

Eel River Charter School



Parent/Student Handbook 2020-21

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EEL RIVER CHARTER SCHOOL

We welcome you and your child to the Eel River Charter School family. Your family's involvement makes our school stronger.

MISSION STATEMENT

Working with families in the community to develop educated, responsible, compassionate people through holistic teaching.

PHILOSOPHY

Learning opportunities and accomplishments can best take place when students have the opportunity to exercise their own choices; when schooling is viewed as one aspect of education; when learning is viewed as a boundless experience; and when an educational alliance is formed with a seamless web of educators, students, parents, businesses, and community services. The educational experience goes beyond the boundaries of the school to integrate with the home and community. All aspects of the child's environment are embraced in a holistic approach to education.

MISSION

As stated in our Charter, our mission is to develop students who are competent, confident, productive and responsible young adults who will possess the habits, skills and attitudes to succeed in school and be offered the invitation of a post-secondary education and satisfying employment. ERCS's mission is to engage parents in the educational process thereby providing the support structure and overlapping spheres of influence necessary for students to attain an integrated perception of learning.

GOALS AND OBJECTIVES

To develop these habits and attitudes requires a climate that is conducive to learning. ERCS believes that learning occurs when learners (students) feel they are in a safe environment, can apply their knowledge in ways that enrich their lives and in which they ultimately assume responsibility for themselves and their environment, are allowed the time to follow through on an interest, feel free to participate without fear, have an opportunity to learn kinesthetically, learners have the chance to move at their own pace, are given an integrative approach to gaining knowledge; and can construct meaning.

ERCS BOARD OF DIRECTORS

The ERCS Board is comprised of parents/guardians of ERCS students and a community member. As per the ERCS By-laws, the election for Board members is held at the Annual Board meeting in October. All parents are eligible to submit a letter of interest for a position on the Board. While ERCS is financially and programmatically accountable to the Round Valley Unified School District Board, the ERCS Board has responsibility for all decisions affecting the school. The ERCS Board meetings are held as scheduled, and are open to the public.

Parents are encouraged to spend one term (two years) on the Governing Board.

SCHOOL SITE COUNCIL

The School Site Council is comprised of the Board Chair, the teachers, and at least 5 parents, preferably of students who qualify for Title I services. The Site Council makes recommendations to the Governing Board on the spending of restricted funds and regarding revisions to the Single Plan for Student Achievement, the Title I Parent Policy, the LCAP, and the Federal Addendum annually.

EEL RIVER CHARTER SCHOOL STAFF 2020-21

Teachers

Grades

Arla Nummelin
Michael Buchanan
Jennifer Nunez-Ward

K-1
2-3
4-6

Support Staff

Betty Tuttle	Office Manager
Tina Wilson	Business Manager
Beverly Bruno	Aide
Kathy Carlson	Aide
Elacia Lincoln	Aide
Danielle Begay	Aide
Bell Garica	Breakfast/Lunch Server
Bell Garica	Custodian

Eel River Charter School Board of Directors

Lisa Whiteman	Chairperson
	Vice Chairperson
Karen Morales	Secretary
Joanna Wolf	Treasurer
	Member

HOME-SCHOOL PARTNERSHIP

As partners in the educational process at Eel River Charter School, we ask parents:

- To set rules, times, and limits so your child gets to bed early on school nights, arrives at school on time and is picked up on time at the end of the day
- To ensure your child completes and returns homework on time
- To actively participate in school activities, fundraisers, Parent/Teacher conferences, and Back-to-School Night
- To inform the teacher of any special situation regarding the student's well-being, safety, or health
- To complete and return to school any requested information promptly
- To read school notes and newsletters and to show interest in the student's total education
- To support and cooperate with the behavior policy of the school
- To fulfill parent participation hours in a timely manner

PARENT PARTICIPATION HOURS POLICY

**** Through the duration of the COVID 19 Pandemic, campus visitors, including families, will be minimized. This is to protect the health and safety of the students and staff by limiting exposure to the virus. All people visiting the campus will have to wear a mask, check temperature upon entering the school, and practice social distancing. The front door has been locked and visitors must knock for admittance. This situation goes against everything that ERCS was built around and we can hardly wait for a return to normal routines. Stay healthy and call or email the school at any time to speak with a member of the staff. Parent participation hours are waived during the pandemic and items 1-7 on pages 6-8 will be modified or postponed to meet health guidelines during the pandemic. ERCS Board meetings have been held via the ZOOM meeting platform, and will continue and may expand to include Site Council meetings, Indian Parent Committee meetings, or parent/teacher conferences as needed. Whole school events, such as Back to School, Holiday Program, Science Fair, Young Authors Tea, Parent Pancake Breakfast, Cinco de Mayo, and Variety Show will have to be postponed until the health orders are lifted. Please share your cell phone and email addresses with the ERCS Office and keep them up to date. ERCS policies and plans can be shared by email, Facebook, or posted to web site. Class information can be shared by email or other electronic means such as Zoom or Class Dojo.**

In keeping with our philosophy that parent involvement is vital to student success, we depend on parent volunteers. ERCS does not employ a principal, groundskeeper, or maintenance person.

ERCS requests 2 hours of parent participation per student per week (up to a maximum of 5 hours per week per family) to create a strong home-school partnership. Parents can choose to volunteer their hours in a variety of ways: teaching, classroom aide, yard duty, yard work, site maintenance, coaching, arranging field trips, fundraising, etc. It is your responsibility to promptly record your hours in the Parent Hours Binder in the main room. Hours are tabulated on a monthly basis.

Parents are also encouraged to serve 2 years on the ERCS Board or on the School Site Council.

Other adult relatives and friends can perform "parent hours." Hours should be recorded in the Parent Hours Binder under your child's name.

PARENT INVOLVEMENT POLICY

The Eel River Charter School believes that parents/guardians are their children's most influential teachers, and that sustained parent involvement in education contributes greatly to student achievement.

School Parent Contract:

- 1) The Eel River Charter School recognizes its responsibility to provide high quality curriculum and instruction.
- 2) The parents have the responsibility to support their children's learning.
- 3) Ongoing communication between parents and teachers is important for the students' progress. Report cards and conferences, and opportunities to volunteer at school to observe and participate in the educational program are examples of communication.

1) How ERCS will involve parents in joint development of the LEA and the LCAP (the Local Education Agency Plan, and the Local Control and Accountability Plan) and the process of school review for program improvement schools under Section 1116; plan for involvement of Title I Parents in the Program

A minimum of 4 parents will serve on the School Site Council (SSC) to review, update, give input/suggestions for the LCAP. Title I parents will be personally invited to serve on the SSC, but all parents will be welcome to serve on the council. ERCS is a small community of families (about 34) in a small town. The majority of families have students who qualify for Title I. We do not (except for statistical purposes) categorize parents into Title I and non-Title I groups. To preserve confidentiality and to promote a heterogeneous environment, notifications will go to all parents.

At the mandatory meeting of the SSC, Title I (and other) parents will decide on priorities to improve to student achievement. They will review the budget proposed for the expenditure of categorical funds, including the Supplemental and Concentration Grants. They will make suggestions for school improvement and review the LCAP. It will then be submitted to the ERCS Board (comprised mainly of parents) for review and final approval. In addition the School Site Council and the ERCS Board will evaluate the Title I Parental Involvement Policy yearly, and make amendments as necessary.

