



INVICTUS
ACADEMY OF RICHMOND

STUDENT AND FAMILY HANDBOOK 2018-2019

DRAFT

*ADAPTED FROM CORNERSTONE ACADEMY PREPARATORY SCHOOL

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Mission Statement

Invictus Academy of Richmond (“The School”) prepares 100% of students in grades 7-12 to thrive in the colleges of their choice, solve relevant problems, and communicate with confidence.

Core Values

We believe strongly in supporting students to develop positive habits and beliefs, which in turn support academic achievement. Our school focuses on 10 core values:

- **Purpose:** we are resolute in our focus on achieving our mission; we understand how each moment of our day impacts our achievement of our mission.
- **Perseverance:** we continue to put forth our best effort in pursuit of goals despite obstacles or setbacks.
- **Productivity:** we utilize our time, energy, and attention to accomplish as much as possible each day.
- **Growth Mindset:** we believe our knowledge, skills, and abilities grow with dedication, effort, and practice.
- **Integrity:** we do what is right even when no one is watching.
- **Leadership:** we recognize that our words and actions impact those around us, and seek to maximize our positive impact.
- **Joy:** we find pleasure and happiness in our work and our community.
- **Gratitude:** we make time to recognize and affirm goodness in the world.
- **Mindfulness:** we are conscious of our thoughts, emotions, and behaviors, and use this awareness to be our best selves.
- **Kindness:** we are friendly, generous, and considerate of others.

These values will be integrated into the classroom and school environment, and will help guide our students as they grow into adulthood.

School Schedule

The School operates from 7:30 a.m. until 4:00 p.m., every day except Thursday which is minimum day (1:50 p.m. Dismissal). Students are required to arrive at school on time (by 8:00 a.m. at the latest) and to remain in school until dismissal. School is extremely important and good attendance habits that are instilled in our students at an early age can lead to a lifetime of educational and professional success.

Attendance – General

Attendance is the first step in ensuring academic achievement. Our curriculum is an ambitious one; every day is essential for students to keep pace. **Regular attendance is required.**

Parents and guardians are required to ensure that their children are in school.

EC SECTION 48260 (A): ANY PUPIL SUBJECT TO COMPULSORY FULL-TIME EDUCATION OR COMPULSORY CONTINUATION EDUCATION WHO IS ABSENT FROM SCHOOL WITHOUT A VALID EXCUSE THREE FULL DAYS OR TARDY OR ABSENT MORE THAN ANY 30-MINUTE PERIOD DURING THE SCHOOL DAY WITHOUT A VALID EXCUSE ON THREE OCCASIONS IN ONE SCHOOL YEAR, OR ANY COMBINATION

THEREOF, IS A TRUANT AND SHALL BE REPORTED TO THE ATTENDANCE SUPERVISOR OR THE SUPERINTENDENT OF THE SCHOOL DISTRICT.

Excused Absences: A student may be excused legally from school when the absence is due to:

- Personal illness or injury
- Quarantine under the direction of a county or city health officer
- Medical, dental, optometric, or chiropractic services rendered
- Attendance at funeral services for a member of the immediate family (1 day in state, 3 days out of state). “Immediate family” shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student’s immediate household.
- Exclusion for failure to present evidence of immunization (Ed. Code 48216)
- Exclusion from school because student is either the carrier of a contagious disease or not immunized for a contagious disease (Ed. Code 48213)
- Participation in religious instruction/exercises in accordance with Charter School policy: No more than four (4) school days per month.
- Upon written request of the parent or guardian and approval of the Executive Director or his/her designee and pursuant to board policy, a student’s personal justifiable absence may be excused. Reasons include, but are not limited to:
 - Appearance in court
 - Observation of a holiday or ceremony of his/her religion
 - Attendance at religious retreats not to exceed four (4) hours per semester
 - Attendance at funeral services (for other than the immediate family)

Unexcused Absences: Unexcused absences are recorded for those absences not meeting the criteria for an “excused” absence as listed above including, but not limited to, personal family vacations, an unjustifiable and/or unverified student absence, or any other absence deemed “unexcused” by the School’s administrative team or Executive Director. **Excessive unexcused absences (more than 10% of school days) will place your student at risk for not being promoted to the next grade.**

Verifying Absences: The School will keep records of all student absences. **Parents are required to contact the school to verify their student’s absence.** A phone call, voice mail, or email verification is acceptable. Please call (TBD) or email the office staff at (TBD).

If the School does not receive notification from the parent, the School’s staff will make reasonable efforts to contact the student’s parent(s) or guardian(s) by telephone, writing, or in person. Other methods to verify absences include:

- Notes received from parent, guardian, or their representative
- Absence verification forms from a licensed medical professional
- Visit to the student’s home by the verifying school employee or authorized representative

- Any other reasonable method that establishes the fact of the student's absence. This may include information gained from others judged to be reliable.

Appointments: Medical appointments should be made after school hours. The best times are after 4:15 PM on weekdays and after 2:15PM on minimum Thursdays. If a student does have a medical appointment during the school day, they should not miss the entire day.

Early Dismissal: Students are expected to stay in school until the very end of the day. Early pickups are disruptive to the learning environment and problematic for our teachers. Early pickups 30 minutes prior to dismissal without prior approval from the School staff are strongly discouraged. Students who are frequently picked up early are subject to being considered truant and may lose in school privileges.

Excessive Absences: In a given school year, if a student has 3 unexcused absences or is tardy or absent for more than any 30-minute period during the school day without a valid excuse on 3 occasions, they will be assigned to the Reflection Room at lunch. The School will work with families to find solutions to excessive absenteeism and tardiness. However, if there is no change in behavior, the School may file the appropriate reports with the Contra Costa County District Attorney's Office. The School will work to support families to improve attendance but excessively absent students may be subject to consequences, including losing field trip privileges, exclusion from special events that occur during the regular school day, and other activities or events that occur during the regular school day, as deemed appropriate by administration.

Excessive Late Arrivals: In a given school year, if a student has excessive late arrivals (greeted than 10% of total number of school days), he or she will be subject to consequences, including losing field trip privileges, exclusion from special events that occur during the regular school day, and other activities or events that occur during the regular school day, as deemed appropriate by administration.

The School will enforce these policies uniformly, fairly, and consistently among all students.

Arrival & Dismissal Policy

Arrival

- The School officially opens to students at 7:30 a.m. each day.
- Unless students and families have made an appointment with individual teachers or other staff beforehand, students and families must remain outside the building.
- Students having breakfast on campus are required to report by 7:45 a.m. so that they may be directed to the cafeteria. Breakfast will not be served past 7:50 a.m. Students not having breakfast at the school should arrive before 7:55 a.m. and report to their classroom.
- Students are expected to respect all school property and all surrounding property while waiting for admittance into the school.

Dismissal

- The school day officially ends at 4:00 p.m. Supervision will not be available past 4:00 p.m.
- No student will be allowed to leave the school without an adult escort or parent/guardian permission.

- No student will be allowed to leave the School with an adult who is not his legal guardian unless the guardian has specified the adult as an authorized individual on the authorization form. This form must be submitted to the front office.
- Families **MUST** submit a release form (provided in August) listing the names and information for any individuals, besides parent(s) / guardian(s), who regularly are authorized to pick up their children.

