding the number of individuals with exceptional needs who are being provided special education and related services shall be provided in accordance with state and federal law and regulation and SELPA policy.

Independent Educational Evaluations

A. IEE at Parent Expense

Elevate acknowledges that a parent/guardian has the right to obtain an independent educational evaluation(s) (“IEE”) at their own expense at any time. In these circumstances, the Executive Director or designee(s) shall ensure that the student’s IEP team shall consider the results of the

IEE when determining an offer of a free appropriate public education (“FAPE”) for the student. However, the results of an IEE will not dictate the IEP team’s determinations.

If a parent/guardian requests reimbursement for an IEE assessment obtained by the parent/guardian at their own expense, the Executive Director or designee(s) shall ensure that the unilaterally obtained IEE meets the following criteria:

1. The parent disagreed with the Charter School’s evaluation and the Charter School received a request within a reasonable time after receipt of the results of the evaluation.
2. The parent timely and upon request provided Charter School with written consent to exchange information with the examiner.
3. The private evaluation meets all criteria contained in this policy
4. The parent timely provided a copy of the written evaluation report and all other documents\tests related to the report.
5. The examiner attends the relevant IEP team meeting by phone or in person to discuss his or her findings and provides protocols of all assessments to Charter School.

The reimbursement will be in an amount no greater than the actual cost to the parents. Parents may only be reimbursed for one (1) IEE for each assessment area or discipline with which they disagree.

In all cases, if Charter School initiates a due process hearing to show that Charter School’s evaluation is appropriate, no reimbursement shall be made unless ordered by a Hearing Officer.

B. IEE at Public Expense

Elevate recognizes that federal and state laws provide parents/guardians of students with disabilities with the right to obtain an IEE, at public expense, when the parent/guardian disagrees with an assessment conducted by Charter School within the last two (2) years. Parents may only receive one (1) IEE for each assessment area or discipline with which they disagree.

The Executive Director or designee(s) shall ensure that when a parent/guardian requests an IEE at public expense, Charter School shall provide the parent/guardian with a copy of their Procedural Safeguards *and*, without unnecessary delay, either:

1. Initiate a due process hearing to show that the evaluation, completed by the Charter School, is appropriate; or
2. Provide the parent/guardian with information about where an IEE may be obtained, the Charter School’s criteria applicable for IEEs, and ensure that an IEE is provided at public expense.

Should the Charter School grant the parent’s request for an IEE, the Executive Director or designee(s) shall ensure the following:

1. The criteria under which the IEE is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that Charter School uses when it initiates an evaluation.
2. Charter School does not impose conditions or timelines related to obtaining an IEE at public expense.

3. All assessments shall be completed by persons competent to perform the assessment as determined by Charter School. Parent has the right to choose the examiner.
4. If the original evaluation completed by Charter School included in-class observation of the student, an equivalent opportunity shall apply to an independent educational assessment of the pupil in the pupil's current educational placement and setting.
5. A parent/guardian shall have the opportunity to demonstrate that unique circumstances justify a waiver of any of the criteria listed above as defined by Charter School.
6. The evaluator must prepare and sign a full evaluation report containing:
 - a. A list of all information/data reviewed.
 - b. A clear explanation of the testing and assessment results.
 - c. A complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and sub-test scores reported in standard, scaled or T-score format.
 - d. A complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
 - e. Recommendations for IEP team consideration for educational programming and, if appropriate, placement that is educationally relevant and realistic within a public educational setting.

The cost determination for an IEE shall be comparable to the costs incurred by Charter School when it uses its own employees or contractors to complete an assessment, whenever possible and shall reflect reasonable and customary rates for such services in the area. As a result, the Executive Director or designee(s) shall provide a parent/guardian with a recommended cost ceiling. The cost ceiling shall be updated (*once every three (3) years*) and determined by averaging the cost of the following three factors:

1. The cost of an assessment provided by a Charter School employee.
2. The cost of an assessment provided by a neighboring local educational agency.
3. The cost of an assessment provided by a private service provider, with appropriate qualification, within (*40 miles*) from the Charter School.

The Executive Director or designee(s) may consider a parent/guardian's demonstration of any unique circumstances related to the student's education need(s), that justify a financial waiver of any additional cost for an IEE, above the cost ceiling established by the Charter School.

The Executive Director or designee(s) shall ensure a parent/guardian voluntarily have their private health insurance pay the costs of the IEE if covered by their insurance. However, Charter School recognizes that federal and state laws specify that parents/guardians are not required to have private insurance cover the costs of an IEE if the process would result in a financial cost to the parent/guardian including but not limited to:

1. A decrease in available lifetime coverage or any other benefit under an insurance policy;
2. An increase in premiums or the discontinuance of the policy; or
3. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim.



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

A. SECTION 504 POLICY

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

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

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

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

SECTION 504: POLICY, PROCEDURES & PARENT RIGHTS REGARDING IDENTIFICATION, EVALUATION AND EDUCATION | ELEVATE ELEMENTARY

Board Policy #: [BP 6002]

Adopted/Ratified: [09/21/2019]

Revision Date: [NA]

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

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

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

B. SECTION 504 PROCEDURES

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by Elevate.
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within these Procedures, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school–sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for oneself, performing manual

tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.

7. Physical or Mental Impairment –

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

8. **504 Coordinator** – The School Counselor shall serve as the School’s Section 504 Coordinator. The parents or guardians may request a Section 504 due process hearing from or direct any questions or concerns to the Section 504 Coordinator at 858-751-4774.

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

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

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

B. Referral, Assessment and Evaluation Procedures

1. Elevate will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.

2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another School employee will be forwarded to the Section 504 Coordinator.
3. Elevate has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who have or may have a disability are referred to the Section 504 Coordinator so that the assessment process is initiated.
4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately

and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.

8. Mitigating measures cannot be considered when evaluating whether or not a student has a substantially limiting impairment. Mitigating measures could include medications, prosthetic devices, assistive devices, or learned behavioral or adaptive neurological modifications a student uses to eliminate or reduce the effects of an impairment.
9. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
10. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as having a disability within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a FAPE.
2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
3. For each identified eligible student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the eligible student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.

5. The eligible student shall be placed in the regular education environment unless it is demonstrated that the student’s needs cannot be met in the regular education environment with supplementary aids and services. The student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed fifty (50) school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning the student’s identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student has a disability but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a person with a disability under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student’s needs, and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.
10. Elevate shall immediately implement a student’s prior 504 Plan, when a student enrolls at the School. Within thirty (30) days of starting school, Elevate shall schedule a 504 Team meeting to review the existing 504 Plan. Elevate shall request a copy of the prior 504 plan from both the prior school and the parent/guardian.
11. A parent, guardian, or Charter School shall have the right to audio record the proceedings of any team meetings held pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794). The parent or guardian or Charter School shall notify the members of the team of the parent’s, guardian’s, or Charter School’s intent to audio record a meeting at least 24 hours before the meeting. If Charter School initiates the notice of intent to audio record a meeting and the parent or guardian objects or refuses to attend the meeting because it will be audio recorded, the meeting shall not be audio recorded.

D. Review of the Student’s Progress

1. The 504 Team shall monitor the progress of the eligible student and the effectiveness of the student’s 504 Plan. According to the review schedule set out in the student’s 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student’s needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
 - Examine relevant records

- Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
 - Have the right to file a Uniform Complaint pursuant to school policy
 - Seek review in federal court if the parents/guardians disagree with the hearing decision.
2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to the following:
Jillian Williams, 504 Coordinator
2285 Murray Ridge Road
858-751-4774

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

3. The Executive Director or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with Elevate or any district within the El Dorado County Charter SELPA or the San Diego County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
- The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.
 - Any other information the parent/guardian believes is pertinent.
5. Within five (5) calendar days of receiving the parent/guardian's request for a hearing, Elevate may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the School. Alternative dispute resolution options include:
- Mediation by a neutral third party.
 - Review of the 504 Plan by the Executive Director or designee.