The Director of Student Achievement will convene the annual School Site Council meetings to review the LCAP and Parent Involvement Policy. (For non-English speaking parents, we have a Spanish speaking parent, and can also use Spanish speaking students as translators.)

The SSC may elect to continue its meetings for school or parenting improvement, and will be open to any parents who wish to join.

The Board is largely composed of parents. The Board, in conjunction with staff, will review student standardized test results annually and evaluate the ERCS educational program accordingly.

Parents will have the opportunity to participate in hiring new staff, and to monitor curriculum, and give input regarding the ERCS program. Parents will be free to address the ERCS Board with their concerns, and the Board will take appropriate action when necessary. The established complaint procedure ensures that grievances will be taken seriously and proceed toward resolution.

All parents are welcome at Board meetings. The time spent at these meetings will be recorded as volunteer parent hours.

2) How ERCS will help the school to plan and implement effective parent involvement activities to improve student academic achievement and school performance

Parents will participate in the annual Back to School pot luck dinner, where they are welcomed into the school. They are encouraged to contribute 2 hours a week per child. They are invited to attend whole school events like the awards assemblies, winter program, theatrical performances, science fairs etc. to celebrate student achievement and to bond together as a community. It is ERCS' philosophy that parents should attend field trips, serve on the School Site Council, serve on the ERCS Board, teach in classrooms, work in classrooms as aides and generally connect with their children at school.

3) How ERCS will build the school's and parents' capacity for strong parental involvement

The ERCS philosophy is that parents and family, crucial to a child's universe, exert the greatest influence over that child's thinking. What parents truly honor naturally passes to their children. Recognizing this, ERCS requests families to contribute a minimum of two hours per week per child, to help the school function. Each month the hours will be tallied. The ERCS Board tries to encourage parents to fulfill their hours.

The ERCS Board is composed primarily of parents: parents founded this school, and they form the final link in the chain of command. Depending on their interest, families will choose how they will contribute. They have done everything from administrative tasks (governing the school, negotiating property improvements, ensuring compliance with state law etc.) to planning curriculum and teaching, working in the classrooms, organizing field trips, fundraising, field trips, cleaning bathrooms, dumping garbage, yard work, bake sales, etc.

All parents may request copies of state standards, extra teacher conferences, explanation of the curriculum, and academic help for themselves to better aid their children etc. All these requests will be honored. ERCS has updated its complaint procedure policy to better resolve interpersonal difficulties in problem solving. This helps parents, teachers, students and Board Members to focus on better education. The policy provides a step by step set of actions to ensure that all submitted complaints are addressed.

4) How ERCS will coordinate and integrate parental involvement strategies under Part A and under other programs as specified

All parents will be solicited for their opinions through the annual questionnaire.

School Site Council members will give input regarding expenditures and improvements. They will amend and approve the LCAP/Parent Involvement Policy annually.

Parents will communicate with teachers on a quarterly basis at report card time, or more frequently if necessary. Parents who are frequently on campus to contribute hours or to pick up their children will benefit from increased communication with teachers and will be familiar with classroom projects.

When students with learning inefficiencies are given the Complete Academic Battery (CAB assessment) to generate an individual profile of student learning, parents will be given specific remediation activities to do with their children.

ERCS has a Facebook page for announcements, sends out fliers, posts messages on the door, and uses the One Call Now system to communicate more effectively with parents throughout the school year.

All parents are welcome at ERCS' monthly Board meetings, and are free to voice their opinions about school issues.

5) How ERCS will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy and use the findings of the evaluation to design more effective parental involvement

Parent attendance at school events will be noted, along with self-reported parent hours in the binder. Parents will answer a yearly questionnaire indicating their satisfaction with their children's progress, the ERCS curriculum, and their access to the ERCS Board.

The results of these questionnaires will be published in the annual program audit, the School Dashboard, and the LCAP which are communicated to the ERCS Board. Future plans may be based on the questionnaire findings.

School Site Council members contribute suggestions for improvement annually for the LCAP. They will approve the Title I Parent Involvement Policy annually. In addition, the ERCS Board (comprised mainly of parents) will review the statistics regarding student performance on standardized tests, and contribute ideas on how to improve student achievement.

The SARC and LCAP plans will be available on ERCS's school web-site for public review.

**6) How ERCS will involve parents in the activities of the Title I schools?
Parent hours will be tallied and attendance noted at school events.**

All parents are welcome on campus and in the classrooms. ERCS solicits parent volunteers in all school activities. All parents are invited to serve on the School Site Council. These parents contribute ideas for school improvement to be included in the LCAP plan. Extra parent-teacher conference time will be offered to any parent. Teachers will schedule conferences with parents whenever the parents request it, or whenever teachers feel it would be beneficial for the student's welfare.

7) How does the school provide accessibility and opportunity for parents with limited English proficiency, parents with disabilities, and parents of migratory students?

Our school is very small and family based. For parents with limited English proficiency, we will be translating enrollment documents into Spanish. Many of our teachers speak a little Spanish, and we may translate report cards into Spanish using the Internet if when parents have limited English and no translator is available. We may also use an aide, another parent, or a student as a translator.

Our school is in a small community where people know each other. If family contact is difficult to make, we search for another relative here who can facilitate communication. ERCS encourages parents of all students to contribute to the school by doing parent hours. We also help parents who want to learn English by posting information about English classes that are locally available.

All parents are invited to school events such as plays, awards assemblies, the Variety Show, Back to School night, field trips, etc. where they have an opportunity to meet with other parents and join the ERCS community.

NONDISCRIMINATION STATEMENT

Eel River Charter School ("Charter School") does not discriminate against any student 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.

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

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

Betty Tuttle, Office Manager
707-983-6946

SCHEDULE

****ERCS has approved a calendar and school day schedule. However, health orders during the COVID 19 pandemic may impact the school calendar and daily schedule throughout the foreseeable future. ERCS will begin the year with Distance Learning and the school day will consist of at least 180 min/day for K students, 230 min/day for 1-3 grade, and 240 min/day for 4-6 grade. ERCS will attempt to give as much advance notice as possible for any schedule changes. In order to prepare for possible schedule changes, the ERCS Board and staff adopted a new curriculum which has online content which directly matches the lessons and workbooks from the classroom for ELA and math. In this manner, ERCS students can transition from traditional, to a hybrid schedule, to full time distance learning at home as health orders require. ERCS has Chromebooks for every student. Student family internet connectivity is in process through ERCS, the District and Your Town Online (Willits Online).**

School hours for grades K-6 are 8:15 AM – 2:40 PM, except Wednesday when students are dismissed at 2:10 PM. On minimum days, grades K-6 will be dismissed at 1:00 PM.

ARRIVAL AND DISMISSAL

Our school day begins at 8:15 am and ends at 2:40 pm, with the exception of a 2:10 pm dismissal on Wednesday. Students should not arrive at school BEFORE 8:00 am. Breakfast is served at 8 am. There is limited supervision until this time. Students are to wait at the lunch tables quietly before school and remain with their teacher after school until released for bus or signed out/picked up by parent.