Late Pick-Up Policy

The School is open to students at 7:30 a.m. and closes promptly when students are released at 4:00 p.m. except on minimum Thursday when the school closes at 2:00 p.m. to students. All students must be picked up no later than 4:10 p.m. or 2:00 p.m. on minimum Thursday.

Please pick-up your child on time or to arrange for an alternate person to pick them up in case of weather, traffic, personal or work-related event, or other emergency. Late pick-ups will not be tolerated for any reason. The School does not have staff available after 4:00 p.m. or 2:00 p.m. on Thursday to care for your child. Staff time is valuable, and you may be subject to consequences for failing to timely pick up your child.

The following consequences will apply for late pick-ups:

- After the first late pick-up, you will receive a verbal reminder.
- Each subsequent late pick-up will result in a written reminder and a copy of the School's policy on late pickups.
- If a student is picked up late more than five (5) times, a conference will be scheduled with the administration.
- Any time there is a late pick-up, the School may consider your child abandoned and call the local police department and/or the Department of Social Services/Child Protective Services to arrange pick-up for your child.
- After ten (10) late pick-ups have occurred, the School may contact the local police department and/or the Department of Social Services/Child Protective Services to report child neglect. Written warnings will be submitted to authorities as evidence of child neglect.

Homework

Homework is an essential part of the School's educational program: it is designed to reinforce skills taught in the classroom, to help students develop a deeper understanding of concepts, and to promote good study habits. Homework will be assigned by teachers at their discretion as appropriate. This means that families must help students with their homework in ways that include creating routines at home for students to follow each day and providing a quiet, organized place to work.

If the homework is late, missing, incomplete, or of poor quality, then the student will be assigned to lunchtime Homework Center, where they will be required to work on the missing and/or incomplete assignment(s). Parent(s) / guardian(s) will receive an automated phone call and/or text if their child has received Homework Center. We expect and need family support to make sure all the homework gets done according to top quality standards.

Independent Reading

Supporting your child's independent reading at home is the best way to help him or her improve the speed, accuracy, vocabulary, and comprehension of his or her reading. Although students will have time during school to read, they should read at home every night and weekend and during any vacations from school. Parent(s) / guardian(s) should make sure to supervise their child in reading for 20-30 minutes nightly and on the weekends. Parents will be provided support at Parent University on checking in with their students about progress on Accelerated Reader quizzes.

Student Discipline, Suspension & Expulsion

Our teachers and administrators will use a large array of strategies to promote positive behavior and to correct problem behaviors. The staff uses positive reinforcement whenever possible, doing their best to "catch students doing the RIGHT thing." We recognize and celebrate student successes at every opportunity. We also use consequences and a problem-solving approach to help students fix behavior problems. Students may lose privileges when they violate the rules.

Approach to Student Culture

At Invictus Academy, we believe students thrive in a joyful, structured environment. To ensure that our school culture remains structured and joyful, we use a tiered model of Restorative Justice approach to school discipline: **prevention**, **intervention**, and **reentry** and **repair** is the key to both holding students to high expectations and supporting them to learn from their mistakes. The Center for Justice and Reconciliation notes one of the major components of restorative justice is repairing the harm that has been caused.¹ We understand everyone makes mistakes and has mishaps, but in alignment with our core value of leadership, we must teach students to take ownership over their mistakes, identify those who may have been affected based on their decisions and actions, and make amends where necessary.

When corrective action is needed, teachers will be trained to administer the correction (1) calmly and unemotionally and (2) with the use of an established consequence ladder. Teachers assign consequences from the consequence ladder below, which is communicated to students at the outset of the school year:

Invictus Academy Consequence Ladder

Step in Consequence Ladder	Consequence
1 st Consequence	Verbal Warning
2 nd Consequence	Conversation During/After Class
3 rd Consequence	Conversation During/After Class + Lunch Reflection Room + Phone Call Home
4 th Consequence*	Sent Out of Class for Restorative Conversation with Dean of Students + Restorative Conversation with Teacher at Lunch + Reflection Room at Lunch + Phone Call Home

*Triggers restorative justice protocol

¹ <http://restorativejustice.org/>

The system above is rooted in restorative justice practices. After two behavioral infractions, a student is assured a restorative conversation with the teacher to get the student back on track. This conversation can happen during class, if the teacher can find a moment in the midst of instruction, or after class.

For students who significantly disrupt class by earning a fourth consequence, a more intensive restorative process is triggered. These students return to the classroom in which the misbehavior occurred to have a restorative conversation with the teacher at lunch, at which the teacher and student agree to steps for the student to amend or take action to redress the community violations that occurred during class. The student then spends lunch in the Reflection Room, during which we encourage students to reflect through mindfulness exercises. Each stage in the process is framed and designed to support students towards demonstrating mindfulness, in which they manage their thoughts, emotions, and behaviors to be their best selves. We foster space for redemption and community building.

Our administrative team will work closely with teachers, families, and students to help them learn and grow and has the authority to decide on the appropriate consequences for student behavior. The administrative team may solicit parent / guardian input in certain situations, but they retain all decision-making authority.

Grounds for Suspension and Expulsion

Behavior matters that are persistent and/or outside of the bounds of lunch detention will be handled by the Dean of Students. If a student is persistently disruptive to the learning process of other students, the Dean of Students will intervene to conference with the disruptive student in order to calm the situation and return the student to class as soon as possible, as a productive and contributing community member. Any breaches of community that are so egregious that they might warrant suspension or expulsion will be handled by both the Executive Director and Dean of Students. No student will be suspended or expelled from school without the approval of the Executive Director, which shall occur after conference with student, advisory teacher, and Dean of Students.

A suspension means that a student is not allowed on school campus for a given number of days. The length of suspensions ranges from one to five days. A student who is suspended will be required to complete any assignments missed when out of school and provided with tutorial support upon return.

An expulsion means that a student is no longer allowed to attend the school. A student who is expelled has the right to due process. The Executive Director, Principal(s) as hired, and Dean of Students will complete any necessary fact-finding and communicate with parents throughout the expulsion determination process.

The Invictus Academy discipline policy, including policy related to suspension and expulsion, may be applied to student actions that occur:

- on school grounds
- going to or coming from school
- during lunch or break periods (whether on or off school grounds)
- during, going to, or returning from school sponsored activities.

In accordance with CA Ed Code § 48900, a student may be recommended for suspension or expulsion if it is determined by the Executive Director or the Executive Director's designee that the student committed one or more of the acts listed below.^{2,3} In most instances, suspension may only be imposed for a first offense when other means of discipline fail to bring about proper conduct. However, in certain circumstances, specifically identified below, students may be suspended for a first offense. In such cases, expulsion shall be decided by the Board if it finds that either: (i) other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or (ii) due to the nature of the act, the presence of the student causes continuing danger. (CA. Ed Code § 48900 (b))

- Caused, attempted to cause, or threatened to cause physical injury to another person. (CA Ed Code § 48900 (a)(1)) (subject to first offense suspension)
- Willfully used force or violence upon the person of another, except in self-defense. (CA Ed Code § 48900 (a)(2)) (subject to first offense suspension)
- Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Executive Director or the designee of the Executive Director. (CA Ed Code § 48900 (b)) (subject to first offense suspension)
- Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (CA Ed Code § 48900 (c)) (subject to first offense suspension) (subject to first offense suspension)
- Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (CA Ed Code § 48900 (d)) (subject to first offense suspension)
- Committed or attempted to commit robbery or extortion. (CA Ed Code § 48900 (e)) (subject to first offense suspension)
- Caused or attempted to cause damage to school property or private property. (CA Ed Code § 48900 (f))
- Stole or attempted to steal school property or private property. (CA Ed Code § 48900 (g))
- Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products. (CA Ed Code § 48900 (h))
- Committed an obscene act or engaged in habitual profanity or vulgarity. (CA. Ed Code § 48900 (i))

² Enumerated acts are copied from CA. Ed Code § 48900.

