

California Comprehensive School Safety Plan (CSSP) Implementation Plan

Compass
Charter Schools



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PART 1: California Charter School Comprehensive School Safety Plan Program Overview

What is the California Charter School Safety Plan Compliance Requirement?

Source: http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB1747

According to the staff analysis:

Need for the Bill:

According to the author, “The California Constitution guarantees California children the right to attend public schools which are safe, secure and peaceful. The educational institutions of California, such as the CDE, public school districts, county offices of education, and the schools themselves are responsible for creating safe and secure learning environments.

According to a 2017 audit report conducted by the California State Auditor (CSA), schools face challenges in preparing and responding to incidents of school violence, including active shootings. Results from a statewide survey of districts and county offices conducted as part of the audit suggested that the frequency of active shooter threats and incidents in and around California schools is increasing.

“Comprehensive school safety plans are a collection of procedures for schools to utilize in the event of an emergency, and a policy guideline that promotes a safe learning space. Although the Department of Homeland Security and federal and state agencies recommend having procedures for responding to active shooter incidents, state law does not require that California schools include these procedures in their safety plans. Consequently, the CSA’s audit revealed that many districts and county offices do not independently require their schools to include these safety procedures, which results in schools being inadequately prepared to respond to violent incidents.”

Existing law specifies that school districts and county offices of education are responsible for the overall development of school safety plans. Each school is required to develop a school safety plan that includes procedures, and policies to ensure scholar and staff safety at a school site. The components of the plan range from procedures for safe ingress and egress of pupils, parents and school employees; to disaster and emergency procedures such as those during and after earthquakes; to behavioral policies such as discrimination and harassment policies.

State law does not currently require charter schools to have safety plans, but charter petitions must include procedures the school will follow to ensure the safety of pupils and staff. This bill requires charter schools to develop a school safety plan, including procedures for conducting tactical responses to criminal incidents; requires comprehensive school safety plans to include procedures for conducting tactical responses to criminal incidents; increases the California Department of Education’s (CDE’s) responsibilities relating to school safety plans; and requires school site councils to also consult with the fire department and other first responder entities in the writing and development of the comprehensive school safety plan.

Specifically, this bill:

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- 1) Adds classified employees to the language stating that it is the intent of the Legislature that comprehensive school safety plans be developed in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence.
- 2) States that it is the intent of the Legislature that all school staff be trained on the comprehensive school safety plan.
- 3) Requires the school site council to also consult with a representative from a fire department and other first responder entities in the writing and development of the comprehensive school safety plan.
- 4) Requires the comprehensive school safety plan and any updates to the plan shall be shared with the law enforcement agency, the fire department, and the other first responder entities.
- 5) Requires the comprehensive school safety plan to include procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions.
- 6) Requires the procedures to prepare for active shooters or other armed assailants to be based on the specific needs and context of each school and community.
- 7) Requires the CDE to:
 - a) Provide general direction to school districts, county offices of education, and charter schools on what to include in the school building disaster plan.
 - b) Maintain and conspicuously post on its Internet Web site a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.
 - c) Develop and post on its Internet Web site best practices for reviewing and approving school safety plans.
- 8) Requires charter schools to develop a school safety plan, based on many of the components of a comprehensive school safety plan, and procedures for conducting tactical responses to criminal incidents.

PART 2: What charter schools are required to include in their school safety plan

AB1747 specifically states the following:

The Charter Schools Act of 1992 provides for the establishment and operation of charter schools, including countywide charter schools, and requires a petition for the establishment of a charter school to contain comprehensive descriptions of various matters and procedures, including procedures that the charter school will follow to ensure the health and safety of pupils and staff.

This bill would require these procedures to also require the development of a school safety plan, as provided, and that the school safety plan be reviewed and updated by March 1 of every year by the charter school. To the extent the bill would impose additional duties on county boards of education, the bill would impose a state-mandated local program.

Specifically, the following sections of charter school law were amended as follows:

SEC. 5. (Establishment of a charter school within a school district)

Section 47605 of the Education Code is amended to read:

(6) Commencing January 1, 2003, a petition to establish a charter school *shall* not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall *require all of the following*:

(i) That the charter school will obtain a criminal record summary as described in Section 44237 for every employee of the charter school.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

SEC. 6. (Establishment of a charter school with a County Board of Education)

Section 47605.6 of the Education Code is amended to read:

(G) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall *require all of the following*:

(i) That the charter school will obtain a criminal record summary as described in Section 44237 for every employee of the charter school.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(I) The manner in which annual, *independent* financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and

deficiencies shall be resolved.

(O) The rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the *employment* of the charter school.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued *enrollment*.

(k) If a county board of education denies a petition, the petitioner *shall* not elect to submit the petition for the establishment of the charter school to the state board.

SEC. 7.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Summary

In accordance with the amended language cited above, a Charter School Comprehensive School Safety Plan must therefore comply specifically with education code sections 44237, and subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282. In addition, the plan must include procedures for conducting tactical responses to criminal incidents.

PART 3: Charter School Employee Criminal Record Summary Policy (EC 47605.6.F.i; EC 44237)

Compass Charter Schools recognizes the importance of maintaining a safe workplace with employees who are honest, trustworthy, qualified, reliable, and nonviolent, and do not present a risk of harm to scholars, coworkers or others. Compass Charter Schools will perform applicant background checks and employee investigations as required by Education Code section 47605 [b][f], which requires that “each employee of the school furnishes the school with a criminal record summary”.

All employees must have Live Scan fingerprint results on file with Compass Charter Schools. Proof of Live Scan fingerprinting is a requirement of employment and the results must be provided to Compass Charter Schools prior to the first day of work. Live Scan fingerprinting will be required of all job applicants, employees, and volunteers as required by California and federal law.

Background checks may also be required of employees whose job duties involve the care of scholars, handling of money, valuables or confidential information, or as otherwise deemed prudent by the school. These background checks are performed through a fingerprinting service coordinated by the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Any and all information obtained by Compass Charter Schools may be taken into consideration in evaluating one’s suitability for employment, promotion, reassignment, or retention as an Employee.