Please drop off and pick up your child on the west side of the school (Main Street), away from the bus zone, which is located on the south side of the school (Greeley Street).

Students who are tardy need to check in at the office before proceeding to class.

If your child must be checked out of school before the end of the school day, please sign them out in the office. Our office manager will call the classroom and have your student sent over.

Students are not permitted to leave the school grounds during the school day unless signed out from the office by the parent or legal guardian. If a parent cannot pick up a child, a person the parent has

listed on the Emergency Card, or an alternate person, may do so with written permission from the parent or guardian. In emergency pick-up situations, a parent may also call the school to inform staff who will be picking the student up. Absent written or verbal permission however, the student will not be permitted to leave with anyone other than a parent or guardian. Student safety is our highest priority, so please keep the information on your child's Emergency Card updated at all times.

RVUSD may implement a shortened, **Delayed Start Schedule** when weather and road conditions make it the safest course of action for **all students and staff.**

On days when the **Delayed Start Schedule** is in effect, classes begin and buses run **2 hours later**. Morning breakfast will be cancelled when the 2 hour delay is in effect. Afternoon dismissal times and bus schedules are the same as on regular school days.

The special schedule was developed to help cope with winter weather and avoid unnecessary cancellation of school. The **Delayed Start Schedule** allows students walking, driving, and riding buses to avoid hazardous traffic conditions.

Early Release Days are cancelled when a **Delayed Start** occurs on a scheduled **Early Release Day**. Afternoon dismissal times and bus schedules are the same as on regular school days.

ATTENDANCE

****Students will be required to participate daily for scheduled minutes during distance or hybrid learning. This will include online lessons or packets of schoolwork, a Zoom classroom meeting with the teacher and other students, watching video tutorials, and completing daily work as assigned by the teacher. The student and parent will need to be available by phone if internet not working. Any student that does not participate 3 days in any week or 60% of the week will be targeted for reengagement measures. Students/parents will be expected to contact the student's teacher or the school office if they are unable to participate in the class meeting or the online curriculum and paper packets will be made available. Students unable to complete the assignments should contact their teacher as soon as possible so that student will receive help from teacher or aide.**

School attendance is vital for educational success. Children who miss school miss out on opportunities to learn and develop the skills and attitudes they need to become good students and responsible adults. There is a close relationship between student attendance and student performance in school.

Excusable absences are illness, health quarantine, a student's own doctor or dental appointment, funeral of an immediate family member, participation in religious instruction or exercises (The student shall be excused for this purpose on no more than four school days per month), attendance at the student's naturalization ceremony, or student's court/jury appearance. Going out of town during school is an unexcused absence, as is staying home because a parent or sibling is ill or has a doctor appointment.

Eel River Charter School attendance policy states that because it is often difficult for a student who has missed a lot of school to keep up with their studies, a student's teacher and the ERCS Board reserve the right to retain a student who has missed more than 4 days of school per quarter or a total of 17 days over the course of a school year. Both excused and unexcused absences are counted for purposes of 90% attendance and students are designated as "chronic absentees" if they miss 10% or more of the school days that they are enrolled in any one school year. (See also: ABSENCE VERIFICATION, ILLNESS, INDEPENDENT STUDY)

TARDINESS

It benefits all of our students when everyone is on time, every day. Tardiness affects your child, the other children in the classroom, and the teacher's instruction.

Arriving even a few minutes late is uncomfortable for a child and disruptive to the classroom. S/he spends several minutes getting settled in and catching up on the activity in progress. This is distracting to the other students, whose work is interrupted. It affects teaching, as the teacher must stop instruction to make sure your child knows what has been going on.

Children who are tardy need to check in at the office before proceeding to class.

ABSENCE VERIFICATION

ERCS requires that absences be verified. Please call the school each day your child is absent. The number to call is: 707-983-6946. When calling, please state the reason for the absence. (See also: ATTENDANCE, ILLNESS)

CELLULAR PHONES/ELECTRONIC/ENTERTAINMENT DEVICES

Cell phones and other electronic devices must be turned off during the school day. ERCS will not be responsible for lost, damaged, or stolen items.

Electronic devices, battery-operated entertainment devices, laser pointers, and penlights should be left home. If brought onto school grounds they must be turned off and in a student's backpack at all times including recess, lunch, and after school. If found, they may be taken to the office until the end of the day. ERCS will not be responsible for lost, damaged, or stolen items.

CURRICULUM

The faculty strives to develop a curriculum that is as inter-disciplinary as possible while meeting the challenging demands of a state mandated curriculum. Charter school students are required to take the same standardized assessment tests that all public school students take. Therefore, the curriculum follows or exceeds the state mandated frameworks by grade level. In addition, our school has minimum standards for student advancement to the next grade level. Children with IEPs who require specialized learning services that cannot be delivered in the regular classroom will receive those services through the Round Valley Unified School District under the supervision of the Director of Special Education at RVUSD. (See also: MINIMUM STANDARDS)

MINIMUM GRADE STANDARDS

The ERCS Board has adopted Minimum Standards at each grade level. Students must meet each of the Minimum Standards to advance to the next grade level. Minimum Standards are posted in the office and in every classroom.

KINDERGARTEN

Know all letter sounds

Recognize all numbers 0-20

DRA 3 (Guided Reading Level B) @ 90% accuracy

FIRST

Understand how to add and subtract

Know all letter names

Blend CVC words
First 100 High Frequency Sight Words (75%)
DRA 6 (Guided Reading Level D) @ 90% accuracy

SECOND

Compose & Write 2 sentences, completely independently
Reading Level 12 (DRA) @ 90% accuracy
Concept of Addition and Subtraction in one-step Word problems
Count to 200 independently

THIRD

Compose and Write 3 sentences to a given prompt
Reading Level 20 (DRA) @ 90% accuracy
Concepts of Multiplication
Accurate computation of 3-digit addition and subtraction
One-Step addition/subtraction, and multiplication completed independently

FOURTH

Independently compose and write a 5-sentence paragraph (topic sentence, 3 details, ending sentence) to a prompt
Reading Level 30 (DRA) @ 90% accuracy
Concepts of four basic operations
Memorized Multiplication Facts from 0 - 10
2-step word problems with addition and subtraction, oral assistance provided

FIFTH

Independently compose and write two 5-sentence paragraph (topic sentence, 3 details, ending sentence) to a prompt
Reading Level 40 (DRA) @ 90% accuracy
Concepts of fractions
Accurate commutation of all four operations (multiply 2-digit by 2-digit and divide 3-digit numbers by a 1-digit number)
2-step word problems using addition, subtraction, multiplication, and division

SIXTH

2 paragraph research paper
Reading Level 50 (DRA) @ 90% accuracy
Operations with fractions, decimals, and percents.
Solve equations using one variable

General Notes: If a child cannot meet these requirements by the time they LEAVE A MULTI-GRADED CLASSROOM, they should be recommended for retention.
Retention should happen as early as possible in each child's educational career.
BY FIRST QUARTER CONFERENCES, parents/guardians/families need to be informed if a student has difficulty in meeting these ERCS Minimum Standards.