6. Within ten (10) calendar days of receiving the parent/guardian's request, the Executive Director or designee shall select an impartial hearing officer. These 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Executive Director.
7. Within thirty-five (35) calendar days of the selection of the hearing officer, the due process hearing shall be conducted. These thirty-five (35) days may be extended for good cause or by mutual agreement of the parent/guardian and Executive Director.
8. The parent/guardian and the School shall be afforded the rights to:
 - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as having a disability under Section 504.
 - Present written and oral evidence.
 - Question and cross-examine witnesses.
 - Receive written findings by the hearing officer.
9. The hearing officer shall issue a written decision within ten (10) calendar days of the hearing.
10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.
11. Elevate shall not retaliate in any way against parents/guardians or students who exercise any rights under the procedural safeguards and/or Section 504.

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

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

1. Services During Suspension

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

2. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

3. Appeals

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

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

4. Special Circumstances

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

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

5. Interim Alternative Educational Setting

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

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

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

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Elevate 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 Elevate personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Elevate supervisory personnel.

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

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

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

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

The following is a description of the rights granted by federal law to students with disabilities.

SECTION 504: POLICY, PROCEDURES & PARENT RIGHTS REGARDING IDENTIFICATION, EVALUATION AND EDUCATION | ELEVATE ELEMENTARY
Board Policy #: [BP 6002]
Adopted/Ratified: [09/21/2019]
Revision Date: [NA]

The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her disabling condition.
2. Have Elevate advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have Elevate make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Improvement Act (IDEA 2004).
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options. This includes the right to an evaluation before the initial placement of the student and before any subsequent significant change in placement.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by Elevate.
9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Obtain a response from Elevate to reasonable requests for explanations and interpretations of your child's records.
12. Request an amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If Elevate refuses this request for amendment, the School shall notify you within a reasonable time and advise you of your right to an impartial hearing.

13. Request mediation or file a grievance in accordance with Elevate's Section 504 mediation grievance and hearing procedures, outlined above.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to Elevate's Uniform Complaint Policy and Procedures. Please ask the Executive Director for a copy of the School's Uniform Complaint Policy and Procedures if you need one.
16. File a formal complaint with the U.S. Department of Education.

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

17. Be free from any retaliation from Elevate for exercising any of these rights.

Please contact Kathy Kirk, 504 Coordinator, c/o Elevate Elementary School, 2285 Murray Ridge Road, San Diego, CA 92123, 858-751-4774 with any questions regarding the information contained herein.

Board Policy #: BP 5005
Adopted/Ratified: September 21, 2019
Revision Date: 8/18/2020, 8/20/2022



Inspiring tomorrow's innovators & leaders

2285 Murray Ridge Rd.
San Diego, CA 92123

tel: 858.751.4774
email: info@elevateschool.com

STUDENT FREEDOM OF SPEECH AND EXPRESSION POLICY

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

A. Definitions:

1. **Obscenity:** when the (1) average person applying current community standards finds the work as a whole appeals to the prurient interest, (2) the work is patently offensive, and (3) the work lacks serious literary, artistic, political, or scientific value. Examples include pornography or sexually explicit material.
2. **Defamation:** Libel (written defamation) and Slander (oral defamation), which includes but is not limited to inaccurately attributing a statement to another, either on purpose for public officials (which includes Charter School staff) or by mistake for private officials, that mischaracterizes the statement.
3. **Discriminatory Material:** material that demeans a person or group because of the person/group’s mental or physical disability, sex (including pregnancy and related conditions and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation that has the purpose of humiliating, offending, or provoking a person/group.
4. **Harassment (including sexual harassment), Intimidation and/or Bullying:** severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an

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Adopted/Ratified: September 21, 2019

Revision Date: N/A

intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following: (1) placing a reasonable student or students in fear of harm to that student's or those students' person or property, (2) causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health, (3) causing a reasonable student to experience a substantial interference with his or her academic performance, (4) causing a reasonable student to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

5. **Fighting Words:** words likely to cause (1) the average person to fight or (2) the creation of a clear and present danger of violence, unlawful acts in violation of lawful school regulations, or the substantial disruption of school.
6. **Vulgarity and/or Profanity:** the continual use of curse words by a student, even after warning.
7. **Violating Privacy:** publicizing or distributing confidential or private material without permission.

On-Campus Expression

Student free speech rights include, but are not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school or by use of school facilities. Student expression on or through the Charter School's website, social media, or other school-sponsored platforms or devices shall generally be afforded the same protections and subject to the same limitations as printed material within the Policy. Students' use of Charter School technology, devices, platforms and accounts remain subject to Charter School's Student Technology Policy and Acceptable Use Agreement.

Student freedom of expression shall be limited only as allowed by state and federal law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community.

Unprotected Expression includes the following: obscenity; defamation; discriminatory material; harassment (including sexual harassment), intimidation and/or bullying; fighting words; vulgarity and/or profanity; or violating privacy as defined above. Also prohibited shall be material that incites a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations or the substantial disruption of the orderly operation of Elevate.

Distribution of Circulars, Un-Official Newspapers, and Other Printed Material

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Adopted/Ratified: September 21, 2019
Revision Date: N/A

Free inquiry and exchange of ideas are essential parts of a democratic education. Students shall be allowed to distribute circulars, leaflets, newspapers, and pictorial or other printed matter, and to circulate petitions, subject to the following specific limitations:

1. The material to be distributed shall be submitted to the Charter School Principal or designee at least one (1) school day prior to distribution. The Charter School Principal or designee shall review material submitted in a reasonable amount of time and shall allow the approved material to be distributed according to the time and manner established by this Policy. The Charter School Executive Director or designee shall notify student(s) if distribution will be granted or denied (and if denied, why distribution is not in compliance with this Policy).
2. Distribution, free or for a fee, may take place before school, after school, and/or during lunch provided there is no substantial disruption in the school programs (as determined by the Charter School Principal). Distribution may not occur during instructional time and should not occur in locations that disrupt the normal flow of traffic within the school or at school entrances.
3. The manner of distribution shall be such that coercion is not used to induce students to accept the printed material or to sign petitions.
4. The solicitation of signatures must not take place in instructional classes or school offices, nor be substantially disruptive to the school program (as determined by the Charter School Principal or designee).

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

Official School Publications

Student editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this Policy. However, it shall be the responsibility of the journalism staff adviser(s) of student publications to supervise the production of the student staff, to maintain professional standards of English and journalism, and to maintain the provisions of this Policy.¹ The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication.

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

¹ "Official school publications" refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

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Adopted/Ratified: September 21, 2019
Revision Date: N/A

adviser(s) consider material submitted for publication to violate this Policy, he or she will notify the student without undue delay and give specific reasons why the submitted material may not be published. The student should be given the opportunity to modify the material or appeal the decision of the journalism staff adviser to the Charter School Principal.

Buttons, Badges, and Other Insignia of Symbolic Expression

Students shall be permitted to wear buttons, badges, armbands, and other insignia as a form of expression, subject to the prohibitions enumerated in this Policy.

Use of Bulletin Boards

Students will be provided with bulletin boards, upon request and subject to availability, for use in posting student materials on campus locations convenient to student use. Where feasible, the location and quantity of such bulletin boards shall be by mutual agreement of student government representatives and Elevate administration. Posted material must be in compliance with other sections of this Policy, particularly regarding the distribution of materials and prohibited speech. Students may not post or distribute materials regarding the meetings of non-curricular student initiated groups.

Organized Demonstrations

Students have the right to lawful organized on-campus demonstrations, subject to the provisions of this Policy and applicable law. Demonstrations that incite students to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or demonstrations that substantially disrupt the orderly operation of the school are prohibited.