Compass Charter Schools shall also request subsequent arrest notification from the Department of Justice and take all necessary action based upon such further notification.

Compass Charter Schools may occasionally find it necessary to investigate current employees, where behavior or other relevant circumstances raise questions concerning work performance, reliability, honesty, trustworthiness, or potential threat to the safety of coworkers, scholars, or others. Employee investigations may, where appropriate, include credit reports and investigations of criminal records, including appropriate inquiries about any arrest for which the employee is out on bail. In the event that a background check is conducted, Compass Charter Schools will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the employee with any required notices and forms. Employees subject to an investigation are required to cooperate with Compass Charter School's lawful efforts to obtain relevant information, and may be disciplined up to and including suspension without pay and/or termination for failure to do so.

Employees with adverse background information (such as certain specific criminal convictions) may be ineligible for employment with Compass Charter Schools.

PART 4: Charter School Safety Procedures—Child Abuse Reporting [EC 47605(6)(F)(ii); EC 32282.(2)(A)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

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

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

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

PART 5: Charter School Safety Procedures—Routine and Emergency Disaster Procedures [EC 47605(6)(F)(ii); EC 32282.(2)(B)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

Safety Rules

Each employee is expected to follow all safety rules, safe operating procedures, and practices designed to promote a safe and healthful workplace.

- Employees shall not engage in horseplay, running, fighting, or any activity that may result in injury.
- No employee shall report to work while under the influence of drugs or intoxicating substances.
- All unsafe conditions must be reported to a supervisor immediately.
- Never operate any office machine with which you are unfamiliar or have not been trained.
- Never block or obstruct exits or hallways.
- Always observe proper lifting techniques and ask for help if required.
- Do not perform any task you feel is unsafe. Inform a supervisor and request help.
- Always observe proper posture and ergonomic guidelines when typing.

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- Immediately report any work-related injuries to your supervisor

First Aid Kit & Fire Extinguishers

First Aid kits are available at the administrative office and at each site where scholars and staff are required to gather, i.e. testing sites. The first aid kit contains medical supplies needed in case of minor accidents. Please report to your supervisor if the kit needs more supplies.

Fire extinguishers are accessible at the administrative office. Please report to your supervisor or Office Support Coordinator if you need a new fire extinguisher or need to charge your existing one. Fire extinguishers are inspected annually by an outside company that provides this service.

Remember to notify your supervisor immediately if you have any work-related accident or injury.

Driving a Vehicle as Part of One's Job

Some positions require that an employee drives to or between various sites, including scholars' homes during working hours. All drivers must, at all times, have a valid California drivers' license and possess at least the minimum of automobile insurance as required by Compass Charter School. If at any time, an employee's license or insurance is terminated, revoked, canceled or suspended, s/he must notify the school immediately and refrain from driving a motor vehicle until his or her license and/or insurance is reinstated.

Unless approval has been granted by the Superintendent, no employee shall transport a scholar or scholar's parent during working hours.

All drivers are expected to follow California's laws while driving on school business, including obeying speed limits and observing rules of the road. Moving violations, parking tickets, and accidents are an employee's responsibility and the Charter School will not reimburse for fines, tickets, or traffic school that are imposed as consequences of driving behaviors.

Employee Safety Training

All new employees will attend safety training. In addition, all current employees will attend safety training if transferred to a new position or when changes are made to the workplace. Refresher training will be provided as necessary. Safety training is mandatory.

EARTHQUAKES AND FIRE SAFETY

Earthquake Procedure

In a major quake, you may experience gentle shaking at first and then more violent shaking within a few seconds. You may find it difficult to maintain your balance or it may even knock you off your feet. Or, you may be shaken by a sudden and violent jolt. It may be difficult or impossible to move from one room to the next. Within seconds, you'll feel the shaking stop.

Don't Panic:

- Remain calm and reassure scholars or staff.

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- Act decisively; your action will set the tone for others around you.

If you are indoors when shaking starts:

- “DROP, COVER AND HOLD ON.” If you are not near a strong table or desk, drop to the floor against an interior wall and cover your head and neck with your arms or stand in a doorway and direct scholars to do the same.
- Stay away from windows, bookcases, cabinets, outside walls and other heavy objects until the shaking stops.
- Do not try to run out of the structure during strong shaking.
- Stay away from buildings. Glass from tall buildings does not always fall straight down; it can catch a wind current and travel great distances.
- Do not use elevators.
- If you use a wheelchair, lock the wheels and cover your head.
- Protect your head and eyes from falling debris.
- Stay in the building.
- Don't be surprised if the electricity goes out or the fire alarms sound.

If you are outdoors when shaking starts:

- Move to a clear area if you can safely walk. Avoid power lines, buildings and trees.

The Shaking Has Stopped. Now What?

Immediately after the quake, the greatest danger is from falling objects, followed by fire.

- Make sure you are safe and not injured.
- Remain calm.
- Check those around you, looking for those trapped or injured; administer first aid. Do not move seriously injured persons unless they are in immediate danger.
- Check around you for dangerous conditions, such as fires or possible fire hazards, downed power lines and structure damage.
- If you have fire extinguishers and are trained to use them, put out small fires immediately.
- If you suspect danger, evacuate.
- Don't use the elevator. Use the stairs.
- If at a testing site, calmly walk scholars to the evacuation meeting site, bringing a scholar list.
- Take attendance to verify ALL scholars who were with you in the room are accounted for in the line.
- Note any scholars who are missing on the Missing scholar Form. Someone will be around to collect this information.
- Wait for instructions.
- Turn on battery powered radios or a car radio.
- Check the building for damage.
- Assemble emergency supplies, water, food, and first aid supplies.
- Telephone for emergencies only.
- Be prepared for aftershocks; they are usually not as strong as the initial earthquakes.
- Cooperate with public safety officials.