AVAILABILITY OF PROSPECTUS

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

TEACHER QUALIFICATION INFORMATION

All parents may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals.

CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS ("CAASPP")

The Charter School shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress.) Notwithstanding any other provision of law, a parent's or guardian's written request to School officials to excuse his or her child from any or all parts of the state assessments shall be granted.

REPORT CARDS/CONFERENCES

Report cards are issued four times a year, at the end of each quarter. Your child's teacher will schedule a Parent/Teacher conference for the first and third reporting periods. If you would like to schedule a conference to discuss your child's progress at any point in the school year, please phone for an appointment. *If you find you cannot make your scheduled conference, please call ahead and cancel prior to the conference itself.*

Teachers are not generally available for conferences or phone calls during class hours.

DRESS CODE

The following are prohibited under the ERCS dress code: low necklines, midriff-revealing shirts, mini-skirts, short shorts, droopy trousers, clothing that advertises tobacco, alcohol, or drugs; clothing with vulgar or discriminatory language, or clothing with gang symbolism. Appropriate undergarments must be worn at all times. Hats/hoods may only be worn outdoors. Please send a sweater or jacket during cool weather.

Shoes that are appropriate for physical education activities should *always* be worn to school. High heels, backless shoes, backless sandals, and flip-flops may be hazardous for your child and others during PE and recess.

AHERA POLICY

In compliance with federal AHERA policy, the Eel River Charter School is required to notify the parents and staff of the school concerning the availability of the school's Asbestos Management Plan and any response actions taken or planned. The ERCS Board approved Asbestos Management Plan is located in the school office and a copy is available by request.

EMERGENCY PREPAREDNESS AND COMPREHENSIVE SAFETY PLAN

**** There may be additional health directives during the COVID 19 pandemic such as temperature scan and hand washing upon arrival at school each morning, social distancing, staff and students wearing masks, serving meals in the classrooms, no drinking fountains, staggered arrival and dismissal times, no close contact games such as basketball, tetherball, volleyball, or soccer. In addition, students may be questioned each day if they feel well and about their travel or contact with those exhibiting signs of illness. School may be abruptly closed for cleaning if a student or staff member exhibits signs of illness. Please keep all students home if they exhibit the signs of illness: cough, shortness of breath or difficulty breathing, fever, chills, muscle pain, sore throat, new loss of taste or smell or if they are in a household where someone has these signs. Daily school lessons can easily be transitioned to distance learning. Call in to the school if your student needs a distance learning placement when school is re-opened.**

Additional cleaning will take place at ERCS to protect students, families, and staff. This will include wipe down/spraying of surfaces with FDA and EPA approved products on a daily schedule.

The Charter School shall adhere to a Comprehensive School Safety Plan drafted specifically to the needs of the school site in conjunction with law enforcement and the local and State Fire Marshal. This handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

HEAD LICE

Because of the communicability and rapid proliferation of head lice, it is the policy of ERCS to conduct class-wide head checks on a regular basis in our classrooms. Children with nits and/or live head lice will be sent home for treatment.

The head lice policy, adopted by the Eel River Charter School Board of Directors, will be strictly enforced at school. Any child found to have live head lice or nits (eggs-dead or alive) will immediately be excluded from school to be treated. **An adult must accompany the child to the school the following morning in order for the child to be checked and cleared of lice.** A child who is excluded from school should be treated and returned to school within 24 hours. A child will be considered truant if he/she has not been properly treated and returned to school by the 3rd calendar day following exclusion. If you need assistance with lice products or related information, please call Round Valley Indian Health Center at 983-6181 or your primary doctor.

You should examine your child's head, especially behind the ears and at the nape of the neck, for nits and lice weekly, especially if your child shows symptoms (primarily itching) of head lice.

ILLNESS

Regular attendance is necessary if your student is to progress satisfactorily in school. It is important, however, to keep your student home when ill as this can often prevent longer absences and the spread of illness to other students. If you would like to pick up class work for your child, please leave a message for your child's teacher.

Children should not come to school with the following conditions:

- A severe headache, continuous coughing, or sneezing
- A temperature of 100 degrees or higher- If a child has had a fever, s/he should remain at home until the temperature is normal for 24 hours without the use of a fever reducer such as aspirin or Tylenol.
- Diarrhea (remain at home until free of symptoms for 24 hours)
- Nausea or vomiting, or has vomited during the night (remain at home until free of symptoms for 24 hours)
- Evidence of a communicable disease such as chicken-pox
- Conjunctivitis (pink eye)
- Severe sore throat or Strep Throat

If your child has been seen by a medical doctor and determined NOT to be contagious, please submit a doctor's note that the child "is not contagious and may return to school." (See also: ABSENCE VERIFICATION, ATTENDANCE)

INDEPENDENT STUDY

A student who for reasons of temporary or permanent disability, medical reasons, or other reasons approved by ERCS's independent study policy is expected to complete Independent Study (IS) requirements. The contract is signed by the parent, child, and teacher *prior* to the absence whenever

possible. A parent MUST coordinate with their student's teacher with as much advance warning as possible, so that the independent study lessons may be prepared prior to the expected absence. If it becomes apparent that the student will need to stay out longer than two weeks, the student's family must set up a meeting with the student's teacher and an ERCS Board representative to grant this request BEFORE the end of the 2nd week of absences.

Completing Independent Study will help your child maintain skills while s/he is gone but is not a substitute for the teaching your child would receive in school.

Independent Study work (between 3.5 and 5.14 hours per day, depending on the student's grade level) is due upon the student's return to school.

MEDICATIONS AT SCHOOL

School personnel may not administer medication unless a physician has given approval. Most medication can be timed so it can be taken at home. However, if your child must take medicine while at school, please provide a written note from you **and** a written note from your child's doctor). A note is required even for over-the-counter medicine.

Prescription medication must be delivered to school by an adult, in its original, labeled container, listing your child's name, doctor's name, name of the medicine, and instructions for when to take the medicine and how much to take.

VISION, HEARING, AND SCOLIOSIS

Students will be screened for vision, hearing and scoliosis. The Charter School will adhere to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School. A parent/guardian may submit a statement in writing, signed by the parent or guardian, stating that he/she will not consent to a physical examination of his child. This will exempt the child from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he/she shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

IMMUNIZATIONS

All students enrolled and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075.

DIABETES

Beginning in the 2010-11 school year, the Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

ORAL HEALTH ASSESSMENT

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

NUTRITION

Good nutrition is important for learning. Please ensure that your child gets up early enough to eat a nutritious, unhurried breakfast before school. It is each family's responsibility to send a *nutritious* snack to school for your child to eat at mid-morning. We discourage junk food, food with sugar (sucrose, fructose, or high-fructose corn syrup) listed as a first or second ingredient, caffeinated beverages (including hot chocolate or tea), or energy drinks.

Free and Reduced Price Meals

ERCS participates in the National School Lunch Program. Applications for free or reduced price meals are included in the first day packets to all families and can also be obtained in the main office. All families are requested to complete the application form in order to include as many eligible students as possible.