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

B. Student Speeches

If a student is selected to speak at a Charter School sponsored event, including but not limited to graduation or school assemblies, Charter School has the right to review the pre-prepared speech to

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 Adopted/Ratified: September 21, 2019
 Revision Date: N/A

ensure that unprotected speech is not included. If unprotected speech is included, the student will be given the opportunity to revise the speech or deliver a modified speech. If not revised or removed, the student will not be permitted to speak at the Charter School sponsored event.

C. Off-Campus Expression

Off-campus student expression, including but not limited to student expression on non-school sponsored internet web sites, personal social media or email accounts, or via text messages sent on a personal device outside of school hours, is generally constitutionally protected but shall be subject to discipline when there is a sufficient nexus between the speech and the school.

Relevant considerations include:

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

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

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

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

D. Enforcement

1. Upon learning that students are considering actions in the areas covered by this Policy. they will be informed of the possible consequences of their action under each specific circumstance. The Charter School Principal shall ensure that due process is followed when resolving disputes regarding student freedom of expression.
2. This Policy does not prohibit or prevent the Elevate Governing Board from adopting otherwise valid rules and regulations relating to oral communications by students upon the Elevate campus.

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Adopted/Ratified: September 21, 2019
Revision Date: N/A

3. No Elevate employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in the conduct authorized under this Policy, or refusing to infringe upon conduct that is authorized under this Policy, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.
4. Elevate shall not make or enforce a rule subjecting a student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

E. Complaints and Appeals

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

1. The student and faculty member shall first attempt to resolve the problem internally.
2. If the student and faculty member are unable to resolve the dispute, the student and/or faculty member may bring the matter to the Charter School Principal or designee, who shall hear both sides and strive to resolve the dispute as quickly as possible.
3. Any student or faculty member may appeal the decision of the Charter School Principal or designee to the Board who shall render a decision within a reasonable period of time after receipt of the appeal. The appeal by the student must be made within five (5) school days from the time the unsatisfactory decision was rendered.

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

ELEVATE SCHOOL

UNIFORM COMPLAINT POLICY AND PROCEDURES

Elevate School's ("Charter School's") complies with applicable federal and state laws and regulations. The Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for compliance and/or conducting investigations shall be knowledgeable about the laws and programs, which they are assigned to investigate.

Scope

This complaint procedure is adopted to provide a uniform system of complaint processing ("UCP") for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity. Unlawful discrimination includes, but is not limited to, noncompliance with Education Code sections 243(a) or 244(a).
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - Accommodations for Pregnant, Parenting or Lactating Students;
 - Adult Education;
 - Career Technical and Technical Education;
 - Career Technical and Technical Training;
 - Child Care and Development Programs; Child Nutrition Programs
 - Consolidated Categorical Aid;
 - 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;
 - School Safety Plans; and/or
 - State Preschool Programs.
3. Complaints alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.

- a. “Educational activity” means an activity offered by the charter school that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents/guardians, in violation of Education Code section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a 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.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
 - c. Complaints regarding pupil fees, local control and accountability plans (“LCAP”), or noncompliance with Education Code sections 243 or 244 only, may be filed anonymously (without an identifying signature) if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the respective applicable laws.
 - d. If the Charter School finds merit in a pupil fees complaint, or the California Department of Education (“CDE”) finds merit in an appeal, the Charter School shall provide a remedy to all affected pupils, parents/guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents/guardians, subject to procedures established through regulations adopted by the state board.
 - e. Nothing in this Policy shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.
4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or LCAP under Education Code sections 47606.5 and 47607.3, as applicable. If Charter School adopts a School Plan for Student Achievement in addition to its LCAP, complaints of noncompliance with the requirements of the School Plan for Student Achievement under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under this Policy.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 no longer fall under the UCP. Instead, they 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 no longer fall under the UCP. Instead, they 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.

The Charter School acknowledges and respects every individual’s rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible and as permitted by law) confidentiality of the parties, including but not limited to the identity of the complainant, and maintains the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent required by law or necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case-by-case basis. Charter School shall ensure that complainants are protected from retaliation.

Compliance Officers

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School’s compliance with law:

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

The Executive Director or designee shall ensure that the compliance officer(s) designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. The compliance officer may have access to legal counsel as determined by the Executive Director or designee.

Should a complaint be filed against the Executive Director, the compliance officer for that case shall be the Board Chair of the Charter School Board of Directors.

Notifications

The Executive Director or designee shall make available copies of this Policy free of charge. The annual notice of this Policy may be made available on the Charter School’s website.

The Charter School shall annually provide written notification of the Charter School’s uniform complaint procedures to employees, students, parents/guardians, advisory committees, private school officials or

representatives, and other interested parties as applicable.

The annual notice shall be in English. When necessary under Education Code section 48985, if fifteen (15) percent or more of the pupils enrolled in the Charter School speak a single primary language other than English, this annual notice will also be provided to the parent/guardian of any such students in their primary language.

The annual notice shall include the following:

1. A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.
2. A statement clearly identifying any California State preschool programs that Charter School is operating as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations, and any California State preschool programs that Charter School is operating pursuant to Title 22 licensing requirements.
3. A statement that the Charter School is primarily responsible for compliance with federal and state laws and regulations.
4. A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
5. A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.
6. A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.
7. A statement that the complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of Charter School's decision, except of Charter School has used its UCP to address a complaint that is not subject to the UCP requirements.
8. A statement that a complainant who appeals Charter School'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.
9. A statement that if Charter School finds merit in a UCP complaint, or the CDE finds merit in an appeal, Charter School 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.

10. A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3.

11. A statement that copies of Charter School's UCP shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations enumerated in the section "Scope," above. The compliance officer shall maintain a record of each complaint and subsequent related actions for at least three (3) calendar years.

All parties named shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

• **Step 1: Filing of Complaint**

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization may file a written complaint of alleged noncompliance or unlawful discrimination, harassment, intimidation, or bullying pursuant to this Policy.

A complaint of unlawful discrimination, harassment, intimidation or bullying may be filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying or by one who believes any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. An investigation of alleged unlawful discrimination, harassment, intimidation or bullying shall be initiated by filing a complaint no later than six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying unless the time for filing is extended by the Executive Director or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the Executive Director or designee shall be made in writing. The period for filing may be extended by the Executive Director or designee for good cause for a period not to exceed ninety (90) calendar days following the expiration of the six-month time period. The Executive Director shall respond immediately upon a receipt of a request for extension.

All other complaints under this Policy shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the Charter School Board of Directors approved the LCAP or the annual update was adopted by Charter School.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

Complaints filed pursuant to this Policy must be in writing and signed. A signature may be handwritten, typed (including in an email) or electronically generated. Only complaints regarding pupil fees, LCAP, or noncompliance with Education Code section 243 or 244 may be filed anonymously as set forth in this Policy. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist the complainant in the filing of the complaint.

- **Step 2: Mediation**

Within three (3) business days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the complaint to the satisfaction of the complainant, the compliance officer shall proceed with the investigation of the complaint.

The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- **Step 3: Investigation of Complaint**

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

The complainant and/or the complainant's representative shall have an opportunity to present evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide the compliance officer with documents or other evidence related to the allegations in the complaint, or a complainant's failure or refusal to cooperate in the investigation or the complainant's engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

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

- **Step 4: Final Written Decision**

Charter School shall issue an investigation report (the "Decision") based on the evidence. Charter School's Decision shall be in writing and sent to the complainant within sixty (60) calendar days of

Charter School's receipt unless the timeframe is extended with the written agreement of the complainant. Charter School's Decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The Decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion providing a clear determination for each allegation as to whether Charter School is in compliance with the relevant law.
3. Corrective actions, if Charter School finds merit in the complaint and any are warranted or required by law.
4. Notice of the complainant's right to appeal Charter School's Decision within thirty (30) calendar days to the CDE, except when Charter School has used its UCP to address complaints that are not subject to the UCP requirements.
5. Procedures to be followed for initiating such an appeal.