- If faculty and scholars are released back to the building, return and verify attendance once more (if scholars are present).

If you are trapped in debris:

- Move as little as possible so that you don't kick up dust. Cover your nose and mouth with a handkerchief or clothing.
- Tap on a pipe or wall so that rescuers can hear where you are. Use a whistle if one is available. Shout only as a last resort.

Prepare Now Before the Shaking Starts

- Become familiar with evacuation routes.
- Discuss plans and know what to do.
- Check areas for earthquake hazards and recommend measures to correct them.
- Brace or anchor high shelves, cabinets, or other things that could fall.
- Be trained in CPR and first aid.
- Plan alternate routes of evacuation.
- Plan for disabled employees.
- You may not be able to leave the premises for 72 hours, so keep a battery-powered radio, extra batteries, flashlights, sturdy shoes, and first aid supplies on hand.

Fire Emergency Procedure

In case of fire, the individual who discovers the fire shall assume these responsibilities:

- Call the Fire Department by dialing 911 and pulling the nearest fire alarm switch.
- If police or paramedics are needed, tell the 911 operator.
- If there isn't an alarm, be sure to tell everyone in the office.
- Clear employees from the immediate area.
- Attempt to put out the fire with an extinguisher if possible, but do not jeopardize your safety to fight it.
- Close, but do not lock all doors leading to the fire areas to contain the fire.
- Have employees exit the building; check restrooms, test cells, etc.
- Assist disabled or injured employees while exiting.

Employees shall follow these safety guidelines:

- Do not panic; listen for instructions.
- Exit quietly and quickly.
- Touch doors before opening. Do not open hot doors. Do not break windows. If you cannot exit an area, stuff a jacket or coat under the door and cover air vents to prevent the entry of smoke. STAY LOW TO THE FLOOR.
- Do not assist fire-fighting personnel unless asked to do so.
- Do not attempt to salvage items or retrieve purses, coats, or other personal belongings.

Evacuation plans shall be posted in conspicuous locations throughout each building.

GUIDELINES FOR PEOPLE WITH DISABILITIES IN EMERGENCIES

Evacuation of people with disabilities will be given high priority in all emergencies. In an emergency situation, it is important that staff are familiar with the needs of people with disabilities. Whenever possible, people with disabilities will be positioned near a doorway for an easier exit.

The following guidelines are important to follow:

Establish a buddy system. People with disabilities should prepare for an emergency ahead of time by instructing a co-worker or supervisor on how to assist in the event of any emergency.

If assistance is not immediately available, disabled people should remain near the stairwell landing or in the elevator lobby. Rescue personnel will first check all exit corridors and stairwells for those trapped. She/he should continue to call for help until rescued.

Individuals, who cannot speak loudly, or with voice / speech impairments, should carry a whistle or have other means of attracting attention of others.

Be familiar with alarm signals.

Leave school materials in the room to avoid wasting time.

- Wait for rescue and remain calm.
- DO NOT re-enter a building until permitted by emergency personnel.

If you suspect a fire is behind a door; cover your hand to provide protection, first and then test the door by touching it. If it is hot then do NOT use the door as an exit. Try to find an alternate route for an exit. A cautionary note on elevators: Do NOT use elevators unless authorized to do so by police or fire personnel. Elevators could fail during a fire, earthquake or flood.

Evacuation Policy for People with Disabilities

School personnel shall familiarize themselves with these procedures in order to assist in planning for the evacuation of people with physical and sensory disabilities.

In All Emergencies, After an Evacuation has Been Ordered:

- Evacuation of people with disabilities will be given high priority in all emergencies and will be evacuated if possible. Evacuating a disabled or injured person by only one person with no assistance is a last resort.
- Attempt a rescue evacuation ONLY if you have had rescue training.
- Check on people with special needs during an evacuation, determine if they have established a "buddy system," and ensure their safe evacuation.
- Always ASK someone with a disability how you can help BEFORE attempting any rescue technique or giving assistance. Ask how he or she can best be assisted or moved, and whether there are any special considerations or items that need to come with the person.
- If the situation is life threatening, call 9-1-1.

- Do NOT use elevators, unless authorized to do so by police or fire personnel. Elevators could fail during a fire, earthquake or flood.

POWER OUTAGES

If an outage occurs during the day and people with disabilities choose to wait in the building for electricity to be restored, they can move near a window where there is natural light and access to a working telephone. During regular building hours, the Office Support Coordinator will notify the building owner. Power cuts can occur due to rolling blackouts, extreme weather conditions, or can accompany other disasters such as earthquakes. If there is no power in the Charter School, turn off and unplug appliances and computers. Leave one light on to indicate when power has been restored.

LOCKDOWN/SHELTER IN PLACE

Active Shooter

In the event of an Active Shooter or Gunman on or near Charter School premises, move to our safe room, (the File Room). Lockdown and barricade inside until Police informs you it is now safe to exit this location.

In general, how you respond to an active shooter will be dictated by the specific circumstances of the encounter, bearing in mind there could be more than one shooter involved in the same situation.

If you are near an area where a shooting or shooter is identified, take whatever actions necessary to protect yourself. Situational Awareness is key; if the shooter is in your area, get away from it. Use any means necessary to get out or away from the incident. If you are not hearing gun fire or seeing an assailant, lockdown and shelter in place immediately.

- Lockdown/Shelter in Place – Move quickly to the identified safe room or a room that is easily lockable. Stay in that location until the Police inform you that it is safe to exit your location.
- Lock all entrances to your location.
- Barricade all entrances with furniture, desks, or anything available.
- Close blinds and turn off the lights.
- Silence cell phones.
- Stay low to the ground and hide until the situation has ended.
- Work in groups and develop a plan in case the shooter is able to make it into your area.

One of the instructions you may be given in an emergency is to shelter-in-place. This means you should stay indoors until authorities tell you it is safe or you are told to evacuate.

Shelter in Place

In case of a biological event:

Select a small, interior room, with no or few windows.