³ We recognize that the California legislature regularly updates and amends laws and regulations governing student suspension and expulsion. We will regularly update our suspension and expulsion policies to reflect legal and regulatory changes.

- Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (CA Ed Code § 48900 (j))
- Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (CA Ed Code § 48900 (k)(1)) (suspension only)
- Knowingly received stolen school property or private property. (CA Ed Code § 48900 (l))
- Possessed an imitation firearm. As used in this section, “imitation firearm” means 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. (CA Ed Code § 48900 (m))
- Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (CA Ed Code § 48900 (n))
- Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (CA Ed Code § 48900 (o))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (CA Ed Code § 48900 (p))
- Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that 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 subdivision, “hazing” does not include athletic events or school-sanctioned events. (CA Ed Code § 48900 (q))
- Engaged in an act of bullying, as defined by the CA Ed Code. (CA Ed Code § 48900 (r))
- Committed sexual harassment as defined in Section 212.5 (CA Ed Code § 48900.2)
- Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233 (CA Ed Code § 48900.3)
- Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment (CA Ed Code § 48900.4)
- Made terroristic threats against school officials or school property, or both (CA Ed Code § 48900.7 (a))

In accordance with CA Ed Code § 48915, unless the Executive Director or the Executive Director’s designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, a student will be recommended for expulsion if it is determined by the Executive Director or the Executive Director’s designee that the student committed one or more of the following acts at school or at a school activity on or off

school grounds:⁴ In such cases, expulsion shall be decided by the Board if it finds that either (i) other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or (ii) due to the nature of the act, the presence of the student causes continuing danger. (CA Ed Code § 48915 (b))

- Causing serious physical injury to another person, except in self-defense (CA Ed Code § 48915 (a)(1)(A))
- Possession of any knife or other dangerous object of no reasonable use to the pupil (CA Ed Code § 48915 (a)(1)(B))
- Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
 - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis
 - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician (CA Ed Code § 48915 (a)(1)(C))
- Robbery or extortion (CA Ed Code § 48915 (a)(1)(D))
- Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee (CA Ed Code § 48915 (a)(1)(E))

A student shall be immediately suspended and thereafter recommended for expulsion, upon a finding by the Executive Director or the Executive Director's designee that such student has committed any of the following acts at school or at a school activity off school grounds:⁵

- Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the Executive Director or the designee of the Executive Director's designee. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed. (CA Ed Code § 48915 (c)(1))
- Brandishing a knife at another person. (CA Ed Code § 48915 (c)(2))
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code (CA Ed Code § 48915 (c)(3))
- Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900 (CA Ed Code § 48915 (c)(4))
- Possession of an explosive (CA Ed Code § 48915 (c)(5))

Students committing an act listed immediately above, requiring mandatory expulsion recommendation by law, shall be referred to a program of study that meets all of the following conditions:

⁴ Enumerated acts are copied from CA. Ed Code § 48915(a).

⁵ Enumerated acts are copied from CA. Ed Code § 48915(c).

- Is appropriately prepared to accommodate pupils who exhibit discipline problems
- Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school
- Is not housed at the school site attended by the pupil at the time of suspension (CA Ed Code § 48915 (d))

Suspension Procedures

Unless otherwise specified by law, the Executive Director or the Executive Director's designee shall have the discretion to suspend students in violation of the enumerated acts listed above. Prior to the effectiveness of an expulsion or suspension, a student's parents will be notified. Parents shall have the opportunity to appeal suspensions and expulsions. Suspended students, whether in-school or out of school, will be provided with instructional materials missed while serving a suspension. In order to provide adequate notice and consultation with parents, suspension determinations will proceed under the following three step protocol.

1. **Parent Conference:** Prior to a student's suspension, the Executive Director shall confer with the student's parents to discuss the student behavior leading to suspension. The Executive Director may suspend students prior to a parent conference if such student poses and clear and present danger to the lives, safety or health of the student, other students, or school personnel. In such case, parents shall be notified as soon and a conference will be held as soon as practicable.
2. **Determination of Suspension Length and Placement:** The Executive Director or the Executive Director's designee shall have the discretion to determine the length and placement of suspensions based on the circumstances surrounded the student act triggering suspension consideration. Severity of the offense, impact on school community, and student behavioral history will be considered when determining the length and location of suspension. In order to support student learning and maintain student's connection to the school community, every effort will be made to provide for in-school suspension rather than at home suspension. In school suspension may be served within a student's general classroom or, if the general classroom setting is not appropriate under the circumstances, in a separate space with constant supervision and support from a member of the instructional team.
3. **Notice of Suspension:** Upon a determination of suspension by the Executive Director or the Executive Director's designee, a student's parents shall be notified of the suspension decision and its terms either in-person or via telephone, with translation to home language if needed. Formal written notice of the suspension will follow initial in-person or telephone notice. Formal notice will include the reason for suspension, length of suspension, and the date and time at which student may return to school.

Except in the case of a suspension that is extended pending an expulsion, a student shall not be suspended for more than twenty school days in a school year. In the case of an extended suspension due to expulsion recommendation, Invictus Academy will be responsible for student's interim school placement pending the completion of expulsion proceedings.

Expulsion Procedures

A student whose actions are subject to suspension will be recommended for extension to expulsion if the Executive Director determines that:

- Other means of correction are not feasible, or have repeatedly failed to bring about proper student conduct; and/or
- Due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.

Students recommend for expulsion are entitled to a hearing within thirty days of an expulsion recommendation. The Board ultimately determines whether expulsion is appropriate in light of a student's action and recommendation from the Executive Director. The Board will preside over expulsion hearings. Unless requested by the student subject to expulsion, expulsion hearings shall be conducted in closed session meetings of the Board. Students and their parents will be provided written notice at least ten calendar days prior to any expulsion hearing. Such notice of expulsion hearing shall include the following:

- Date, time and location of hearing
- Statement of specific facts, charges and offense upon which the proposed expulsion is based
- Copy of disciplinary rules that relate to the alleged violation;
- Opportunity for the student and student's parents to appear in person at the hearing
- Opportunity for the student to be represented by legal counsel
- Right of the student to examine and acquire documents to be used by the Board at the hearing
- Opportunity to cross-examine all witnesses that testify at the hearing
- Opportunity to present evidence and witnesses on student's behalf.

Upon determination of expulsion by the Board, within 24 hours, written notice will be provided to the parents of an expelled student. Such notice will include:

- Statement of specific offense committed by the student for any acts listed in "Reasons for Suspension and/or Expulsion"
- Reinstatement eligibility review date
- Type of educational placement during period of expulsion
- Notice of appeal rights and procedures

The school will coordinate with an expelled student's district of residence, county and/or private schools to assist with appropriate educational placement. Incidences of violent and/or serious student behavior will be communicated to the district/school to which the student matriculates post-expulsion.