If an employee is disciplined as a result of the complaint, the Decision shall simply state that effective action was taken and that the employee was informed of Charter School's expectations. The Decision shall not give any further information as to the nature of the disciplinary action except as required by applicable law.

Appeals to the CDE

If dissatisfied with the Decision, the complainant may appeal in writing to the CDE within thirty (30) calendar days of receiving the Decision. The appeal shall be accompanied by a copy of the complaint filed with Charter School and a copy of the Decision. When appealing to the CDE, the complainant must specify and explain the basis for the appeal, including at least one of the following:

1. Charter School failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, Charter School's Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in Charter School's Decision are not supported by substantial evidence.
4. The legal conclusion in Charter School's Decision is inconsistent with the law.
5. In a case in which Charter School's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by the CDE that the complainant has appealed the Decision, the Executive Director or designee shall forward the following documents to the CDE within ten (10) calendar days of the date of notification:

1. A copy of the original complaint.
2. A copy of the Decision.
3. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties or gathered by the investigator.
4. A report of any action taken to resolve the complaint.
5. A copy of Charter School's complaint procedures.

6. Other relevant information requested by the CDE.

If the CDE determines the appeal raises issues not contained in the local complaint, the CDE will refer those new issues back to Charter School for resolution as a new complaint. If the CDE notifies Charter School that its Decision failed to address an allegation raised by the complaint and subject to the UCP process, Charter School will investigate and address such allegation(s) in accordance with the UCP requirements and provide the CDE and the appellant with an amended Decision addressing such allegation(s) within twenty (20) calendar days of the CDE's notification. The amended Decision will inform the appellant of the right to separately appeal the amended Decision with respect to the complaint allegation(s) not addressed in the original Decision.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision. The SSPI will not consider any information not previously submitted to the CDE by a party during the appeal unless such information was unknown to the party at the time of the appeal and, with due diligence, could not have become known to the party. Pending the SSPI's response to a request for reconsideration, the CDE appeal Decision remains in effect and enforceable, unless stayed by a court.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in 5 C.C.R. section 4650 exists, including but not limited to cases in which the Charter School through no fault of the complainant, Charter School has not taken action within sixty (60) calendar days of the date the complaint was filed with the Charter School.

Complaints alleging noncompliance with Education Code section 243 or 244 may be filed with the SSPI directly, and the SSPI may directly intervene without waiting for an investigation by Charter School. The complainant shall present the SSPI with evidence that supports the basis for the direct filing and why immediate action is necessary.

Civil Law Remedies

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 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 their right to file a complaint.

ELEVATE SCHOOL **UNIFORM COMPLAINT PROCEDURE FORM**

Last Name: _____ First Name/MI: _____

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

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

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

School/Office of Alleged Violation: _____

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

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

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

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

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

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

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

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to the Compliance Officer:

Ryan Elliott
Executive Director
relliott@elevateschool.com
2285 Murray Ridge Road
San Diego, CA 92123
858-751-4774

Board Policy #:
Adopted/Ratified:
Revision Date:



Inspiring tomorrow's innovators & leaders

2285 Murray Ridge Rd.
San Diego, CA 92123

tel: 858.751.4774
email: info@elevateschool.com

HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY

Discrimination, 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 Elementary School ("Charter School") prohibits any acts of discrimination, harassment, intimidation, and bullying altogether.

As used in this policy, discrimination, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locs, and twists), 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, Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. Charter School staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

This policy applies to incidents occurring on the school campus, at school-sponsored events and activities regardless of the location, through school-owned technology, and through other electronic means, whether perpetrated by a student, employee, parent/guardian, volunteer, independent contractor or other person with whom Charter School does business, and all acts of

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Charter School's Board of Directors ("Board") in enacting policies and procedures that govern Charter School.¹

Charter School 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.

Definitions

Harassment means conduct based upon one or more of the protected characteristics listed above that is severe or pervasive, which unreasonably disrupts an individual's educational or work environment or that creates a hostile educational or work environment. Harassment includes, but is not limited to:

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

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 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:

- Placing a reasonable student² or students in fear of harm to that student's or those students' person or property.
- Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
- Causing a reasonable student to experience a substantial interference with the student's academic performance.
- 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 Charter School.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, video or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying

¹ This policy becomes effective on August 1, 2024. Conduct occurring before August 1, 2024 will be addressed in accordance with the school's previously adopted *Title IX, Harassment, Discrimination, Intimidation, and Bullying Policy*.

² "Reasonable student" is defined as a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill and judgment in conduct for a person of the student's age, or for a person of the student's age with the student's exceptional needs.

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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 or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- A message, text, sound, video, or image.
- A post on a social network Internet Web site including, but not limited to:
 - Posting to or creating a burn page. 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.
 - 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.
 - 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.
- An act of "Cyber sexual bullying" including, but not limited to:
 - 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.
 - "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.
- 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.

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Bullying and Cyberbullying Prevention Procedures

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

Cyberbullying Prevention Procedures

Charter School advises students:

- To never share passwords, personal data, or private photos online.
- To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- 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.
- To consider how it would feel receiving such comments before making comments about others online.

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

Education

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

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

Charter School'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.

Charter School informs Charter School 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.

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Professional Development

Charter School 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 Charter School employees who have regular interaction with students.

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

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

Charter School also informs certificated employees about the groups of students determined by Charter School and available research to be at elevated risk for bullying and provides its certificated employees with information on existing school and community resources related to the support of these groups. 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.

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

Complaint Procedures

Scope of the Complaint Procedures

Charter School 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:

- Are written and signed;
- Filed by an individual who alleges that they have 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
- Submitted to the Charter School 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.

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Charter School will comply with its Title IX Policy when investigating and responding to complaints alleging sex discrimination, including sex-based harassment, in its education program or activity, as applicable.

The following procedures shall be utilized for complaints of misconduct prohibited by this Policy that do not fall within the scope of Charter School's Title IX Policy or comply with the writing, timeline, or other formal filing requirements of the UCP. A copy of Charter School's Title IX Policy and UCP is available in the main office.

Submitting a Report or Complaint

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

Reports and complaints of misconduct prohibited by this Policy shall be submitted to the **Executive Director** (or the **Secretary of the Board** if the complaint is against the **Executive Director**) as soon as possible after the incidents giving rise to the report or complaint.

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, and Charter School will investigate and respond to all oral and written reports of misconduct prohibited by this Policy, the reporting party is encouraged to submit a written report. 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 and 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, a staff person or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this Policy.

Charter School acknowledges and respects every individual's right to privacy. All reports and complaints 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 and/or complainant confidential, as appropriate, except to the extent necessary to comply with applicable law, carry out the investigation and/or to resolve the issue, as determined by Charter School on a case-by-case basis.

Charter School 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

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retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy.

Investigation and Response

Upon receipt of a report or complaint of misconduct prohibited by this Policy, the Executive Director or designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days.

At the conclusion of the investigation, the Executive Director or designee will, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation and resolution of the incident/situation. However, the Executive Director or designee will not reveal confidential information related to other students or employees.

If the complaint is against the **Executive Director**, a non-employee Board member who is not the Board Chair or a parent/guardian of a student at **Charter School** will conduct a fact-finding investigation and provide the complainant with information about the investigation and resolution of the incident/situation.

Consequences

Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action up to and including expulsion from Charter School or termination of employment.