Close and lock all windows and exterior doors.

Turn off all fans, heating, and air conditioning systems.

Use duct tape and plastic sheeting (heavier than food wrap) to seal all cracks around the door and any vents into the room.

Listen to your radio or television for further instructions or updates.

If you are in your car, close windows and turn off vents and air conditioning.

TERRORIST ATTACKS

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Terrorism may involve devastating acts using weapons of mass destruction. These weapons range from chemical agents, biological hazards, radiological or nuclear devices, and other explosives. The primary objective of a terrorist is to create widespread fear.

If there is a terrorist Attack:

- Stay calm.
- Be vigilant. Look out for secondary hazards such as falling debris or additional attacks.
- Follow the instructions of emergency service personnel.

If you receive a Bomb Threat:

- Ask the caller the following questions:
 1. When is the bomb going to explode?
 2. Where is the bomb right now?
 3. What kind of bomb is it?
 4. What does the bomb look like?
 5. Why did you place the bomb?
 6. Where are you calling from?
- Record the exact time and length of the call.
- Write down the exact words of the caller.
- Listen carefully to the caller's voice and background noise.
- After you hang up, call 9-1-1 immediately from a hard-wired telephone – do not use cell phones to report a bomb threat.

TSUNAMI PROCEDURES

A local earthquake may generate tsunami waves that can reach shore in minutes. immediately evacuate by walking to higher ground if

- Officials issue a tsunami warning and order evacuations.
- You hear the Outdoor Warning System.
- The earth shakes so much that you can't stand.
- Shaking lasts longer than 20 seconds; and/or
- You notice water receding from the shoreline.

Storm & Flooding Procedures

Winter rains can cause floods, landslides, uprooted trees, and downed or broken utility lines in almost any neighborhood.

During the Storm:

- If water has entered the premises, do not walk through it – it may contain hazardous materials.
- If you are asked to leave your property, disconnect all electrical appliances.
- Avoid downed power lines and broken gas lines.

PROCEDURE FOR DOCUMENTING AND REPORTING INJURIES

In the event of an accident or injury, the employee will fill out the Charter School Accident/Injury Report Form and turn it into the school office or direct supervisor. This form is available at the school office and is included in this Comprehensive School Safety Plan document.

This Comprehensive Safety Plan has been developed in accordance with the intent of AB 1747 (Rodriguez), passed by the California State Legislature and signed into law in 2017-18, and in full compliance with the corresponding language required in AB 1747 as referenced in California Education Code Sections 47605.(b) (5) (F), 44237, and 32282.

PART 6: Charter School Safety Procedures—Suspension/Expulsion Policies and Procedures [EC 47605(6)(F)(ii); EC 32282.(2)(C)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2

Suspension and Expulsion Policy

The Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all scholars at CCS. In creating this policy, CCS has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* CCS is committed to the annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a scholar from CCS. This policy shall serve as CCS' policy and procedures for scholar suspension and expulsion, and it may be amended from time to time without the need to amend the charter so long as the amendments comply with legal requirements.

Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all scholars. This Policy and its Procedures will clearly describe discipline expectations.

Discipline includes but is not limited to advising and counseling scholars. Corporal punishment shall not be used as a disciplinary measure against any scholar. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a scholar. For purposes of the policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, scholars, staff, or other persons or to prevent damage to school property.

CCS administration shall ensure that scholars and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available in the Scholar Handbook.

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

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

No scholar shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the scholar has been provided written notice of intent to remove the scholar no less than five (5) schooldays before the effective date of the action. The written notice shall be in the native language of the scholar or the scholar's parent or guardian or, if the scholar is a foster child or youth or a homeless child or youth, the scholar's educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the scholar's parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the scholar shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

A. Grounds for Suspension and Expulsion of Scholars

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any

person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes, but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- l) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- r) Made terroristic threats against school officials and/or school property, which includes, but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his

or her immediate family's safety, or for the protection of school property, which includes, but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

- (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b). Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence.
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for

any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes, but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes, but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in

death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes, but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter

School.

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

(3)(a)-(b).

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

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence.

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

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Superintendent or designee with the scholar and his or her parents and, whenever practical, the teacher, supervisor or Charter School employee who referred the scholar to the President & CEO or designee.

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

At the conference, the pupil shall be informed of the reason for the disciplinary

action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, the Superintendent or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a scholar is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the scholar. In addition, the notice may also state the date and time when the scholar may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the Superintendent or designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

D. Authority to Expel

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

A scholar may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated

neutral hearing chairperson. The Administrative Panel may recommend expulsion of any scholar found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five (5) days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. CCS must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

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

G. Record of Hearing

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

H. Presentation of Evidence

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

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

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

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

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

I. Written Notice to Expel

The Superintendent or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the scholar or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the scholar; and (b) Notice of the scholar's or parent/guardian's obligation to inform any new district in which the scholar seeks to enroll of the scholar's status with the Charter School.

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

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

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

N. Readmission

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

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of SELPA

CCS shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student that CCS or the SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

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

3. 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, CCS, the parent/guardian, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent/guardian and CCS agree to a change of placement as part of the modification of the behavioral intervention plan.

If CCS, the parent/guardian, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then CCS 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.

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent/guardian or CCS, 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), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent/guardian and CCS agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

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

- a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 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. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

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

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

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

CCS 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 CCS 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/guardian has requested an evaluation of the child.
- c. The child's teacher, or other CCS personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other CCS supervisory personnel.

If CCS 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-eligible children with disabilities, including the right to stay-put.

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

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

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- a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
- 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
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- b. The parent/guardian has requested an evaluation of the child.
- c. The child's teacher, or other CCS personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other CCS supervisory personnel.

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

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

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

PART 7: Charter School Safety Procedures—Procedures to Notify Teachers of Dangerous Pupils [EC 47605(6)(F)(ii); EC 32282.(2)(D)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(CDE School Safety Plan Compliance Checklist guidance: Refer to Board Policy, include site-specific steps, if needed.)