In the event that the Board rejects the recommendation of expulsion, the student will remain enrolled in and return to regular classes at Invictus Academy.

Appeal of Suspension or Expulsion

Students have the right to appeal suspension and expulsion decisions made by the school.

Parents will be notified prior to the enactment of a suspension. Thereafter, within the term of suspension, parents may request an appeal to the Executive Director, which such appeal shall be heard within five (5) days of notification of suspension. Following due consideration, the Executive Director's decision will be considered final. Appealing parents will be notified of final decisions.

Expulsion appeals must be made within fifteen (15) business days of the Board's written decision to expel. Appeals must be submitted in writing to the Executive Director and sent via U.S. Postal Service or delivered by hand to the school. Appeal hearings will be convened within 20 business days of the school's receipt of an appeal request, until which time students shall be considered suspended. Parents must be present at appeal hearings to present the student's appeal. The student may be represented by legal counsel or a non-attorney advisor.

Expulsion appeals will be heard by an expulsion appeal panel, consisting of three (3) certificated members who will not be employees of Invictus Academy or members of the Board. Panel members shall be impartial and not have participated in the original expulsion decision. The panel will be chosen by the Chair of the Board.

Review during appeal hearings shall be limited to a determination of whether the student was provided due process throughout the expulsion process. A student who successfully appeals an expulsion decision will be immediately reinstated as student at Invictus Academy. Within three (3) days of an appeal decision, written notice will be sent to the parents of a student who is unsuccessful in appealing an expulsion decision, including reasons for denial.

Decisions made by the appeal panel are final.

Invictus Academy of Richmond shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

Suspension and Expulsion of Students with Disabilities

Invictus Academy would immediately notify the SELPA upon suspension or expulsion for a student with an identified disability. The student's service during the suspension, should they be suspended for more than ten school days in a school year shall continue to receive services. Within ten (10) school days of a recommendation for expulsion, 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: (1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; (2) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan. If either is applicable, the conduct shall be determined to be a manifestation of the child's disability. If determined that the conduct was a manifestation of the child's disability, the IEP/504 Team shall: assess, implement a behavioral intervention plan, OR review the existing behavioral intervention plan and modify it.

If determined that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter

School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

Due Process Appeals

A parent may request an expedited administrative hearing by utilizing the dispute provisions of the 504 Policy and Procedures during which the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or forty-five days, whichever occurs first, unless agreed otherwise.

Special Circumstances

A student can be moved to an interim alternative educational setting (but not more than forty-five days) regardless of whether the student is charged with any of the following: a weapon at school, possesses/used/sold illegal drugs, or has inflicted serious bodily injury.

Interim Alternative Educational Setting

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

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified to be eligible for special education and related services and who has violated a code of student conduct may assert the procedural safeguards if the Charter School had knowledge that the student was disabled before the behavior occurred. Knowledge on the part of the Charter School includes:

1. The parent/guardian has expressed concern in writing, or orally, to supervisory or administrative personnel of the Charter School that the child is in need of special education and related services.
2. The parent/guardian has requested a special education evaluation of the child.
3. The student is in the process of being assessed for special education.
4. The student has a section 504 plan.
5. A teacher of the student, or other personnel of the LEA, expressed specific concerns about a pattern of behavior demonstrated by the child to the director of special education of the Charter School or to other supervisory personnel of the Charter School.

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

School Uniforms

All students must wear the School's uniform every day. If a student arrives out of uniform, a parent/guardian will be called and asked to bring in a uniform. The student will be given a loaner item until the parent/guardian arrives and will be sent to class, but the student will earn a lunchtime reflection.

Students may not change out of their uniform at any point during the school day. Students must wear uniforms on all school field trips.

Invictus Academy Uniform

- **Shirt:** Blue/grey polo shirt with school logo, or blue button down shirt with school logo, a college t-shirt or polo, or a special event t-shirts provided by the school
- **Bottoms:** Tan, grey, or black khaki pants, shorts, jumpers, or skirts no shorter than 3 inches above the knees (no jeans, no extra zippers, no embellishments, and no overalls).
- **Belt:** Solid brown or black belt.
- **Footwear:** Comfortable, closed toe, flat shoes (no wheels, heels, wedges, or open-toed shoes).
- **Optional:** Blue Invictus Academy Sweatshirt or hoodie; college sweatshirt or hoodie

Additional Information

- During colder months, students may wear white, black, blue, or grey undershirts and/or tights under their uniforms.
- Only the top button may be undone on shirts and blouses.
- Clothing must fit appropriately. Excessively baggy pants, shirts, etc. are not allowed.
- We would prefer it if **students did not wear jewelry**. Large earrings, multiple chains or rings, and lots of bracelets distract from the uniform and the educational environment. In addition, such items can get lost or stolen. Students may wear only one chain or necklace, and it must be tucked neatly under their uniform shirt. If a student wears jewelry that becomes a distraction to his or herself or to others, then the student will be asked to remove it.
- Students must remove all hats, head-wraps, bandanas, kerchiefs, and other head-coverings upon entering the building unless it is worn in accordance with a religious observation. Small clips or bands for hair are permitted.
- Students may not wear jackets inside classrooms. If you are worried about your student being cold inside the building, he or she should wear a uniform sweatshirt or an approved undershirt.
- Students must maintain a neat and clean appearance at all times. The school is required to report any instances of possible child neglect to Child Protective Services.

Whenever any element of physical appearance or grooming—even if it is allowable under the school’s current rules—becomes a distraction to one’s self or to others, it is no longer acceptable and steps will be taken to remove the distraction.

Family Involvement Policy

The School requires families to be partners in the education of their children. The important task of educating a child calls for the School, the student, and the family to all work together to ensure success. We encourage families to participate actively in their children’s education. We strive to cultivate positive and productive relationships with all of our families.

The School recommends and encourages 15 volunteer hours from each family, although parental participation in any form is important to the School community and so we encourage participation in any form. Families may participate in volunteer hours by:

- Attending Family Advisory Council meetings

- Attending parent trainings given by the school
- Attending parent/teacher conferences
- Participating in school event set-up, execution, and clean-up
- Assisting with morning/afternoon traffic duty
- Assisting teachers with classroom setup/cleanup or project preparation
- Assisting office staff with paperwork
- Ensuring students have perfect attendance in a given trimester
- Ensuring students have perfect Homework completion in a given trimester
- Donating school supplies or snacks to the classroom
- Volunteering in the school library
- Volunteering in the classroom (background check required)

Communication

Our partnership with parents is dependent on frequent, detailed communication about student achievement and behavior. We will communicate with parents in the following ways:

Weekly Reports

Your child will regularly bring home a weekly progress report which will contain both a behavioral report as well as an academic report. A parent / guardian must sign their child's progress report to let us know that you have received this important information. These progress reports will be sent home every Friday and turned in every Monday, with the exceptions of holidays.