Right of Appeal

Should a complainant find Charter School's resolution unsatisfactory, for complaints within the scope of this Policy, the complainant may, within five (5) business days of notice of Charter School's decision or resolution, submit a written appeal to the Chair of the Charter School Board, who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal. The decisionmaker for the appeal will notify the complainant of the final decision.

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Inspiring tomorrow's innovators & leaders

2285 Murray Ridge Rd.
San Diego, CA 92123

tel: 858.751.4774
email: info@elevateschool.com

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

Your Name: _____ Date: _____

Email Address: _____

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 and conduct; what, if any, physical contact was involved; any verbal statements etc.) (Attach additional pages, if needed):

I hereby authorize Charter School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Signature of Complainant

Date: _____

Print Name

To be completed by Charter School:

Received by: _____

Date: _____

Follow up Meeting with Complainant held on: _____

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TITLE IX POLICY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX

This Title IX Policy Prohibiting Discrimination on the Basis of Sex (“Policy”) contains the policies and grievance procedures of Elevate Elementary School (“Charter School”) to prevent and address sex discrimination, including but not limited to sexual harassment, sex-based hostile environment harassment, discrimination based on pregnancy or related conditions, sex-based discrimination in access to athletics or educational resources, and retaliation against a person who has reported sex discrimination.

Charter School does not discriminate on the basis of sex and prohibits any acts of sex discrimination in any education program or activity that it operates, as required by California law, Title IX (20 U.S.C. § 1681 *et seq.*) and the Title IX regulations (34 C.F.R. Part 106), including in admission and employment.¹ Charter School will take actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects.

This Policy applies to conduct occurring in Charter School’s education programs or activities on or after August 1, 2024 including but not limited to incidents occurring on the school campus, during school-sponsored events and activities regardless of the location, and through school-owned technology, whether perpetrated by a student, parent/guardian, employee, volunteer, independent contractor or other person with whom Charter School does business.

Inquiries about the application of Title IX and 34 C.F.R. Part 106 (hereinafter collectively referred to as “Title IX”) may be referred to the Charter School Title IX Coordinator, the Office for Civil Rights of the U.S. Department of Education, or both.

Definitions

Prohibited Sex Discrimination

Title IX and California law prohibit discrimination on the basis of sex, including sex-based harassment and differences in the treatment of similarly situated individuals on the basis of sex with regard to any aspect of services, benefits, or opportunities provided by Charter School.

¹ Charter School complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports and complaints of misconduct prohibited by this Policy.

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Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Prohibited Sex-Based Harassment

Under Title IX, “sex-based harassment” means conduct on the basis of sex that satisfies one or more of the following:

- Quid pro quo harassment occurs when an employee, agent, or other person authorized by Charter School to provide an aid, benefit, or service under Charter School’s education program or activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.
- Hostile environment harassment is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from Charter School’s education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - The degree to which the conduct affected the complainant’s ability to access Charter School’s education program or activity;
 - The type, frequency, and duration of the conduct;
 - The parties’ ages, roles within Charter School’s education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - The location of the conduct and the context in which the conduct occurred; and
 - Other sex-based harassment in Charter School’s education program or activity.
- Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- Dating violence, meaning violence committed by a person:
 - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship.
- Domestic violence, meaning felony or misdemeanor crimes committed by a person who:
 - Is a current or former spouse or intimate partner of the victim under applicable family or domestic violence laws, or a person similarly situated to a spouse of the victim;
 - Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

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- Shares a child in common with the victim; or
- Commits acts against a youth or adult victim who is protected from those acts under applicable family or domestic violence laws.
- Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.

Under California Education Code section 212.5, 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 Charter School.

Examples of conduct that may fall within the Title IX definition of sex-based harassment, the Education Code definition of sexual harassment, or both:

- Physical assaults of a sexual or sex-based nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults.
 - Intentional physical conduct that is sex-based or sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, poking another's body, violence, intentionally blocking normal movement or interfering with work or school because of sex.
- Unwanted sexual advances or propositions, derogatory sex-based comments, or other sex-based conduct, such as:
 - Sexually oriented or sex-based gestures, notices, epithets, slurs, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex.
 - Retaliation against an individual who has articulated a good faith concern about sex-based harassment.

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- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
 - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
 - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

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

Complainant means a student or employee who is alleged to have been subjected to conduct that could constitute sex-based discrimination, or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was participating or attempting to participate in Charter School's education program or activity at the time of the alleged sex discrimination. Complaints may also be made by: (1) a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or (2) Charter School's Title IX Coordinator. For complaints of sex discrimination other than sex-based harassment, complaints can also be made by any student, employee, or other person who was participating or attempting to participate in Charter School's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to Charter School that objectively can be understood as a request for Charter School to investigate and make a determination about alleged sex discrimination.

Confidential Employee means an employee of Charter School whose communications are privileged or confidential under Federal or State law (e.g., a licensed therapist or psychologist, etc.) or an employee whom Charter School has designated as confidential under Title IX for the purpose of providing services to persons related to sex discrimination.

Party means a complainant or respondent.

Respondent means a person who is alleged to have violated Charter School's prohibition on sex discrimination.

Supportive Measures are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to a party to (1) restore or preserve that party's access to Charter School's education program or activity, including measures that are designed to protect the safety

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of the parties or Charter School's educational environment; or (2) provide support during Charter School's grievance procedures or during an informal resolution process.

Title IX Coordinator

The Board of Directors of Charter School ("Board") has designated the following employee as the Title IX Coordinator ("Coordinator"):

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

In the event the above-named individual becomes unavailable or unable to serve as the Coordinator, the Board has designated the following employee to serve as a temporary or interim Coordinator until a new Coordinator is designated:

Desiree Wooden
Assistant Director
2285 Murray Ridge Road
San Diego, CA 92123
858-751-4774

The Coordinator is responsible for coordinating Charter School's efforts to comply with the requirements of Title IX, receiving reports and complaints of sex discrimination and inquiries about the application of Title IX, addressing reports and complaints of sex discrimination and taking other actions as required by this Policy, monitoring for barriers to reporting conduct that reasonably may constitute sex discrimination, and taking steps reasonably calculated to address such barriers.

The Coordinator may serve as an investigator and/or decisionmaker for complaints, except in cases where doing so would constitute a conflict of interest. The Coordinator may delegate one or more of their duties to one or more designees who have received the required Title IX training and do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. However, the Coordinator must at all times retain ultimate oversight over those responsibilities and ensure Charter School's consistent compliance with Title IX.

Reporting Sex Discrimination

All employees who are not a confidential employee must promptly notify the Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX. This requirement does not apply to an employee when the employee is the person who was subjected to the conduct that reasonably may constitute sex discrimination.

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

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. Charter School will promptly and effectively investigate and respond to all oral and written complaints and reports of misconduct prohibited by this Policy. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Privacy

Charter School acknowledges and respects every individual's right to privacy. All reports and complaints 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 but is not limited to keeping the identity of the reporter and other personally identifiable information 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 designee on a case-by-case basis.

Retaliation

Charter School 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 complaint in accordance with the grievance procedures set forth in this Policy.

Nothing in this Policy precludes Charter School from requiring an employee or other person authorized by Charter School to provide aid, benefit, or service under Charter School's education program or activity to participate as a witness in, or otherwise assist with, an investigation or proceeding under this Policy.

Confidential Employees

Contact information for the confidential employees at Charter School, if any, can be found on the Charter School website or obtained from the Coordinator.

A confidential employee's status as confidential, for Title IX purposes, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies or with respect to information received about sex discrimination in connection with providing services to persons related to sex discrimination.

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A confidential employee must explain the following to any person who informs them of conduct that reasonably may constitute sex discrimination under Title IX:

- The employee's status as confidential for purposes of Title IX, including the circumstances in which the employee is not required to notify the Coordinator about conduct that reasonably may constitute sex discrimination;
- How to contact the Coordinator and how to make a complaint of sex discrimination; and
- That the Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures.