At CCS, Administrators will email a confidential notification daily to staff. This bulletin includes the current scholar suspensions and the educational codes used to identify the scholar's behavioral issue. In certain cases, a teacher may be notified personally by an administrator if deemed necessary and isn't in violation of the scholar's rights.

PART 8: Charter School Safety Procedures—Discrimination and Harassment Policy [EC 47605(6)(F)(ii); EC 32282.(2)(E)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

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

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

CCS is committed to providing a work and educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex), Title VI, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin), the Age Discrimination in Employment Act of 1967, The Age Discrimination Act of 1975, the IDEA, and Section 504 and Title II of the ADA (mental or physical disability). The School also prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. CCS does not condone or tolerate harassment of any type, including bullying, discrimination, or intimidation, by any employee, independent contractor or other person with which CCS does business, or any other individual, scholar, or volunteer. This applies to all employees, scholars, or volunteers and relationships, regardless of position or gender. CCS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

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:

J.J. Lewis | Superintendent
850 Hampshire Road, Suite P
Thousand Oaks, CA 91361
818-824-6233

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible.

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CCS' full Discrimination, Harassment, Intimidation, and Bullying Prohibition Policy is available at its Central Office or on the CCS website.

Harassment comes in many forms including:

- Spam (unsolicited emails not pertaining to the course), threatening communications, offensive communications or any other kind of communication that makes a person feel uncomfortable.
- Any scholar who believes that he or she has been harassed or has witnessed any form of harassment should immediately report such incident to a CCS staff member. The Superintendent or designee will immediately investigate all such incidents in a confidential manner.

Steps for Scholars to Follow

Scholars who deem that they are victims of bullying or harassment should follow the steps below:

1. Do not respond to the person alleged of bullying or harassment.
2. Authenticate specific instances of bullying or harassment (i.e., keep a record of abusive communications, and save the documents or messages).
3. If the unwarranted communication is from another scholar and occurs as part of classwork (i.e., as part of any class activity such as a threaded discussion, or group assignment), inform the teacher of the situation and provide the teacher with all the proper correspondence.
4. If the unwarranted communication is from another scholar and happens in any other school setting (i.e., not as a part of a specific class), inform the victim's learning coach, counselor, advisor or other appropriate school staff of the situation and provide all appropriate evidence.
5. If the unwarranted correspondence is from a staff member, report the situation to the Superintendent.

If the abusive communication is from someone within the administration, inform the victim's learning coach of the situation who can then inform the appropriate personnel.

PART 9: Charter School Safety Procedures—Schoolwide Dress Code (if it exists), Including Prohibition of Gang-Related Apparel [EC 47605(6)(F)(ii); EC 32282.(2)(F)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school’s procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

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

CCS does not have a schoolwide dress code for its scholars.

PART 10: Charter School Safety Procedures—Procedures for Safe Ingress and Egress of Pupils, Parents, and School Employees to and from School Site [EC 47605(6)(F)(ii); EC 32282.(2)(G)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school’s procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

CCS will take measures to ensure safe ingress and egress to and from the school for pupils, parents, and school employees. Safe ingress and egress will be maintained by periodic reviews of the procedures for ingress and egress. The school will ensure that all passageways to and from school buildings, corridors within school buildings, and emergency exits remain clear of all obstruction to allow the flow of pedestrian and vehicular traffic. The school will also ensure that potential obstructions and hazards are removed from such areas. To achieve this goal, the school works closely with local law enforcement agencies to ensure that the school’s immediate community is safe.

Through the joint efforts of the District office, site administrators, faculty, PAC, and other organizations, including consultants, CCS has developed a plan to ensure the safe arrival and departure of scholars, staff, and visitors. CCS encourages input from our community and reviews this plan on an annual basis.

Any problems associated with safe ingress and egress will be addressed immediately.

PART 11: Charter School Safety Procedures—A Safe and Orderly Environment Conducive to Learning at the School [EC 47605(6)(F)(ii); EC 32282. (2)(H)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(H) A safe and orderly environment conducive to learning at the school.

It is a priority of the administration and staff at CCS that every scholar who attends our school will be provided with an environment in which the scholars not only feel physically safe but that there is also a positive school climate in all activities both in and out of the classroom.

Our administration and staff desire to provide an orderly, caring, and nondiscriminatory learning environment in which all scholars can feel comfortable and take pride in their school and their achievements.

Our administration encourages staff to teach scholars the meaning of equality, human dignity, and mutual respect, and to employ cooperative learning strategies that foster positive interactions in the classroom among scholars from diverse backgrounds.

scholars shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. Staff shall encourage and reward success and achievement, participation in community projects, and positive scholar conduct.

Our school district promotes nonviolent resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. Staff shall receive training that implements and supports conflict resolution (California Education Code Sections 32230-32239, 35160, 35160.1, 44806).

CCS remains in compliance with existing laws related to school safety. This manual outlines several elements critical to maintaining a safe school environment.

PART 12: Charter School Safety Procedures—Tactical Responses to Criminal Incidents [EC 47605(6)(F)(ii)]

SHOOTING/STABBINGS

No single warning sign can predict that a dangerous act will occur; however, certain warning signs may indicate that someone is close to behaving in a way that is potentially dangerous to self and/or others. Imminent warning signs usually are present as a sequence of overt, serious, or hostile behaviors or threats directed at peers, staff (usually more than one staff member), as well as the person's immediate family.

IMMINENT WARNING SIGNS REQUIRE AN IMMEDIATE RESPONSE AND MAY INCLUDE THE FOLLOWING

- Physically fighting with peers or family members.
- Hostile interactions with law enforcement that involve a number of recorded incidents.
- Hostile interactions with staff and administration.
- Destruction of property (school, home, community).
- Severe rage for seemingly minor reasons.
- Detailed (time, place, and method) threats (written and/or oral) to harm or kill others.
- Possession and/or use of firearms and other weapons.
- Self-injurious behaviors or threats of suicide.
- Is carrying a weapon, particularly a firearm, and has threatened to use it.