We encourage parents to communicate their needs and concerns with the school. If families have a concern about a school policy, an academic grade, a discipline decision, or anything else, we ask that they take some time to reflect on it and then contact the school. We welcome the conversation. We understand that families have very strong feelings about issues concerning their children. We ask only that any issues with the school be dealt with patiently and respectfully. We promise to treat all family concerns with respect.

Promotion to the Next Grade

Students must earn promotion by demonstrating mastery of the essential knowledge and skills. Students may not be promoted if they are performing significantly below grade-level standards. Promotion decisions will be based on a student's grades, standardized test scores, attendance, homework completion record, and other measures with input from the classroom teachers, parents, and administration. Final promotion decisions are made by the school.

Teacher Qualifications

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

Special Education

We are dedicated to the belief that all students can learn and must be guaranteed equal opportunity to become contributing members of the academic environment and society. The School provides special education instruction and related services in accordance with the Individuals with Disabilities in Education Improvement Act (IDEIA), Education Code requirements, and applicable

policies and practices of the Sonoma County Charter SELPA. These services are available for special education students enrolled at the School.

We offer high quality educational programs and services for all its students in accord with the assessed needs of each student. We collaborate with parents, the student, teachers, and other agencies, as may be indicated, in order to best serve the educational needs of each student.

School Lunch Program

Both breakfast and lunch will be available at the School. All families who feel they may qualify will need to complete a form that enables the school to participate in the free or reduced-price meal program. For families that do not qualify for free or reduced price lunch, Invictus Academy will charge the same price for meals as the West Contra Costa Unified School District. Please see the Director of Operations to set up a lunch account for your child.

Families may send lunch to school; however, students will not have access to a refrigerator or microwave. If you are sending lunch to school with your child, we ask that you send in nutritious foods. Please do not let your child bring unhealthy drinks (e.g., sodas or juices heavy in sugar) or unhealthy snacks to school. Candy, gum, and soda are not allowed to be eaten at school. If you choose to send lunch, the entire lunch must be in one bag or container that has the student's name on it.

If the student forgets lunch at home or it must be dropped off, please leave the lunch at the main office before 11:00 a.m. We will ensure that the lunch is taken to the cafeteria.

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; are abandoned in hospitals; or are awaiting foster care placement;
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;
4. Runaway children or children who are abandoned; and
5. Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition of "homeless."

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

School Liaison

The Executive Director serves as the School Liaison for homeless students (42 USC 11432(g)(1)(J) & (e)(3)(C).):

Gautam Thapar
Executive Director

The School Liaison shall ensure that (42 USC 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 Charter School.
3. Homeless students and families receive educational services for which they are eligible, including Head Start and Even Start programs.
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 where children receive services, such as schools, shelters, and soup kitchens.
6. Enrollment/admissions disputes are mediated in accordance with law, the Charter School charter, and Board policy.
7. Parents/guardians are fully informed of all transportation services, as applicable.
8. 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.

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

Student Records

The School's administrative team is in charge of student records. Pupil records maintained by the School consist of any item of information directly related to an identifiable pupil, including but not limited to subjects taken, grades received, standardized test results, attendance record, and health record. Pupil records are maintained at each school where the pupil is attending. The Executive Director or designee is responsible for maintaining each type of pupil record and the information contained therein. Additional records, such as psychological and special education reports, are maintained at those respective offices. Except for directory information, pupil records are accessible only to parents or legal guardians, a pupil 16 years or older or having completed the 10th grade, the personnel, including independent contractors, for the School who have a legitimate educational interest in the pupil and other specified persons under certain circumstances prescribed by law. When a student moves to a new school/ school district, records will be forwarded upon request of the new district within 10 school days.

If parents / guardians would like to examine a child's record, the parents / guardians should submit a request in writing to the Executive Director. The School will make the records available within five business days of receipt of a written request.

Confidential Student Information: The School must have a signed and dated written permission from the parent or before releasing any information from a student's education record except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the 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 school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the 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 school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. In addition, the School forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll.

Directory Information: The Family Educational Rights and Privacy Act (“FERPA”), a Federal law, requires that the School, with certain exceptions, obtain a parent/guardian written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School may disclose appropriately designated "directory information" without written consent, unless a parent/guardian has advised the School to the contrary in accordance with this policy.

If parents/guardians and eligible students believe the School is not in compliance with federal regulations regarding privacy, they have the right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education at 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Pupil Record Challenges Policy

The parent of a pupil or former pupil may challenge the content of their child's pupil record to correct or remove any information recorded in the written records concerning his or her child which the parent alleges to be any of the following:

- Inaccurate
- An unsubstantiated personal conclusion or inference
- A conclusion or inference outside of the observer's area of competence
- Not based on the personal observation of a named person with the time and place of the observation noted
- Misleading
- In violation of the privacy or other rights of the pupil

A parent may use a pupil record challenge to appeal a suspension of a pupil which has already been served.

To challenge a pupil record, a parent must file a written request with the Executive Director to correct or remove any information recorded in the written records concerning his or her child.

Within 30 days of receipt of a written request from a parent, the Executive Director or the Executive Director's designee must meet with the parent or eligible student and the certificated

employee who recorded the information in question, if any. The Executive Director must then sustain or deny the parent or eligible student's request and provide a written statement of the decision to the parent or eligible student.

If the Executive Director sustains any or all of the allegations, he or she must order the correction or the removal and destruction of the information. The Executive Director or Executive Director's designee must then inform the parent or eligible student of the amendment in writing. However, the Executive Director shall not order a pupil's grade to be changed, unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade.

If the Executive Director denies any or all of the allegations and refuses to order the correction or the removal of the information, the Executive Director must inform the parent or eligible student of their right to a hearing under FERPA.

The parent or eligible student may, within 30 days of the refusal, appeal the decision in writing to the Board of Directors. Within 30 days of receipt of a written appeal from a parent, the Board of Directors will hold a formal hearing, in closed session, with the parent, eligible student and the certificated employee who recorded the information in question, if any, and determine whether or not to sustain or deny the allegations. The Board of Directors will give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing. The Board of Directors will give the parent or eligible student a full and fair opportunity to present evidence relevant to the requested amendment of pupil records. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney.

The Board of Directors will inform the parent or eligible student of its decision in writing within a reasonable period of time. The Board of Directors' decision will be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. If the Board of Directors sustains any or all of the allegations, it must order the correction or the removal and destruction of the information. However, the Board of Directors shall not order a pupil's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing or both the reasons for which the grade was given and is, to the extent practicable included in all discussions relating to the changing of the grade.

The decision of the Board of Directors shall be final.

The Executive Director or the Board Chairman may convene a hearing panel to assist in making determinations regarding pupil record challenges provided that the parent has given written consent to release information from the pupil's records to the members of the panel convened. The hearing panel shall consist of the following persons:

- 1) The Executive Director of a public school other than the public school at which the record is on file
- 2) A certificated employee

- 3) A parent appointed by the Executive Director or by the Board of Directors, depending upon who convenes the panel.

If the final decision of the Board of Directors is unfavorable to the parent, or if the parent accepts an unfavorable decision by the Executive Director, the parent or eligible student shall be informed of their right to submit a written statement of objections to the pupil record information. This statement shall become a part of the pupil's school record and shall be maintained for as long as the record is maintained.