STUDENT DISCIPLINE/ SCHOOL RULES

Safety, Respect, and Responsibility are the basis for our school and classroom rules. Behaving appropriately is an essential aspect of learning. Without a disciplined atmosphere the teacher cannot teach effectively and students cannot learn.

Parents, Students, and Staff are to be commended for the overall good behavior maintained by students of Eel River Charter School. Please review the ERCS 'Same Page Rules' with your child(ren) so everyone is aware of the school rules and consequences. These 'Same Page Rules' can be found at the back of the student handbook.

Teachers review classroom and playground rules at the beginning of the year and as necessary. Consequences for minor infractions include warnings, time-out, and loss of recess. Consequences for repeated or more serious infractions include parent contact and referrals. The accumulation of referrals OR a severe infraction will result in a meeting between the student, parent, and the ERCS Board to develop a plan to improve student behavior.

Consequences for not following the school rules will be proportional to the severity of the offense. Possible consequences may include one or more of the following:

- Time out
- Warnings
- Loss of recess
- Apology
- Written assignment
- Referral
- Parent contact
- Temporary removal from class to another classroom
- Loss of privileges for special events
- Recommended counseling
- Suspension
- Expulsion

SUSPENSION/EXPULSION

Please review the current ERCS Suspension/Expulsion Policy attached at the back of the student handbook. This policy will be followed with no exceptions.

TOBACCO/DRUG/ALCOHOL FREE ENVIRONMENT

Eel River Charter School is a tobacco/drug/alcohol-free facility in accordance with state law. Please be aware that students possessing tobacco or nicotine products, drugs, or alcohol is grounds for suspension, or possibly expulsion, from school. Students under the influence or in possession of a controlled substance will be suspended from school. Adults may not smoke or use tobacco products, alcohol, or other controlled substances on campus. Please review the attached Tobacco/Drug/Alcohol Policy at the back of the handbook.

COMPLAINT PROCEDURE

ERCS has policies in place to handle problems and complaints. If a conflict arises with a student, parent, or staff member, first talk directly with the person involved to try to resolve it. Disagreements can usually be solved through open and honest communication. If talking directly with the person involved does not resolve the problem, please request a Complaint Form from the office and follow the steps indicated. Please review the attached copy of the current Uniform Complaint Procedure Policy, Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy, and Internal Complaint Policy found at the end of this handbook.

VISITORS

Student safety is our highest priority. All visitors are required to check in at the office before going into the classroom or onto the playground. When registering, the visitor may be required to provide identifying information, including his/her name, address, age (if under 21), his/her purpose for entering school grounds, and proof of identity, if visitor is not known to office staff. Adults will accompany any children who are visiting, and will supervise them while they are here. Visitors should obtain prior permission from the teacher of the class they are visiting. When leaving, guests must sign out verifying the time that they are leaving. All visitors are expected to be respectful and not disrupt the educational and work environment.

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

E e l R i v e r C h a r t e r S c h o o l S a m e P a g e P o l i c y

	Be Safe	Be Respectful	Be Responsible
All the Time, everywhere	<ul style="list-style-type: none"> * Keep hands, feet, body, and objects to yourself (no romantic/play/bullying/fighting) *Use supplies and equipment as intended * Stay in assigned area (teach about loitering) * Spitting is unsanitary and unhealthy. Spit in a tissue. * Park bikes in bike rack Stay off bikes until dismissal * Drugs, tobacco, alcohol, paraphernalia and weapons are illegal on school grounds. * Report problems to adults * Toys stay at home, except with teacher permission. 	<ul style="list-style-type: none"> * Remove hats and hoods inside * Be kind to others * Follow adult directions the first time * Be polite: "please" "thank you" "excuse me" * Dress according to dress code/have p.e. shoes at school * Use voice and volume that fits the place. * Use positive and appropriate language (no cussing). * Sexual, racial, gender, and sexual orientation harassment are illegal. 	<ul style="list-style-type: none"> * No gum at school. * Electronic devices are to be turned off and put away *Help others follow all school rules * Be honest and fair * Be on time * Keep our school clean and graffiti free. * Do your best work * Take care of your own /others' belongings. * Respect property. *Sugar must be the 3rd ingredient in any food brought to school (except for parties) * Hold sports and play equipment unless you are on the playground *When you are out of classroom, go directly to your destination.
Restroom	<ul style="list-style-type: none"> * Walk * Go, Flush, Wash, Dry, leave the door open *report problems to adults *One person at a time in the bathroom 	<ul style="list-style-type: none"> * Knock on door before entering stall * Clean up after yourself * Graffiti is vandalism and therefore illegal. 	<ul style="list-style-type: none"> * Leave it clean * Put trash in trash container. * Keep the water in the sink Clogging toilets or sinks is vandalism and therefore illegal

<p>Main Hall</p>	<ul style="list-style-type: none"> * Walk facing forward * Sit on your bottom with feet on the floor * Keep hands, feet and food to yourself * Eat your own food * Stay off the stage * Avoid the stacked chairs 	<ul style="list-style-type: none"> * Be polite, use please, thank you, excuse me * Use indoor voices * Take hats/hoods off * Wait patiently * Use good manners, chew with your mouth closed * Art work/displays for viewing only. 	<ul style="list-style-type: none"> * Students, keep food in the Main Hall * Clean up your area * Stay in your place in your line * Sit at your assigned table * Stay seated until dismissed * Stack trays neatly <ul style="list-style-type: none"> * Throw garbage away in garbage/compost/recycling
<p>Playground</p>	<ul style="list-style-type: none"> * Use equipment correctly * Walk and run in appropriate areas. * Stay in assigned places. * Stay where an adult can see you. * Alert adults of all strangers or stray animals. * Keep off wooden steps in freezing weather. * Stay off the fences * Avoid throwing rocks and other dangerous objects. 	<ul style="list-style-type: none"> * Follow directions. * Share and take turns. * Play by the rules. * Be patient and polite. * Leave plants in place. * Use respectful language and tone of voice. * Be considerate of classes in session 	<ul style="list-style-type: none"> * Encourage and practice good sportsmanship. * Put equipment away properly. * Use restroom during recess or break * Ask for permission leave the yard recess. * Inform others of rules politely. * Line up as instructed or when whistle blows. *snack is for first 10 of recess only *keep school equipment in the yard and return it to the classroom at the end of recess.