WHAT TO DO IF A SHOOTING/STABBING OCCURS AT THE FOUNDATION OFFICE

- The first indications of a shooting may include: sound of gunfire, loud cracking sounds, banging noises, windows shattering, glass exploding, bullets ricocheting or a report of a stabbing incident on campus.
- **Call 911.** Identify your address, and succinctly explain the emergency incident and exact location. Stay on the line until the **911** dispatcher has all the information needed to respond to the situation.
- Activate Incident Command System (ICS) with Emergency Management Team.
- Establish Command Post and appoint Incident Commander and communicate location to law enforcement and fire/rescue units.
- Notify appropriate individuals, i.e. Administrators, Policy Group.
- Provide information, when practicable, about the incident to staff via PA system, e-mail or by phone.
- Account for all staff members by using phone or e-mail or other communication means. Attempt to determine if the shooter/stabber is still on the work site.
- Attempt to determine if the weapon has been found or secured.
- Attempt to determine if the shooter/stabber has been identified.
- Assign a liaison (preferably an administrator) to interface with law enforcement and fire department.
- Liaison can supply law enforcement with radio or phone communication, phone numbers, maps, keys, and other information deemed pertinent to the safe operation of the incident.
- Gather witnesses in a secure room for law enforcement questioning. **DO NOT** allow witnesses to talk to one another (to protect the investigation). Assign staff to stay with witnesses until law enforcement arrives.

- Develop plan to evacuate staff to an off-site or alternate evacuation area should it be necessary to evacuate the building.
- Gather information of staff members involved in the incident.
- Prepare written statements for telephone callers and media in cooperation with law enforcement and the Superintendent & CEO. Can a message be placed on the website?
- Provide a liaison representative for family members for any injured staff members.
- Provide Crisis Response Team to provide counseling and to help deal with any psychological factors.

IF STAFF ARE OUTSIDE, THEY SHOULD BE TRAINED AND/OR INSTRUCTED TO

- Move or crawl away from gunfire, trying to put barriers between you and the shooter.
- Understand that many barriers may visually conceal a person from gunfire but may not be bulletproof.
- Try to get behind or inside a building. Stay down and away from windows.
- When reaching a relatively safe area, stay down and do not move. Do not peek or raise your head.
- Listen for directions from law enforcement.
- Provide your name to the work area supervisor who is accounting for all staff.
- Help others by being calm and quiet.
- Provide law enforcement with as much information as possible, such as:
 - ✓ Is the suspect still on site and do you know the current location?
 - ✓ Where was the specific location of occurrence?
 - ✓ Are there wounded staff members? How many?
 - ✓ Description of all weapons (hand gun, shotgun, automatic, dangerous objects, explosive devices, other).
 - ✓ Describe sound and number of shots fired.

SCENE OF INCIDENT

- The scene of an incident/crime shall be preserved.
- With the exception of rescue and law enforcement personnel, no one is allowed to enter the immediate area or touch anything.
- Any witnesses, including staff members, should be held near the area of the incident and be made available to law enforcement for questioning.

Law enforcement responding to the incident will coordinate activities at the scene of the incident and finished, release the area to school officials when finished

Appendix I: Background Information

Education Code (EC § 32282) Relevant Sections Summary

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

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

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

Appendix II: COVID Reopening Guide



Orange County Learning Center (OCLC)

2021-2022 OCLC Safety Plan

Welcome Compass Families!

Please read this guide to carefully ensure a smooth transition for all of us. Hopefully, it will answer all of your questions! If you have any questions on this guide, please reach out to our OCLC Co-Coordinator, Heather Hardy (hhardy@compasscharters.org) and Linda Larson (llarson@compasscharters.org).

In this guide, we talk about:

- Hybrid Model Schedule
- Health check before you leave home
- Drop off and Dismissal times and procedures
- Visitors on Campus
- What your child needs to bring from home
- Parking lot procedure
- Procedures for the classroom, lunch & recess, and bathroom
- Cleaning and Disinfecting Procedure
- COVID-19 Decision Tree
- Consideration for Reopening and Partial or Total Closure

Rev. 01.2022

HYBRID MODEL:

Should the need arise families will be placed into either a Tuesday or a Thursday Cohort.

Blue Group -Tuesday Scholars attend in-person on campus on Tuesdays, and work on provided asynchronous History/Science lessons on Thursday. Scholars will continue to work independently on assignments at home on Mondays, Wednesdays and Fridays.

Orange Group -Thursday Scholars attend in-person on campus on Thursday, and work on providing asynchronous History/Science lessons on Tuesday. Scholars will continue to work independently on assignments at home on Monday, Wednesday and Friday.

Purple Group- Virtual T/TH- Scholars work asynchronously on both History and Science both Tuesday and Thursday will have a live virtual session with their teacher.

Tuesday- History 3:00-3:30 pm

Thursday, Science 3:00-3:30 pm

Time	TK-2	3-5	6-8
8:45 - 9:00	Drop off	Drop off	Drop off
9:00	School Starts	School Starts	School Starts
9:00-10:30	History in-person instruction	History/Science in-person instruction	History/Science in-person instruction
10:30-10:45	Snack in classrooms	Recess on playground scholars stay in cohorts	
10:45-11am	Recess on playground scholars stay in cohorts	Snack in classrooms	Snack in classrooms
11:00-11:45	Science in-person instruction	History/Science in-person instruction	History/Science in-person instruction
12:00-12:25	Recess on playground scholars stay in cohorts		
12:25-12:45	Lunch in classroom	Lunch in classroom	Recess on playground scholars stay in cohorts
12:45-1:15	Story time	Recess on playground scholars stay in cohorts	Lunch in classroom

1:15-2:30	Enrichment	Enrichment	Enrichment
2:30-2:45	Dismissal	Dismissal	Dismissal
3-3:30	Tk-2 History virtual review (Tues)	History Virtual Review (Tues)	History Virtual Review(Tues)
	Tk-2nd Science Virtual review (Thurs)	Science Virtual Review (Thurs)	Science Virtual Review (Thurs)

Before You Leave Your Home:

Please check your child for symptoms and complete the COVID-19 Health Screening Form within ParentSquare by 8:30am each school day. Mrs. Larson will be checking that these forms are completed before your scholar(s) may enter the campus.