Grading Policy

Formal grades will be issued at the end of each academic trimester. Conferences to discuss student progress will be held with every family upon request. Interim progress reports will be issued regularly to keep parents informed and involved in their children's academic progress.

Academic grades will be based on mastery of the Common Core Standards. Grading policies will be consistent across all classes within each grade level (i.e. all seventh grade classes will share a common grading policy that may differ from the grading policy for eighth grade). Grading policies must be approved by the Executive Director. Grading policies will be shared with students and their families at the beginning of each academic year.

Grades will be determined through a weighted average of student performance on class work, homework, assessments, and any other student measures determined by teachers and approved by the Executive Director. Grade reports will be a summary of the students' performance over the course of the reporting period.

Exceptions to this grade promotion policy may be made for students who have a formal IEP. To the extent an exception exists, it will be written into the IEP during an IEP team meeting.

The purpose of the School's grading policy is to effectively track student progress and to communicate it to parents. In the event that we discover a more efficient and effective grading system, we may adjust our grading policy. Any changes in the grading policy will be communicated to the parents and guardians.

State Testing

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

Other Information and Policies

Student Belongings

Students may not bring any items to school that may potentially disrupt the learning environment. These include, but are not limited to, portable electronic games, toys, portable electronic devices, silly bands, and kendamas. Students who violate this rule will have their item(s) confiscated until the item(s) is picked up by a parent / guardian, and may be subject to additional consequences.

Cell phones are not recommended. If students bring a cell phone to school, the School assumes no responsibility for the phone if it is lost or stolen. Students must keep their cell phone off and in their backpack during school hours.

Repeated violations of this policy may result in confiscation irrespective of any costs or fees students and/or their families may incur as a result. The School will not be liable for any damage to such items.

Lost and Found

The School will keep a small Lost and Found box near the main office. Parents / guardians may come in any day between 7:30 A.M. and 4:30 P.M. to search the Lost and Found. At the end of every trimester, items left in the box may be donated to a local charity.

Health and Safety

Fingerprinting and Background Checks

The School shall fingerprint and background check school volunteers who volunteer with students outside of the direct supervision of a School employee, prior to volunteering at the School. For these volunteers, fingerprinting and Criminal Records Summaries will be required annually, at the beginning of each school year.

The Executive Director or designee shall review Department of Justice reports on prospective employees, contractors, and volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44830.1 or 45125.1, except with respect to her or himself, in which case the Chairman of the Board of Directors will review. The Executive Director or designee shall monitor compliance with this policy and report to the School's Board of Directors on a quarterly basis.

Immunizations

This policy applies to all applicants to the School and School administrators in charge of admissions. The School will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075.

California law requires that an immunization record be presented to the school staff before a child can be enrolled in school. The School requires written verification from a doctor or immunization clinic of the following immunizations:

- a) Diphtheria.
- b) Measles.
- c) Mumps, except for children who have reached the age of seven years.
- d) Pertussis (whooping cough), except for children who have reached the age of seven years. Beginning July 1, 2011, all rising and enrolled students in grades 7-12 must be immunized with a pertussis vaccine booster called Tetanus Toxoid, Reduced Diphtheria Toxoid and Acellular Pertussis (Tdap). This requirement will only apply to rising 7th graders.
- e) Poliomyelitis.
- f) Rubella.
- g) Tetanus.

- h) Hepatitis B.
- i) Varicella (chickenpox), (persons already admitted into California public or private schools at the Kindergarten level or above before July 1, 2001, shall be exempt from the Varicella immunization requirement for school entry).
- j) Haemophilus influenzae type b.

The School's verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic.

Exceptions are allowed under the following conditions:

- a) The parent provides a signed doctor's statement verifying that the child is to be exempted from immunizations for medical reasons. This statement must contain a statement identifying the specific nature and probable duration of the medical condition.
- b) Pupils who fail to complete the series of required immunizations within the specified time allowed under the law will be denied enrollment until the series has been completed.

Any child leaving the United States for a short vacation to or long stay in any country considered by the Center of Disease Control and Prevention ("CDC") to have increased risk of TB exposure (such as Mexico, the Philippines, India or Southeast Asia) MUST contact the County Tuberculosis Clinic for a TB Screening upon return.

Communicable, Contagious, or Infectious Disease Prevention Policy

The School recognizes its shared responsibility with the home and the community to promote appropriate disease prevention procedures in the handling and the cleaning up of blood and bodily fluids.

The School's Board of Directors desires to protect the entire school community without segregation, discrimination or stigma. Accordingly, infectious disease prevention shall be taught regardless of whether a student or adult is known to have an identified infectious disease.

All students and employees shall be provided appropriate periodic instruction in basic procedures recommended by the State Department of Education and other public health agencies and associations.

Incidence and transmission of communicable diseases will be further limited through a rigorous program of immunization and health screening required of all students, faculty, and staff. (See Immunizations Policy.) Students found to have communicable diseases will be included in all activities deemed by a physician to present no hazard of infection to other students.

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures. (See "Exposure Control Plan for Blood Borne Pathogens" Policy.)

Administration of Medications

The School staff is responsible for overseeing the administration of medication to students attending the School during regular school hours. It is imperative that practices followed in the

administration of medication be carefully delineated to ensure the safety of our students and the legal protection of our employees. Any pupil who is required to take, during the regular school day, medication prescribed for him or her by a physician or surgeon may be assisted by designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the School receives the appropriate written statements.

In order for a pupil to carry and self-administer prescription auto-injectable epinephrine, the School shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the School and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication.

Additionally, the school nurse or trained personnel who have volunteered may use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering from, an anaphylactic reaction. The School will ensure it has the appropriate type of epinephrine auto-injector on site (i.e., regular or junior) to meet the needs of its pupils. The School will ensure staff properly store, maintain, and restock the epinephrine auto-injectors as needed.

The School will ensure any school personnel who volunteer are appropriately trained regarding the storage and emergency use of epinephrine auto-injectors based on the standards developed by the Superintendent of Public Instruction. The School will distribute an annual notice to all staff describing the request for volunteers who will be trained to administer an epinephrine auto-injector to a person if that person is suffering, or reasonably believed to be suffering from, anaphylaxis. The annual notice shall also describe the training the volunteer will receive.

In order for a pupil to be assisted by designated school personnel, the School shall obtain both a written statement from the physician detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil indicating the desire that the School assist the pupil in the matters set forth in the statement of the physician.

Guidelines

- The primary responsibility for the administration of medication rests with the parent/guardian, student and medical professional.
- Medication shall be administered only during school hours if determined by a physician to be necessary.
- Designated staff shall keep records of medication administered at the School.
- All medication will be kept in a secure and appropriate storage location and administered per physician's instructions by appropriately designated staff.
- Designated staff shall return all surplus medication to the parent/guardian upon completion of the regimen or prior to extended holidays.

- Designated staff shall establish emergency procedures for specific medical conditions that require an immediate response (i.e. allergies, asthma, diabetes).
- The written statements specified in this policy shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.
- A pupil may be subject to disciplinary action if that pupil uses auto-injectable epinephrine in a manner other than as prescribed.