Computers	<ul style="list-style-type: none"> * No food or drink next to computers. * Use internet with signed parental permission form on file and adult supervision or specific permission. *Take care of computer equipment and materials 	<ul style="list-style-type: none"> * Sit on chairs. * Share equipment and space. * Work quietly * Use sound/headphones at appropriate level. 	<ul style="list-style-type: none"> * Use computers to accomplish only school tasks. * Be efficient with your work. * Return materials to proper places neatly. * Print only with permission. *Get permission to go to specific websites
Field Trips	<ul style="list-style-type: none"> * Permission slips turned in a timely manner * Prescription medications to be readily available * 1st Aid kits will be stocked * Use seatbelts when required * Communicate and stay with assigned chaperone * Head counts are to be taken before, during and after. * Alcohol, drugs, weapons, tobacco are illegal on school grounds or during all school functions. *Stay with the group *When walking, stop at corners to wait for the whole group 	<ul style="list-style-type: none"> *Communicate with chaperones *Speak politely *Follow bus rules *Obey adults in charge *Communicate all whereabouts *Remember that you are representing our school and our community to the world. 	<ul style="list-style-type: none"> * Electronic devices may be used only in designated areas with supervisors permission. *Clean up your trash *Pay attention to presentations * Pack required and appropriate items *Be responsible with your money (budget your \$)
Overnight Field Trips	<ul style="list-style-type: none"> * School rules still apply for your safety. * Chaperones must follow school rules. *Curfews are to be followed by adults and students 		

<p>Arrival/ Dismissal</p>	<ul style="list-style-type: none"> * Use sidewalks and, cross walks * Walk your wheels * Always stop, look, listen before crossing. * Walkers wait to be dismissed * Bus riders walk straight to the bus gate to be checked off the list * Others wait with teachers to be signed out 	<ul style="list-style-type: none"> * Use kind words and, actions. * Wait for permission before boarding the bus. * Allow and assist the younger and/or disabled children to board first. * Wait calmly and take turns. * Respect others' property 	<ul style="list-style-type: none"> * Go directly home , * Arrive on time and leave on time * Students need pre-approved permission to go places other than home. * Special arrangements must be made the day before school and the office must be notified
<p>Office</p>	<ul style="list-style-type: none"> *Students, stay on student side of counter. * Stay clear of the doors. 	<ul style="list-style-type: none"> * Sit quietly and wait patiently for your turn * State your purpose politely. * Use polite words and actions. * Follow directions the first time. * Use an indoor voice 	<ul style="list-style-type: none"> * the office is for office business or emergencies only
<p>Library</p>	<p>Keep hands away from other equipment in the library</p> <p>Students may be in library only if accompanied by an adult</p>	<p>Follow the library rules</p> <p>Be neat and quiet</p>	<p>Treat books with care</p> <p>Put away books where you found them or ask for help</p> <p>No food in the library</p>
<p>Assemblies</p>	<ul style="list-style-type: none"> * Enter and exit in an orderly fashion. * Go directly to assigned areas. * Be quiet * Keep hands and feet to self. * Respect personal space. 	<ul style="list-style-type: none"> * Applaud or clap politely. * Face forward and listen to presentation. * Use appropriate language. * Remove hats and hoods * Be proud and prompt when receiving awards. 	<ul style="list-style-type: none"> * Follow directions. * Remind others to follow directions. * Be a good example. * Wait to be dismissed by adult in charge

CHILD FIND

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

SECTION 504

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

HOMELESS STUDENTS

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence due to economic hardship. It includes children and youths who (42 USC 11434(a)):

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

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

School Liaison: The ERCS Board or designee designates the following staff person as the School Liaison for homeless students ((42 USC 11432(g)(1)(J) & (e)(3)(C).):

Betty Tuttle, Office Manager
Eel River Charter School
PO Box 218
76350 Main St.
Covelo, CA 95428

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

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies.
2. Homeless students enroll in, and have a full and equal opportunity to succeed at the Eel River Charter School ("ERCS").
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by the Charter School, if any, and referrals to health care services, dental services, mental health services and substance abuse services, housing services, and other appropriate services.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, ERCS charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. ERCS personnel providing services receive professional development and other support.
9. The School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

For any homeless student who enrolls at the Charter School, a copy of the Charter School's complete policy shall be provided at the time of enrollment and at least twice annually.

STUDENT ACCESS TO MENTAL HEALTH SERVICES

Parents or students wishing to initiate access to available student or family mental health services that are available in the Round Valley community should contact Round Valley Indian Health at 707-983-6181 or Tapestry Family Services of Ukiah at 707-463-3300. This notice complies with Ed Code Section 49428 regarding bi-annual notice for access to student mental health services.

PUPIL RECORDS, INCLUDING CHALLENGES AND DIRECTORY INFORMATION

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

1. The right to inspect and review the student's education records within 5 business days after the day the Eel River Charter School ("ERCS") receives a request for access. Parents or eligible students should submit to the Charter School Office Manager or designee a written request that identifies the records they wish to inspect.

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

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

Parents or eligible students who wish to ask the Charter School to amend a record should write the Charter School Office Manager or designee, clearly identify the part of the record they want changed, and specify why it should be changed. If the Charter School decides not to amend the record as requested by the parent or eligible student, the Charter School will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

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

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

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

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

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

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

1. To other Charter School officials, including teachers, within the educational agency or institution whom the Charter School has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1)).
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2)).
3. To authorize representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35).
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4)).
5. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7)).
6. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8)).
7. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9)).
8. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10)).
9. Information the Charter School has designated as "directory information" under §99.37. (§99.31(a)(11)).

"Directory Information" is information that is generally not considered harmful or an invasion of privacy if released. Directory information can be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture

class rings or publish year books. The Charter School has designated the following information as directory information:

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

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

ERCS SUSPENSION/EXPULSION POLICY

Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

- (i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.*
- (ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:
(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.
(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*
- (iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605(b)(5)(J).*

Policy:

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this policy, the Charter School 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.* The Charter School is committed to 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 student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students 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 on request at the office.

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

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

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Procedures:

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at anytime 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, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- 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) 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 pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- 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 class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- 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 schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - 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 (1)(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 Board of Directors' 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 students had obtained written permission to possess the item from a certificated school employee, with the Board of Directors' or designee's concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053 *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

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) 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.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

- p) 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.

- q) 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.

- r) 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.

- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) 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 schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - 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.
- u) 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).
- v) 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 Board of Directors' 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 students had obtained

written permission to possess the item from a certificated school employee, with the Board of Directors' or designee's concurrence.

- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053 *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

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

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

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 student's Teacher or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student 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 student. In addition, the notice may also state the date and time when the student 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 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 Teacher, the pupil and the pupil's parent/guardian or representative will be invited to a conference with the ERCS Board 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 pupils parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Board upon either of the following: 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), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled by the neutral and impartial Charter School Board following a hearing before the Board. The Board shall be presided over by a designated neutral hearing chairperson.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after it is determined that the pupil has committed an expellable offense.

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

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

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

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the 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 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. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the 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, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative

procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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 Teacher to expel must be supported by substantial evidence that the student 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. Sworn declarations may be admitted as testimony from witnesses of whom the Board determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

The decision of the Board shall be in the form of written findings of fact and a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

If the Board decides not to expel, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

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

The Office Manager 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 student's name; and (b) The specific expellable offense committed by the student.

J. Disciplinary Records

The Charter School shall maintain records of all student 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 the Charter School as the Charter School Board's 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. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

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

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 following a meeting with the Teacher 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 Teacher or designee shall make a recommendation to the Board 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 Charter School's capacity at the time the student seeks readmission.

O. Notice to Teachers

The Charter School shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

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

1. Notification of District

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

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

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

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

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

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

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

4. Due Process Appeals

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

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

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

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

5. Special Circumstances

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

The Teacher may recommend to the Board to 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 the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

ERCS TOBACCO, DRUG & ALCOHOL POLICY

ERCS is committed to providing a tobacco, drug and alcohol-free environment; student, employee, and visitor health and well-being, and a learning and work environment that is conducive to attaining high work standards.