Coordinator's Response to Reports of Sex Discrimination

When notified of conduct that reasonably may constitute sex discrimination, the Coordinator or designee must:

- Treat complainants and respondents equitably;
- Promptly offer and coordinate supportive measures, as appropriate, for the complainant;
- If grievance procedures are initiated or an informal resolution process is offered; offer and coordinate supportive measures, as appropriate, for the respondent; and
- Notify the complainant or, if the complainant is unknown, the reporting individual, of the grievance procedures and informal resolution process, if available and appropriate. If a complaint is made, the Coordinator will notify the respondent of the same.

In response to a complaint, the Coordinator will initiate the grievance procedures, or the informal resolution process if available, appropriate, and requested by all parties. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Coordinator must determine whether to initiate a complaint by considering, at a minimum:

- Complainant's request not to proceed with a complaint and the complainant's reasonable safety concerns;
- Risk that additional acts of sex-based discrimination would occur if a complaint is not initiated;
- Severity of the alleged conduct, including whether the discrimination, if established, would require removal or discipline of a respondent to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee;
- The scope of the alleged conduct including but not limited to whether there is a pattern, ongoing conduct, or impact to multiple individuals;
- The availability of evidence and the complainant's willingness to participate in the grievance procedures; and
- Whether Charter School could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

The Coordinator may initiate a complaint if the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or prevents Charter School from ensuring equal access on the basis of sex to its education program or activity. The Coordinator or designee must notify the complainant before initiating a complaint and appropriately address reasonable safety concerns, including by providing supportive measures.

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The Coordinator will take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Charter School's education program or activity.

Supportive Measures

Once notified of conduct that reasonably may constitute sex discrimination under Title IX, the Coordinator or designee will promptly contact the complainant to offer and coordinate supportive measures, as appropriate, for the complainant. If the grievance procedures are initiated or informal resolution is offered, the Coordinator or designee will offer and coordinate supportive measures, as appropriate, for the respondent.

Supportive measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

Supportive measures must not unreasonably burden either party or be imposed for punitive or disciplinary reasons. Supportive measures will be designed to protect the safety of the parties or Charter School's educational environment, or to provide support during the grievance procedures or the informal resolution process.

Parties may contact the Coordinator to discuss modification of any supportive measures. Parties also have the opportunity to seek modification or termination of a supportive measure applicable to them if circumstances change materially.

If the party is not satisfied with the Coordinator's decision on the request to modify supportive measures, the party may contact Cassandra Bahr, who is an appropriate and impartial employee or who may designate such an employee, to seek modification or reversal of Charter School's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee is someone other than the Coordinator who made the challenged decision and has the authority to modify or reverse the decision.

If a party is a student with a disability, the Coordinator must consult with one or more members of the student's IEP Team and 504 Team, if any, in the implementation of supportive measures for that student.

Informal Resolution

At any time prior to determining whether sex discrimination occurred under Charter School's Title IX grievance procedures, Charter School may offer an informal resolution process to the parties. Charter School does not offer or facilitate informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

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Before initiation of the informal resolution process, the parties will be provided with notice that explains:

- The allegations;
- The requirements of the informal resolution process;
- The right to withdraw and initiate or resume the grievance procedures;
- That the parties' agreement to a resolution at the conclusion of the informal resolution process precludes the parties' use of the grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement (e.g., restrictions on contact and participation in activities or events) including notice that an informal resolution agreement is binding only on the parties; and
- What information is retained and whether and how it may be disclosed by Charter School for use in grievance procedures if the grievance procedures are initiated or resumed.

Parties will not be required or pressured to agree to participate in the informal resolution process. Charter School will obtain the parties' voluntary consent to participate in the informal resolution process. Parties may end the informal resolution process and proceed with the grievance procedures at any time.

The facilitator of the informal resolution process will not be the same person as the investigator or the decisionmaker in the grievance procedures. The facilitator cannot have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Coordinator will take appropriate prompt and effective steps to ensure sex discrimination does not continue or recur.

Grievance Procedures

Scope and General Requirements

Charter School has adopted these grievance procedures to provide for the prompt and equitable resolution of complaints of made by students, employees, or other individuals who are participating or attempting to participate in Charter School's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX. Upon receipt of a complaint, the Coordinator or designee will promptly initiate these grievance procedures, or the informal resolution process if available, appropriate, and requested by all parties.

Charter School requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Coordinator or investigator.

Charter School will treat complainants and respondents equitably. Charter School presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

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Charter School may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.

Charter School allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. Requests for extensions must be submitted to the Coordinator in writing at least one (1) business day before the expiration of the timeframe. If a timeframe is extended, the Coordinator or designee will notify the parties of the new timeframe and the reason for the delay.

Charter School will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

Charter School will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence.² Credibility determinations will not be based on a person’s status as a complainant, respondent, or witness.

If a party is a student with a disability, the Coordinator or designee must consult with one or more members, as appropriate, of the student’s IEP Team and 504 Team, if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act (“IDEA”) and Section 504 of the Rehabilitation Act of 1973 (“Section 504”) throughout the grievance procedures.

Dismissal

In most cases, Charter School will determine whether a complaint is dismissed within fifteen (15) business days of receipt of the complaint.

Charter School may dismiss a complaint if:

- Charter School is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in Charter School’s education program or activity and is not employed by Charter School;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Coordinator declines to initiate a complaint, and Charter School determines that, without the complainant’s withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- Charter School determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Prior to dismissing the complaint on this ground, Charter School will make reasonable efforts to clarify the allegations with the complainant.

² Inculpatory means tending to impute guilt or fault, and exculpatory means tending to absolve from guilt or fault.

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Upon dismissal, the Coordinator or designee must promptly notify the complainant in writing of the basis for the dismissal and the complainant's right to appeal the dismissal on the following grounds within five (5) business days of the dismissal notice:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination whether sex-based harassment occurred or dismissal was made; and
- The Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal occurs after the respondent has been notified of the allegations, then the Coordinator or designee must also simultaneously notify the respondent in writing of the dismissal, the basis for the dismissal, and the respondent's right to appeal the dismissal on the above grounds within five (5) business days of the dismissal notice.

If the complaint is dismissed, the Coordinator or designee will offer supportive measures to the complainant, as appropriate. The Coordinator or designee will also offer supportive measures to the respondent, as appropriate, if the respondent has been notified of the allegations. The Coordinator will continue to take appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur. Dismissal does not preclude action under another applicable Charter School policy.

Appeal of a Dismissal

If a dismissal is timely appealed in accordance with this Policy, the Coordinator or designee will promptly notify the parties in writing of the appeal, including notice of the allegations if such notice was not previously provided to the respondent, the contact information for the decisionmaker for the appeal, and the parties' right to submit a statement to the decisionmaker of the appeal in support of, or challenging, the outcome within five (5) business days of the appeal notice.

The decisionmaker for the appeal will be someone who has received the required Title IX training and did not take part in an investigation of the allegations or dismissal of the complaint. The appeal procedures will be implemented equally for the parties. Within fifteen (15) business days of the appeal notice to the parties, the decisionmaker will notify the parties in writing of the result of the appeal and the rationale for the result.

Notice of the Allegations

Upon initiation of the grievance procedures, the Coordinator or designee will provide notice of the allegations to the parties whose identities are known. The notice will include:

- Charter School's grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under Title IX, and the

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date(s) and location(s) of the alleged incident(s), to the extent that information is available to Charter School;

- A statement that retaliation is prohibited; and
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if Charter School provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.

Emergency Removal

Charter School may place a non-student employee respondent on administrative leave during the pendency of the grievance procedures in accordance with Charter School's policies.