First Aid, CPR, and Health Screening

The School recognizes the importance of taking appropriate preventive or remedial measures to minimize accidents or illness at the School or during school-sponsored activities. To this end, the School expects parents/guardians to provide emergency information and to keep such information current in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

Within the School's facilities, a First Aid Kit containing appropriate supplies will be present. First aid will be administered whenever necessary by trained staff members. When necessary, the appropriate emergency personnel will be called to assist.

All teachers are to be certified in adult and pediatric CPR and First Aid and are to be recertified prior to expiration of certificates. Opportunities for adult and pediatric CPR and First Aid training will be offered to all support staff and volunteers.

The School and its officers and employees shall not be held liable for the reasonable treatment of a child without the consent of a parent or guardian when the child is ill or injured during regular school hours or at a school-related activity, requires reasonable medical treatment, and the parent or guardian cannot be reached, unless the parent or guardian has previously filed with the School a written objection to any medical treatment other than first aid.

The School shall screen for vision, hearing and scoliosis as required by Education Code Section 49450, *et seq.*, per appropriate grade levels.

To prevent the spread of head lice infestations, School employees shall report all suspected cases of head lice to the administrative team as soon as possible. If nits or lice are found, the student shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

The Executive Director, or designee, shall send home the notification required by law for excluded students. If there are two or more students affected in any learning center, an exposure notice with information about head lice shall be sent home to all parents/guardians of those students.

Staff shall maintain the privacy of students identified as having head lice and excluded from attendance.

Excluded students may return to school when reexamination by the nurse, or designee, shows that all nits and lice have been removed.

Exposure Control Plan For Blood Borne Pathogens

The Executive Director, or designee, shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Executive Director, or designee, shall establish a written “Exposure Control Plan” designed to protect employees from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”).

The Board of Directors shall determine which employees have occupational exposure to blood borne pathogens and other potentially infectious materials. In accordance with the School’s “Exposure Control Plan,” employees having occupational exposure shall be trained in accordance with applicable state regulations and offered the hepatitis B vaccination.

The Executive Director, or designee, may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations.

Any employee not identified as having occupational exposure in the School’s exposure determination may petition to be included in the School’s employee in-service training and hepatitis B vaccination program. Any such petition should be submitted to the Executive Director, or designee, who shall evaluate the request and notify the petitioners of his/her decision. The Executive Director, or designee, may deny a request when there is no reasonable anticipation of contact with infectious material.

Classroom and School Visitation, Volunteer, and Removal Policy

To ensure the safety of students and staff as well as to minimize interruption of the instructional program, the School has established the following procedures, pursuant to California Penal Code Sections 627, et. seq., to facilitate visits during regular school days:

1. Visits during school hours should first be arranged with the teacher and Executive/Director of Operations at least 24 hours in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three days in advance. Parents seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the Executive/Director of Operations. Except for unusual circumstances, approved by the Executive Director, classroom visits should not exceed approximately 45 minutes in length and may not occur more than once per week.
2. When there are a large number of requests, the School shall schedule a minimum of two (2) observation days per school year for parents who are considering application for enrollment. Interested parent observers shall be asked to conduct their observations on one of the scheduled days.
3. All visitors, including parents or guardians of currently enrolled students, shall register with the front office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor may be required to provide his/her name, address, occupation, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Executive Director or designee may design a visible means of identification for visitors while on school premises.

4. The Executive Director, or designee, may refuse to register an outsider if he or she has a reasonable basis for concluding that the visitor's presence or acts would disrupt the school, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.
5. The Executive Director or designee may withdraw consent to be on campus whenever there is reasonable basis for concluding that the visitor presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is disrupting the school, its students, its teachers, or its other employees.
7. The Executive Director or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the Executive Director or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.
8. The classroom teacher has full discretion as to their use of volunteers and the time and duration of in-class volunteer participation.
9. Visitors volunteering in classrooms shall follow all other guidelines indicated elsewhere in this policy. Classroom volunteers are there to benefit the entire class and are not in class solely for the benefit of their own child. Classroom volunteers must follow the instructions provided by the classroom teacher or aide. Classroom rules also apply to parent volunteers to ensure minimal distraction to the teacher. If a volunteer is uncomfortable following the direction of the teacher or aid, the volunteer may leave their volunteer position for that day.
10. Information gained by volunteers regarding individual students (e.g. academic performance or behavior) is to be maintained in strict confidentiality. Questions or comments concerning a child's academic performance or behavior must be done in a separate meeting between parent and teacher, as arranged with the teacher. Student discipline is to be left to the teacher, even for a parent volunteer's own child, with the exception of light reminders to students to stay on task.
11. Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Executive Director. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to be sent, and shall be delivered to the Executive Director within five (5) days after the denial or revocation. The Executive Director shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Executive Director shall be held within seven business days after the Executive Director receives the request. The Executive Director shall respond within seven work days.
12. The Executive Director or designee may seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.
13. At each entrance to the School grounds, signs shall be posted specifying the hours during which registration is required, stating where the office of the Executive Director or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.
14. No electronic listening or recording device may be used by students or visitors in a classroom without the teacher's and Executive Director's written permission.

Penalties:

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.
2. Further conduct of this nature by the visitor may lead to the School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending School activities for any purpose for a period of three (3) years.

Independent Study Policy

The purpose of this policy is to govern the use of Independent Study for students who may be absent for an extended period of time.

Independent Study requires approval from the Executive Director in writing. In an extenuating circumstance (i.e. serious illness or injury) the Executive Director may approve additional IS days following conference with the parents and teacher. The Executive Director reserves the right to deny Independent Study for any reason.

Independent Study is conducted solely for the educational benefit of the students attending the School as a means to encourage daily engagement in school work even during times of extended absence. No student is required to request or participate in an independent study program during an extended absence. Parents are to give advance notice when possible of a request for independent study. In an extenuating circumstance (i.e. a serious illness, injury or family emergency), with Executive Director approval, a certificated staff member/teacher will work with the parent to implement an independent study program in an expedited manner with less than one (1) school day notice.

The Board of Directors has adopted the following statements in accordance with Education Code Section 51747:

- (a) The assignment(s) must be completed and returned to the teacher through a face to face meeting, facsimile, mail, or other credible method of meeting and reviewed upon completion of the Independent Study Program for all grades, unless extended by the Executive Director in consultation with the teacher.
- (b) An evaluation will be made by a committee made up of the student's teacher and the Executive Director as to whether it is in the student's best interest to participate in the independent study program during an absence upon the student missing 3 assignments. A written record of the findings of this evaluation shall be placed in the student's permanent record and shall be maintained for a period of three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.
- (c) A written independent study master agreement for each student shall be maintained on file. Each agreement shall be signed and dated and in effect prior to the start of reporting attendance (ADA) pursuant to that agreement. The agreement shall contain all the items listed below:
 - The manner, time, frequency and place for submitting a student's assignments and for reporting his or her progress.

- The objectives and methods of study for the student's work, and the methods utilized to evaluate that work.
- The specific resources, including materials that will be made available to the student.
- A statement of the policies adopted herein regarding the maximum length of time allotted between the assignment and the completion of a student's assigned work, and the number of missed assignments before an evaluation of whether or not the student should be allowed to continue in independent study.
- The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one (1) school year.
- The inclusion of a statement that independent study is an optional educational alternative in which no student may be required to participate.
- Each written agreement shall be signed, before the commencement of independent study, by the student, the student's parent, legal guardian, or caregiver, if the student is less than 18 years of age, the certificated teacher/staff member who has been designated as having responsibility for the general supervision of independent study, and all other persons who have direct responsibility for providing instructional assistance to the student.
- A statement of the number of course credits or other measures of academic accomplishment appropriate to the agreement to be earned by the student upon completion.