Tobacco use is not allowed anywhere on Charter School property. It is the responsibility of each staff member and school parent to adhere to this rule, and to inform his or her guests of our tobacco-free policy. Tobacco products would include all products containing tobacco and nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes and nicotine delivery devices, such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products or cessation devices such as dermal patches.

Students

State and federal law restrict the sale and distribution of cigarettes and smokeless tobacco to minors under age 18 (*Penal Code 308*; 21 CFR 1041.1-1041.34). *Health and Safety Code 119405*, added by SB 882 (Ch. 312, Statutes of 2010), makes it unlawful for a person to sell or otherwise furnish an electronic cigarette to a minor. *Education Code 48900* and *48901* prohibit students from possessing, smoking, or using tobacco on school grounds, as provided in the following paragraph. Pursuant to *Education Code 48900*, students who violate this prohibition may be subject to suspension or expulsion.

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of ERCS employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (*Education Code 48900, 48901*)

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. (*Education Code 48900, 48901*)

The school shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-6. Such instruction shall be aligned with state content standards and the state curriculum framework for health education.

Staff

Being under the influence of intoxicating beverages or drugs, or use of tobacco, on any Charter School premises or at any school-sanctioned activity or function is prohibited and will result in disciplinary action up to and including termination for employee. Visitors not complying with the policy will be asked to leave. Community members that are using the ERCS facility must comply with the policy, or the Facility Use Agreement will be voided.

The Charter School reserves the right to use appropriate means to provide a safe work environment for its employees. These means may consist of but are not limited to:

- Post-offer, pre-employment drug/alcohol testing;

- Referral to local authorities;
- Referral to employee assistance program;
- Full investigation of accident causes, which includes drug and alcohol testing;
- “For cause” drug testing (reasonable suspicion testing);
- Search of Charter School property;
- Search of employee property, including employee handbags and vehicles, brought onto School property, only in accordance with search policies approved by the Board.

Refusal to submit to a “for cause” drug test or a drug test in connection with an on-the-job injury or accident is cause for immediate termination.

The Governing Board recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The ERCS Board shall enforce a policy that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco-use prevention education including youth development activities, and intervention and cessation activities and/or referrals for students/staff as needed.

UNIFORM COMPLAINT POLICY AND PROCEDURES

Scope

The Eel River Charter School ("Charter School") policy is to comply with applicable federal and state laws and regulations. The Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) Complaints of discrimination against any protected group, including actual or perceived discrimination, on the basis of age, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, nationality, national origin, immigration status, religion, color, genetic information, medical condition, marital status, mental or physical disability, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program, foster and homeless youth services, lactating pupils, local control funding formula/local control and accountability plan, and juvenile court school pupils .
- (3) Complaints alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
 - a. "Educational activity" means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. "Pupil fee" means a fee, deposit or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers, as provided for in *Hertzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
 - c. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts,

school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

d. A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

- (4) Complaints of noncompliance with the requirements governing the Local Control Funding Formula, Local Control and Accountability Plans, or Sections 47606.5 and 47607.3 of the Education Code, as applicable.
- (5) Complaints of noncompliance with the requirements of Education Code Section 222 regarding the rights of lactating pupils on a school campus. If the Charter School finds merit in a complaint, or if the Superintendent finds merit in an appeal, the Charter School shall provide a remedy to the affected pupil.
- (6) Complaints of noncompliance with the requirements of Education Code Section 48645.7 regarding the rights of juvenile court school pupils when they become entitled to a diploma. If the Charter School finds merit in a complaint, or if the Superintendent finds merit in an appeal, the Charter School shall provide a remedy to the affected pupil.

The Charter School acknowledges and respects every individual's rights to privacy. Discrimination complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible) the confidentiality of the parties and the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Office Manager or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officers

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

Betty Tuttle, Office Manager
PO Box 218
76350 Main Street
Covelo, CA 95428
707-983-6946

The Office Manager or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Office Manager or designee.

Notifications

The Office Manager or designee shall annually provide written notification of the Charter School's uniform complaint procedures to students, employees, parents/guardians, the Governing Board, appropriate private officials or representatives, and other interested parties.

The Office Manager or designee shall make available copies of the Charter School's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
 - a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;
 - b. The complaint review shall be completed within sixty (60) calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline;
 - c. An unlawful discrimination complaint must be filed not later than six (6) months from the date the alleged discrimination occurs, or six (6) months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
 - d. The complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within fifteen (15) days of receiving the Charter School's decision; and
 - e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School's decision.

Procedures

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

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

- Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School.

A complaint alleging unlawful discrimination shall be initiated no later than six (6) months from the date when the alleged discrimination occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

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

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist him/her in the filing of the complaint.

- Step 2: Mediation

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

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

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

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

- Step 3: Investigation of Complaint

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

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

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

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

- Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within sixty (60) days of the Charter School's receipt of the complaint.

- Step 5: Final Written Decision

The Charter School's decision shall be in writing and sent to the complainant. The Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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

Appeals to the California Department of Education

If dissatisfied with the Charter School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the complainant has appealed the Charter School's decision, the Office Manager or designee shall forward the following documents to the CDE:

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

7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter School has not taken action within sixty (60) days of the date the complaint was filed with the Charter School.

Civil Law Remedies

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

**EEL RIVER CHARTER SCHOOL
BOARD OF DIRECTORS**

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY

Eel River Charter School ("Charter School") is committed to providing a work and educational atmosphere that is free of disruptive behaviors. As such, Charter School prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber-sexual bullying, based on the actual or perceived characteristics of pregnancy, childbirth or related medical conditions, race, ethnicity, religion, creed, color, gender, gender identity, gender expression, national origin or ancestry, nationality, immigration status, physical or mental disability, medical condition, marital status, age, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

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

Moreover, the Charter School will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which the Charter School does business. This policy applies to all employee actions and relationships, regardless of position or gender. The Charter School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

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

Betty Tuttle
Office Manager
707-983-6946
btuttle@eelriverschool.net

Prohibited Unlawful Harassment

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

Prohibited Unlawful Sexual Harassment under Title IX

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

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

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults and
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.

- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.

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

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

Prohibited Bullying

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

1. Placing a reasonable pupil* or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by Charter School.

* "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a 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 the definition of "bullying," 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.
3. An act of "Cyber sexual bullying" including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a 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 definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any

serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

Grievance Procedures

1. Reporting

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

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

Betty Tuttle
Office Manager
707-983-6946
btuttle@eelriverschool.net

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

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

Charter School prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter's filing of a complaint or the reporting of instances of misconduct prohibited by this Policy. Such participation shall not in any way affect the status, grades, or work assignments of the reporter.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

2. Investigation

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of Charter School, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than seven (7) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than seven (7) school days, he or she will inform the complainant and any other relevant parties and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, in no case may the Coordinator or administrative designee reveal confidential information related to other students or employees, including the type and extent of discipline issued against such students or employees.

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

3. Consequences

Students or employees who engage in misconduct prohibited by this Policy will be subject to disciplinary action.