Charter School may remove a respondent from Charter School's education program or activity on an emergency basis, in accordance with Charter School's policies, provided that Charter School undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of any person arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision must not be construed to modify any rights under the IDEA, Section 504, or the ADA.

Investigation

Investigations of complaints will be adequate, reliable, and impartial. In most cases, a thorough investigation will take no more than twenty-five (25) business days. Charter School has the burden to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance in accordance with Title IX.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be used, accessed or considered, except by Charter School to determine whether one of the exceptions listed below applies, and will not be disclosed), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless Charter School obtains that party's or witness's voluntary, written consent for use in the grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to

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prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

The parties will have an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible and to access such evidence. The parties may submit a written response to the investigator within five (5) business days of being provided with access to the evidence or an accurate description of it. The parties' timely submitted written responses, if any, will be considered by the investigator and decisionmaker before a determination of responsibility is made.

Charter School will take reasonable steps to prevent and address any unauthorized disclosure of information or evidence by the parties.

Determination of Responsibility

Before making a determination of responsibility, the decisionmaker may question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is in dispute and relevant to evaluating one or more allegations of sex discrimination.

Determinations will be based on an objective evaluation of all relevant and not otherwise impermissible evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The standard of evidence used to determine responsibility is the preponderance of the evidence standard.

Within fifteen (15) business days of the expiration of the timeframe for the parties to submit a written response to the evidence or an accurate description of it, the decisionmaker will notify the parties in writing of the determination whether sex discrimination occurred including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal.

Appeal of the Determination of Responsibility

Should a party find Charter School's determination unsatisfactory, the party may, within five (5) business days of notice of Charter School's determination, submit a written appeal to the **Chair** of the **Charter School** Board, who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal. The decisionmaker for the appeal must not have taken part in the investigation of the allegations.

The decisionmaker for the appeal will: 1) notify the other party of the appeal in writing; 2) implement appeal procedures equally for the parties; 3) allow the parties to submit a written statement in support of, or challenging, the outcome within five (5) business days of the appeal or notice of the appeal; and 4) within fifteen (15) business days of the appeal, issue a written decision to the parties describing the result of the appeal and the rationale for the result.

Consequences

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Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action up to and including expulsion from Charter School or termination of employment. If there is a determination that sex discrimination occurred, the Coordinator or designee will coordinate the provision and implementation of any remedies and/or disciplinary sanctions ordered by Charter School including notification to the complainant of any such disciplinary sanctions. The Coordinator will take appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Charter School's education program or activity.

No party, witness, or other person participating in Charter School's grievance procedures will be disciplined for making a false statement or for engaging in consensual sexual conduct based solely on Charter School's determination whether sex discrimination occurred.

Student Pregnancy and Related Conditions

Charter School will not discriminate against any student or applicant based on their current, potential, or past pregnancy or related conditions. For more information about policies and procedures applicable to employees who are pregnant or have a related condition, please refer to the Charter School employee handbook.

When a student, or a person who can legally act on behalf of the student, informs any employee of the student's pregnancy or related condition, unless the employee reasonably believes that the Coordinator has already been notified, the employee must promptly:

- Provide that person with the Coordinator's contact information; and
- Inform that person that the Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to Charter School's education programs and activities.

If a student, or a person who has a legal right to act on behalf of the student, notifies the Coordinator of the student's pregnancy or related condition, the Coordinator or designee must promptly:

- Inform the student, and if applicable, the person who notified the Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of Charter School's obligations under:
 - 34 C.F.R. § 106.40(b)(1) through (5), which relates to the rights of students who are pregnant or have a related condition; and
 - 34 C.F.R. § 106.44(j), which includes rules on disclosures of personal information;
- Provide Charter School's Title IX notice of nondiscrimination; and
- Consult with the student about potential reasonable modifications to policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access, and if the student accepts an offered reasonable modification, implement the modification.

A student who is pregnant or has a related condition will be provided with a lactation space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used for expressing breast milk or breastfeeding as needed.

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A student who is pregnant or has a related condition may voluntarily take a leave of absence for the time deemed medically necessary by the student's licensed healthcare provider, or if the student so chooses, the time allowed under any Charter School leave policy for which the student qualifies. A pregnant or parenting student is entitled to eight weeks of parental leave, 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.

Upon the student's return from leave, the student will be reinstated to the academic status, and, as practicable, to the extracurricular status that the student held when the leave began. The student will not be required to provide any kind of certification demonstrating their ability to physically participate in any class, program, or extracurricular activity unless:

- The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- Such certification is required of all students participating in the class, program, or extracurricular activity; and
- The information obtained is not used as a basis for sex discrimination.

Students who are pregnant or have a related condition will not be required to provide supporting documentation unless necessary and reasonable to determine reasonable modifications or additional actions related to lactation space, leaves of absence, or voluntary access to any available separate and comparable portion of the program.

Training

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 employees, Coordinators and designees, investigators, decisionmakers, and other persons who are responsible for implementing Charter School's grievance procedures or have the authority to modify or terminate supportive measures will receive Title IX and sexual harassment training and/or instruction concerning sexual harassment as required by law.

Recordkeeping

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

- For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures, and the resulting outcome.
- For each notification the Coordinator receives of information about conduct that reasonably may constitute sex discrimination, records documenting the actions Charter School took to meet its obligations under 34 C.F.R. § 106.44.
- All materials used to provide required Title IX training. Charter School will make these training materials available upon request for inspection by members of the public.

The above records will be maintained in a secure location until destroyed in accordance with applicable laws and regulations.

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TITLE IX SEX DISCRIMINATION AND HARASSMENT COMPLAINT FORM

Your Name: _____ Date: _____

Email Address: _____

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 and conduct; what, if any, physical contact was involved; any verbal statements etc.) (Attach additional pages, if needed):

I hereby authorize Charter School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Signature of Complainant Date: _____

Print Name

To be completed by Charter School:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____

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PARENT AND FAMILY ENGAGEMENT POLICY

Elevate Elementary Charter School (“Elevate” or the “Charter School”) has developed a written Parent and Family Engagement Policy (“Policy”) with input from Title I parents and families. Elevate has distributed the Policy to parents of Title I students by making copies available in the office, posting it on the school website, and including a link in the handbook. This Policy describes the means for carrying out the following Title I parent and family engagement requirements.

Elevate Expectations and Objectives

In establishing the Charter School’s expectations and objectives for meaningful parent and family involvement, Elevate has established the following practices:

1. Elevate involves parents and family members in the joint development of the Charter School’s Parent and Family Engagement Plan at the following meetings:
 - Coffee/Dessert with the Directors (Open to all parents)
 - Parent Advisory Committee Meetings (Open to all parents)
 - ELAC Meetings (Open to all parents)

2. Elevate provides the coordination, technical assistance, and other support necessary to assist and build the capacity within the Charter School in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education..
 - Parents are invited to attend Back to School Night where information regarding curriculum used is explained.
 - Our website includes links to the Common Core Standards and an explanation of what they are.
 - Chromebooks and tech help is made available at Student Orientation to assist parents in applying for volunteer clearance.

3. Elevate coordinates and integrates parent and family engagement strategies to the extent feasible and appropriate, with other relevant federal, state, and local laws and programs.
 - Parent meetings (ELAC, Parent Advisory Committee Meetings, Coffee/Dessert with the Directors, etc.) are open to all parents.

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4. Elevate conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the Policy in improving the academic quality at the Charter School.
 - Annually at Parent Advisory Committee Meeting (open to all parents).
 - Coffee/Dessert with the Directors

5. Elevate conducts, with the meaningful involvement of parents and family members, an annual evaluation of barriers to greater participation by parents/families (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). .
 - ELAC Meetings
 - Parent Advisory Committee meetings
 - Coffee/Dessert with the Directors.