- Fever > 100, runny nose, cough, and headache.
- If your child exhibits any symptoms, please keep your scholar at home.

Dismissal Times:

In order to ensure that our scholars are socially distanced at drop-off and pick-up, we have created new guidelines and schedules.

Drop-off

- Drop-off will start at 8:45am. All scholars must wear face masks once they exit the car. (Please see parking lot procedures below.)
- Parents will not be allowed to walk their child to the classroom unless there is a special circumstance. Please contact Linda Larson (805) 405-0945 if a special circumstance is warranted.
- Scholars will walk directly to their classroom.
- School starts at 9:00am.

Dismissal

- Dismissal will begin at 2:30pm. Each scholar will be assigned a location on the field, grouped by family and carpool.
- Parents will pull into the parking lot area and each carpool group will be escorted to your car.

Visitors on Campus

Until further notice, there are no visitors or volunteers permitted on campus without proper

screening. Prohibiting adults, other than school or district employees, on campus during the pandemic ensures that we limit peripheral contact and cross contamination, which helps to protect the health and well-being of our scholars and staff.

Parking Lot Procedure

Our priority is safety. This plan is designed to keep all of our scholars safe during the drop-off and pick-up time.

DROP-OFF:

- Please pull all the way forward to the STOP sign.
- Follow the directions of the staff on duty. They are looking out for everyone's safety .
- Make sure your child has his or her backpack and other belongings ready to go so the car can be exited quickly .

PICK-UP:

- Please pull forward to the STOP sign
- Follow the directions of the staff on duty. They are looking out for everyone's safety.
- Display your child's name in the window so staff members can see it.
- Staff will help get your child/carpool to your car - please don't leave your car.
- If you wait in the line to pick-up your scholar, you must remain in your vehicle.

What to bring each day

- Backpack
- Water bottle labeled with your scholar's name
- Lunch
- At least one extra face covering.
- Any other supplies, books, or work that your teacher requests.

Scholar Entrance to Classrooms

- Scholars will sanitize their hands before entering the classroom.
- If a scholar has a temperature or any symptoms of COVID, they will be sent to the office, and you will be called to pick up your child.

Lunch and Recess

- Scholars will be eating in their class with their classmates within their cohort.

- Scholars will have regularly scheduled recess breaks and lunch.
- Each class (cohort) will be kept together and have an assigned area on the field, blacktop, or playground to play. scholars will be spread out to the greatest extent possible. Classes will rotate to different areas on a weekly basis. Each class will have their own set of sanitized playground equipment, such as jump ropes, hula hoops, and balls and will be sanitized after each use.
- Scholar supervisors will be trained in a variety of games that maintain social distancing.
- Scholars will be able to remove facial coverings to eat and when outside and social distancing measures are in place.

Bathrooms

All scholars are assigned to the bathroom closest to their classrooms. Three (3) scholars are allowed in the bathroom at once. Additional scholars wanting to use the bathroom will wait in line marked by the mark on the ground.

Classrooms

- Scholars and scholar desks are spread out to the greatest extent possible. Scholars will be required to wear a facial covering in the classroom. Scholars will wash and/or sanitize their hands throughout the day.
- Materials will not be shared.
- High point touch areas will be sanitized daily and classrooms will be cleaned in-between each cohort.

Face Covering Requirements

Face masks continue to generate many questions. Wearing a mask is mandatory for all scholars. If a child arrives at school without an appropriate face mask, the school will provide one for them.

Face coverings must be used in accordance with [CDPH guidelines](#) unless a person is exempt as explained in the guidelines, particularly in indoor environments, on school buses, and areas where physical distancing alone is not sufficient to prevent disease transmission.

Promoting Healthy Hygiene Habits

The teachers and staff at the OCLC teach and reinforce washing hands, avoiding contact with one's eyes, nose and mouth, and covering coughs and sneezes among scholars and staff. Specifically, the following procedures will be followed:

- Teach scholars and remind staff to use a tissue to wipe their nose and to cough/sneeze inside a tissue or their elbow.
- Scholars and staff should wash their hands frequently throughout the day, including before and after eating; after coughing or sneezing; and after using the restroom.

- Scholars and staff should wash their hands for 20 seconds with soap, rubbing thoroughly after application.
- Scholars and staff should use hand sanitizer when handwashing is not practicable. Sanitizer must be rubbed into hands until completely dry.
- Hand sanitizer stations have been installed inside all classrooms.

Intensified Cleaning and Disinfection Procedures

We have suspended the use of drinking fountains and are encouraging scholars to bring water bottles to school. Water will be provided to scholars who do not bring water bottles. When we are able to resume use of water systems we will ensure they are safe to use after prolonged shutdown to minimize any risks. Sharing of supplies, objects and equipment will be limited. Play equipment will be distributed by class/cohort and will be sanitized after each use.

Trained custodial staff have intensified their cleaning and sanitizing procedures in accordance with CDC recommendations. Frequently touched surfaces will also be cleaned and disinfected daily using products approved for use against COVID-19.

Plan for When a Staff Member, Scholar, or Visitor Becomes Sick

Compass Charter Schools will have a Rest and Recovery Area at the OCLC where staff and scholars who are exhibiting symptoms can be isolated until they are able to return home or a healthcare facility if needed.