4. Uniform Complaint Procedures

When harassment or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a Uniform Complaint Procedures ("UCP") complaint form at any time during the process, consistent with the procedures laid out in the Student/Family Handbook and UCP Policy.

5. Right of Appeal

Should the reporting individual find the Coordinator's resolution unsatisfactory, he/she may follow the Dispute Resolution Process found in the Student/Family Handbook.

**EEL RIVER CHARTER SCHOOL
BOARD OF DIRECTORS**

**COMPLAINTS AGAINST PERSONNEL
INTERNAL COMMUNICATION MODEL**

DISPUTES ARISING FROM WITHIN THE SCHOOL/COMMUNICATION/MODEL CONFLICT RESOLUTION PROCEDURE

The ultimate purpose of a communication model is to encourage the growth and development of Eel River Charter School ("Charter School") as a healthy community. Conflict is a part of any development or growth process and may arise in any community. An effective complaint and conflict resolution process is therefore an essential component of the communication model.

The Conflict Resolution Procedure is a model for all members of the Charter School community and is designed to address issues among the following: between parents and teachers; parents and administration; and teachers and teachers. The overall purpose of this procedure is to perpetuate a climate of collegiality, mutual trust and respect by resolving differences in a timely, objective and equitable manner.

Please note that specific complaints of unlawful harassment are addressed under the Charter School's "Policy Against Unlawful Harassment." The Charter School Uniform Complaint Policy/Procedure ("UCP") shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs.

A. FOUR MAJOR AREAS OF COMMUNICATION:

Conflicts may include a wide area of issues, and regard family and staff concerns. Conflicts may fall into one of four major areas or may be a combination of these areas as listed below. It is emphasized that the first step in the resolution of any conflicts in our community is direct communication with the involved parties. Where reasonably possible, the concerned parties are strongly encouraged to address their questions or concerns with the appropriate Charter School personnel listed under each communication area as follows:

1. Policies and Legal Issues

Current policies are available in the Charter School office. Reviewing policies and procedures lends information that may at times solve a conflict. The Board of Directors has final approval for all school policies and procedures. Issues of policy and procedures should be addressed to the Office Manager.

2. Procedures/Daily Operations

The Office Manager shall establish procedures designed to carry out the policies adopted by the Board of Directors. Procedures pertain to anything regarding the daily operations of the Charter School. Procedures can be clarified by an office staff member or the Office Manager. The Office Manager serves as the primary administrator of the school. Any daily operations/procedural issues should be addressed directly by the Executive Director.

3. Pedagogy

Pedagogical issues, which pertain to anything that occurs in the classroom, i.e. teaching, curriculum, classroom management, or teacher-student relationships should be addressed directly to the classroom teacher.

4. Interpersonal Communication and Relationships

Concerns between people or communication breakdown should be directly communicated with the person(s) involved.

B. CONFLICT RESOLUTION PROCEDURE:

1. Internal Complaints (Complaints by Employees Against Employees)

This section of the policy is for use when a Charter School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Office Manager or designee:

- a. The complainant will bring the matter to the attention of the Office Manager as soon as possible after attempts to resolve the complaint with the immediate supervisor (or purportedly offending employee) have failed or if not appropriate; and
- b. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Office Manager or designee will then investigate the facts and provide a solution or explanation;
- c. If the complaint is about the Office Manager, the complainant may file his or her complaint in a signed writing to the Chair of the Board of Directors of the School, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of the Board. The Chair or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the Charter School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

2. Policy for Complaints Against Employees (Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a Charter School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the Office Manager or Board President (if the complaint concerns the Office Manager) as soon as possible after the events that give rise to the employee's work-related concerns. The written complaint should set forth in detail the factual basis for the employee's complaint.

In processing the complaint, Office Manager (or designee) shall abide by the following process:

- a. The Office Manager or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.

- b. In the event that the Office Manager (or designee) finds that a complaint against an employee is valid, the Office Manager (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Office Manager (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
- c. The Office Manager's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the Charter School. The decision of the Board of Directors shall be final.

C. GENERAL REQUIREMENTS

- 1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
- 2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
- 3. Resolution: The Board (if a complaint is about the Office Manager) or the Office Manager or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

The authorizing entity shall not intervene in any such internal disputes without the consent of the Board of Directors and shall refer any complaints or reports regarding such disputes to the Board of Directors or Office Manager of the Charter School for resolution pursuant to the Charter School's policies.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____
Student Name (if applicable): _____ Grade: _____ Date of Birth: _____
Street Address/Apt. #: _____
City: _____ State: _____ Zip Code: _____
Home Phone: _____ Cell Phone: _____ Work Phone: _____
School/Office of Alleged Violation: _____

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

- | | | | |
|--|---|--------------------------------------|--|
| <input type="checkbox"/> Local Control Funding Formula/
Local Control and Accountability Plan | <input type="checkbox"/> Consolidated
Programs | <input type="checkbox"/> Categorical | <input type="checkbox"/> Special Education |
| <input type="checkbox"/> Juvenile Court School Pupils | <input type="checkbox"/> Migrant and Indian Education | | <input type="checkbox"/> Local Control Funding Formula |
| <input type="checkbox"/> Lactating Pupils | <input type="checkbox"/> Pupil Fees | | <input type="checkbox"/> Child Nutrition |
| <input type="checkbox"/> Foster/Homeless Youth | | | <input type="checkbox"/> Career/Technical Education |
| | | | <input type="checkbox"/> Child Development Programs |

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

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

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

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

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

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Betty Tuttle, Office Manager
PO Box 218
76350 Main Street
Covelo, CA 95428
707-983-6946

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION AND BULLYING COMPLAINT FORM

It is the policy of Eel River Charter School ("Charter School") that all of its employees and students be free from harassment including sexual harassment. This form is provided for you to report what you believe to be harassment, so that the Charter School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment.

If you are an employee of the Charter School, you may file this form with the Office Manager or Board President.

Please review the Charter School's policies concerning harassment for a definition of sexual harassment and a description of the types of conduct that are considered to be harassment.

The Charter School will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the Charter School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the Charter School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged harasser.

In signing this form below, you authorize the Charter School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the Charter School will be able to address your complaint to your satisfaction.

Charges of harassment are taken very seriously by the Charter School both because of the harm caused to the person harassed, and because of the potential sanctions that may be taken against the harasser. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you believe harassed you or someone else: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

COMPLAINT AGAINST PERSONNEL-INTERNAL COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur?

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

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

_____ Date: _____

Signature of Complainant

Print Name

To be completed by Eel River Charter School:

Received by: _____ Date: _____

Parent/ Student Handbook
Confirmation of Receipt and Agreement to Policies

All Students and Parent/Guardians must sign this form and return it to the ERCS office.

I have read the ERCS Student Handbook. I understand the policies that are laid out and agree to abide by such policies. I understand that any violations of these rules may result in disciplinary action, revoking of privileges and/or legal action.

I understand that use of the Internet is a privilege and agree to follow the Internet use guidelines. I, the undersigned parent/guardian, give ERCS permission to provide my child with access to the Internet. Additionally, I agree not to hold ERCS responsible for materials that my child may acquire on the Internet.

Student Signature

Date

Parent/Guardian Signature

Date