6. Elevate conducts, with the meaningful involvement of parents and family members, an annual evaluation of the needs of parents and family members to assist with the learning of their children, including engaging with Charter School personnel and teachers.
 - Parent Workshops
 - Fall/Spring Family Engagement Survey

7. Elevate conducts, with the meaningful involvement of parents and family members, an annual evaluation of strategies to support successful Charter School and family interactions.
 - Fall/Spring Family Engagement Survey
 - Parent Advisory Committee Meeting
 - Coffee/Dessert with the Directors

8. Elevate uses the findings of the annual evaluation to design evidence-based strategies for more effective parental and family engagement, and to revise, if necessary, the Parent and Family Engagement Policy.
 - Results from the Fall/Spring Family Engagement Surveys are published to the school and discussed in Parent Advisory Committee Meetings, ELAC, and Coffee/Dessert with the Directors.

9. Elevate involves parents and family members in the activities of the Charter School to adequately represent the needs of the population, for the purposes of developing, revising, and reviewing the policy.
 - Parent Advisory Committee Meetings
 - ELCA Meetings
 - Coffee/Dessert with the Directors (held monthly)

10. Charter School engages parents and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to develop knowledge and skills to use at home to support their children's academic efforts at school and their children's development as responsible future members of our society.

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- Parent Resource Meeting
- [Resource Links](#) on school website:

11. Charter School informs parents that they can directly affect the success of their children's learning, by providing parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home.

- Parent Teacher Conference (2x/year)
- Back to School Night Presentations
- Coffee/Dessert with Directors

12. Parents and family members of children receiving Title I, Part A services shall be involved in the decisions regarding how funds reserved are allotted for parental involvement activities.

- Parent Advisory Committee Meetings
- ELAC Meetings

Involvement of Parents in the Title I Program

To involve parents in the Title I program at Elevate, the following practices have been established:

1. Elevate convenes an annual meeting to inform parents of Title I students about Title I requirements and about the right of parents to be involved in the Title I program.

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- Annual Coffee/Dessert with the Directors informing parents of their school's participation under Title I and to explain the requirements of Title I, and the right of the parents to be involved.
- 2. Elevate offers a flexible number of meetings for Title I parents, such as meetings in the morning or evening.
 - Elevate intentionally schedules Coffee/Dessert with the Directors at different times and on different days of the week to accommodate as many parents as possible.
- 3. Elevate involves parents of Title I students in an organized, ongoing, and timely way, in the planning, review, and improvement of the Charter School's Title I programs and the Parent and Family Engagement Policy.
 - Parent Advisory Committee Meetings
 - Coffee/Dessert with the Directors
 - ELAC Meetings
- 4. Elevate provides parents of Title I students with timely information about Title I programs.
 - Student Handbook Notification (via yearly Parent Data Confirmation)
 - Back to School Night
 - Coffee/Dessert with the Directors
 - Parent Advisory Committee Meetings
 - ParentSquare Electronic Newsletters (weekly)
- 5. Elevate provides parents of Title I students with a description and explanation of the curriculum used at the Charter School, the assessments used to measure student progress, and the proficiency levels students are expected to meet.
 - Student Handbook
 - Family Resources on school Website
 - Back to School Night
- 6. If requested by parents of Title I students, Elevate provides opportunities for regular meetings that allow the parents to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.
 - Coffee/Dessert with the Directors held on different days and at different times to ensure access to all parents.
- 7. If the school wide program plan is not satisfactory to the parents, Charter School provides a means by which parents may make comments on the plan when it is made available.
 - Parents can provide input/comment via surveys and at Parent Advisory Committee Meetings, in addition to communicating with school leadership.

The Policy must be updated periodically to meet changing needs of parents and the Charter School. If Elevate has a process in place for involving parents in planning and designing the Charter

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School's programs, the school may use that process if it includes adequate representation of parents of Title I children.

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School-Parent Compact

Elevate distributes to parents of Title I students a School-Parent Compact (the “Compact”). The Compact, which has been jointly developed with parents, outlines how parents, the entire Charter School staff, and students will share the responsibility for improved student academic achievement. It describes specific ways the Charter School and families will partner to help children achieve the State’s high academic standards. It addresses the following legally required items, as well as other items suggested by parents of Title I students:

1. Elevate’s responsibility is to provide high-quality curriculum and instruction in a supportive and effective learning environment to meet the challenging State academic standards.
2. The ways parents will be responsible for supporting their children’s learning, volunteering in the classroom, and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time.
3. The importance of ongoing communication between parents and teachers through, at a minimum, annual parent-teacher conferences during which the compact will be discussed as it relates to the child’s achievement; frequent reports on student progress; access to staff; opportunities for parents to volunteer and participate in their child’s class; and opportunities to observe classroom activities and ensuring regular two-way meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

Elevate School holds an annual Parent Advisory Meeting to obtain parent input on the School-Parent Compact. Once complete, the compact is attached to the Parent Engagement Policy and distributed by making copies available in the office, posting it on the school website, and including a link in the handbook.

Building Capacity for Involvement

Elevate engages Title I parents in meaningful interactions with the Charter School. The Charter School supports a partnership among staff, parents, and the community to improve student academic achievement. To help reach these goals, Elevate has established the following practices.

1. Elevate provides Title I parents with assistance in understanding challenging state academic standards, state and local assessments, and how to monitor and work with educators to improve the achievement of their children.
 - Back to School Night
 - Coffee/Dessert with the Directors
 - Parent Workshops
 - Parent Resources on school website
2. Elevate provides Title I parents with materials and training, , such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement, to help them work with their children to improve their

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children's achievement.

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- Back to School Night
 - Coffee/Dessert with the Directors
 - Parent Workshops
 - Parent Resources on school website.
3. With the assistance of Title I parents, Elevate educates staff members about the value of parent contributions, and in how to reach out, communicate with, work with parents as equal partners, and build ties between parents and the Charter School.
 - Staff Meetings
 - Annual Teacher Retreat
 4. Elevate coordinates and integrates the Title I parental involvement program with other programs, to encourage and support parents in more fully participating in the education of their children.
 - Coffee/Dessert with the Directors
 - Parent Advisory Committee Meetings
 - Parent Events
 - Fall/Spring Exhibition Night
 - Parent Workshops
 - Volunteering opportunities
 - ELAC Meetings
 - Parent/Teacher Conferences
 - Back to School Night
 - Student Orientation
 5. Elevate distributes information related to Charter School and parent programs, meetings, and other activities to Title I parents in a format and language that the parents understand.
 - Weekly Newsletters can be translated into >100 languages.
 - 2-Way communication can be done with the School (teachers, office, staff) in the language that is most convenient for the family.
 - Amharic and Spanish translation available for Parent/Teacher conferences and upon request at other times.
 - Coffee/Dessert with the Directors are held on different days and at different times to ensure access to all parents.
 6. Elevate provides support for parental involvement activities requested by Title I parents.
 - The Parent Engagement Coordinator reaches out to Individual parents that are underrepresented to encourage involvement.
 - Elevate School provides Amharic and Spanish translation to parents at Parent/Teacher conference and when requested at other times.
 - 2-Way communication in ParentSquare can be done with the school (teachers, office, staff) in the language that is most convenient for the family.
 - Weekly Newsletters can be translated into >100 languages.
 - Coffee/Dessert with the Directors are held on different days and at different times to ensure access to all parents.

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Accessibility

Elevate provides opportunities for the participation of all Title I parents and family members, including parents/family with limited English proficiency. Information and school reports are provided in a format and language that parents/family understand, including by:

- Weekly Newsletters can be translated into >100 languages.
- 2-Way communication in ParentSquare can be done with the school (teachers, office, staff) in the language that is most convenient for the family.
- Amharic and Spanish translation available upon request.
- Coffee/Dessert with the Directors held on different days and at different times to ensure access to all parents.