Compass Charter Schools will advise sick staff members and scholars not to return until they have met [CDPH criteria](#):

1. Quarantine recommendations for student close contacts who have completed the primary series of COVID-19 vaccines OR were previously infected with (laboratory confirmed) SARS-CoV-2 within the last 90 days:

- a. Quarantine is NOT recommended. Students without symptoms may remain in school and participate in all school activities. If symptoms develop, they should test and stay home; OR
- b. Schools may follow the recommendations provided in the Group-Tracing Approach to Students Exposed to COVID-19 in a K-12 setting

2. Quarantine recommendations for student close contacts who have NOT completed the primary series of COVID-19 vaccines NOR were previously infected with (laboratory confirmed) SARS-CoV-2 within the last 90 days for exposures when both parties were wearing a mask, as required in K-12 indoor settings. These are adapted from the CDC K-12 guidance and CDC definition of a close contact. See the K-12 Schools Guidance 2021-2022 Questions & Answers for additional recommendations to focus on high-value contact tracing to protect students and staff.

a. When both parties were wearing a mask in any school setting in which students are supervised by school staff (including indoor or outdoor school settings and school buses, including on buses operated by public and private school systems), students close contacts (more than 15 minutes over a 24-hour period within 0-6 feet) may undergo a modified quarantine as follows. They may continue to attend school for in-person instruction if they:

i. Are asymptomatic;

ii. Continue to appropriately mask, as required;

iii. Undergo at least twice weekly testing during quarantine; and

iv. Continue to quarantine for all extracurricular activities at school, including sports, and activities within the community setting; OR

b. Schools may follow the recommendations provided in the Group-Tracing Approach to Students Exposed to COVID-19 in a K-12 setting

3. Quarantine duration recommendations for student close contacts who have NOT completed the primary series of COVID-19 vaccines NOR were previously infected with (laboratory confirmed) SARS-CoV-2 within the last 90 days in:

Standard quarantine (i.e., students who were not wearing masks or for whom the infected individual was not wearing a mask during the exposure); OR

Modified quarantine (i.e., students as described in #8 above).

a. Quarantine can end after day 5 if symptoms are not present and a diagnostic specimen collected on day 5 or later tests negative. If unable to test or choosing not to test, and symptoms are not present, quarantine can end after day 10; OR

b. Schools may follow the recommendations provided in the Group-Tracing Approach to Students Exposed to COVID-19 in a K-12 setting

Compass Charter School will notify local health officials immediately of any positive case of COVID-19, and any exposed staff and families as relevant while maintaining confidentiality as required by state and federal laws.

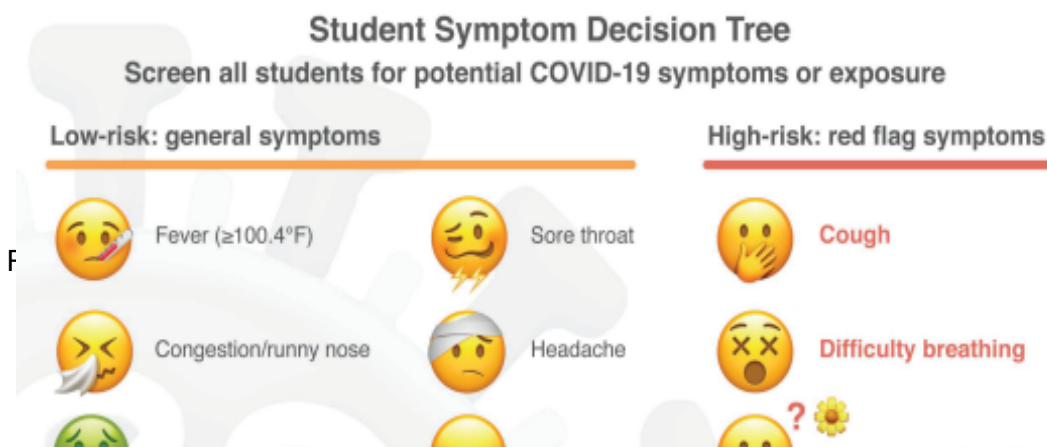
Considerations for Reopening and Partial or Total Closures

Compass Charter School staff will check state and local orders and health department notices about transmission in the area or closures and adjust operations accordingly.

When a Scholar, teacher, or staff member tests positive for COVID-19 and had exposed others at the school, Compass Charter Schools will refer to the [CDPH Framework](#) for K-12 Schools, and implement the following steps:

- In consultation with the local public health department, the Superintendent will decide whether center closure versus cleaning and quarantine of exposed persons or other intervention is warranted, including the length of time necessary, based on the risk level within the specific community as determined by the local public health officer.
- Close off the classroom or office where the patient was based and do not use these areas until after cleaning and disinfection.
- Additional areas of the center visited by the COVID-19 positive individual may also need to be closed temporarily for cleaning and disinfection.
- Implement communication plans for exposure at school and potential school closures to include outreach to scholars, parents, teachers, staff, and the community.
- Develop a plan for continuity of education. Consider in that plan how to also continue nutrition and other services provided in the regular school setting to establish alternate mechanisms for these services to continue.
- Maintain regular communications with the local public health department

Appendix: A



Appendix III: Firearms Safety Memorandum

To: Parents and Guardians of Students in the Compass Charter Schools
From: J.J. Lewis
Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in Compass Charter Schools of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition. To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- California makes a person criminally liable for keeping a loaded firearm, under their custody and control, where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian and the child obtains access to the firearm and thereby: (1) causes death or great bodily injury to the child or any other person; (2) carries the firearm to a public place, including to any preschool or school grades kindergarten through twelfth grade, including to any school-sponsored event, activity, or performance; or (3) brandishes a firearm to others. The criminal penalty may be greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- As of 2014, California makes a person criminally liable if they negligently store or leave any loaded firearm on their premises where a child is likely to gain access to it—regardless of whether or not the child brings the gun to a public place.
- A parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward. These damages may be up to \$30,000 per victim.

Note: Gun owners may avoid criminal liability under California Penal Code Section 25100 by keeping their firearm in a locked container or secured with a locking device that renders the firearm inoperable. 3

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Sincerely,

J.J. Lewis

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