(d) **Attendance Accounting:**

The School recognizes that families may not evenly distribute student's work assignments over weekdays. However, due to strict State law requirements for charter school attendance, the School expects each student to be engaged in an educational activity required of them in the assignment on each weekday that the School is in session, and asks that this "daily engagement" be documented on a daily basis in the student log by the parent/guardian. This should not be read to prohibit schoolwork on weekends and should not be read to dictate the manner in which a family distributes the assignments over the independent study period.

The School asks that a parent/guardian refrain from documenting any "daily engagement" on a day where a student did not engage in any educational activity required of them by the assignment. Work done on weekends or other days when school is not in session cannot be used to "make-up" weekdays where no "daily engagement" occurred.

Annual Notices

Concussion / Head Injury Annual Notice

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. Because the School has elected to offer an athletic program, we must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion

or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Sexual Education Annual Notice

The purpose of the School's sexual health education and/or HIV/AIDS prevention education is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

The School will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

- Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education.
- Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education.
- Request a copy of Education Codes 51930 through 51939.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by School personnel or outside consultants.
- When the School chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
 - The date of the instruction
 - The name of the organization or affiliation of each guest speaker.

Free and Reduced Lunch Annual Notice:

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

Harassment, Intimidation, Discrimination, and Bullying Policy

Invictus Academy ("Charter School") believes all students have the right to a safe and civil learning environment. Discrimination, harassment, intimidation, and bullying are all disruptive behaviors which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, the Charter School prohibits any acts of discrimination, harassment, intimidation, and bullying related to school

activity or school attendance. 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, consistent with this policy.

As used in this policy, “discrimination, harassment, intimidation, and bullying” describe the intentional conduct, including verbal, physical, written communication, or cyberbullying, that is based on the actual or perceived characteristics of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. In addition, bullying encompasses any conduct described in the definitions set forth in this policy.

To the extent possible, the 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, and address any reports of such behaviors in a timely manner. Charter School staff who witness acts of discrimination, harassment, intimidation, and bullying will take immediate steps to intervene, so long as it is safe to do so.

Definitions

“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:

1. 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.
2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable student to experience substantial interference with his or her academic performance.
4. 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.

“Electronic Act” means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, 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 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.
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.

Reporting

All staff members are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of discrimination, intimidation, harassment, or bullying, 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 bullying.

All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the Executive Director or designee. While submission of a written report is not required, the reporting party is encouraged to use the report form available in the Main Office. However, oral reports shall also be considered. Reports may be made anonymously, but formal disciplinary action cannot be based solely on anonymous information.

Students are expected to report all incidents of discrimination, intimidation, harassment, bullying, teasing, or other verbal or physical abuse. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, Executive Director, or staff person so that she/he can get assistance in resolving the issue consistent with this policy.

The Charter School acknowledges and respects every individual’s rights to privacy. To that end, consistent with legal requirements, all reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible.

The 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 violations of this policy. Such participation shall not in any way affect the status, grades or work assignments of the reporter.

Investigation

Upon receipt of a report of harassment, intimidation, or bullying from a student, staff member, parent, volunteer, visitor or affiliate of the Charter School, the Executive Director or designee will promptly initiate an investigation. At the conclusion of the investigation, the Executive Director or designee will notify the complainant of the outcome of the investigation. However, in no case

may the Executive Director or designee reveal confidential student information related to other students, including the type and extent of discipline issued against such students.

Complaints shall be investigated and resolved within thirty (30) school days, unless circumstances reasonably require additional time.

All records related to any investigation of discrimination, harassment, intimidation or bullying will remain in a secure location in the Main Office of the Charter School.

In those instances when the complaint filed under this policy also requires investigation under the Uniform Complaint Procedures, such investigation will be undertaken concurrently.

Appeal

Should the Complainant find the Executive Director or designee resolution unsatisfactory, he/she may within five (5) school days of the date of resolution, file an appeal with the Designated Appeals Committee. In such cases, at least three (3) certificated School employees who are unfamiliar with the case and who have been previously designated and trained for this purpose shall be assembled to conduct a confidential review of the Complainant's appeal and render a final disposition.

Consequences

Students who engage in discrimination, harassment, intimidation or bullying may be subject to disciplinary action, up to and including suspension and/or expulsion, as outlined in the Student Discipline Policy of the Charter School.

Complaint Policy

Internal Complaint Policy

Suggestions for improving the School are always welcome. Your good-faith complaints, questions, and suggestions also are of concern to the School. We ask you to first discuss your concerns with your child's teacher, and follow these steps:

- A. Any complaint shall be put in writing using the "Complaint Form" and addressed to the Executive Director. A written complaint shall include:
 1. The full name of each person involved
 2. A brief but specific summary of the complaint and the facts surrounding it
 3. A specific description of any prior attempt to discuss the complaint with the person and the failure to resolve the matter
- B. The Executive Director shall investigate the complaint as necessary and shall promptly mail a written notice to the Complainant of the date, time, and place of a meeting between the Complainant and the Executive Director, which shall occur no later than ten (10) school days following the receipt of complaint.
- C. If no resolution can be agreed upon between the Executive Director and the Complainant, the Executive Director shall submit the complaint to the Board of Directors, which shall submit it to the Dispute Resolution Committee, a sub-set of the Board of less than a quorum (at least 3) of existing members appointed by the Board of Directors as needed.

- D. The Dispute Resolution Committee may seek additional investigation by the Executive Director as it deems necessary. This committee will be advisory only and will bring a recommendation to the full Board of Directors for consideration.
- E. The Board of Directors shall address the recommendations of the Dispute Resolution Committee at the next Regular Board meeting following the availability of those recommendations from the Committee.
- F. The Board of Directors will make the final determination regarding the dispute and shall notify the Complainant of the Board's determination within ten school days of the determination.

This procedure, which we believe is important for both you and the School, cannot guarantee that every problem will be resolved to your satisfaction. However, the School values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

Policy for Complaints Against Employees

The School requires all employees to observe the highest standard of business and personal ethics in the conduct of their duties and responsibilities. As representatives of the School, employees must practice honesty and integrity in fulfilling responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all employees to comply with school policies noted in the Employment Guidelines and to report violations or suspected violations in accordance with this Whistleblower Policy.

Depending on the nature of the complaint, the complainant will be provided information concerning the applicable policy and procedures to be followed. If there is no applicable policy or procedures, the Executive Director (or designee) shall encourage the parties involved to seek an informal resolution of the issues. If this is not possible due to the nature of the complaint or if informal resolution has been unsuccessfully attempted, the Executive Director (or designee) shall undertake a responsible inquiry into the complaint to ensure it is reasonably and swiftly addressed. When appropriate, a written statement of the complaint will be obtained from the complainant.

If the complainant files a written complaint and no other school policy or procedure is applicable, the Executive Director (or designee) shall abide by the following process:

1. Within 10 working days of the receipt of the complaint, the Executive Director or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Executive Director (or designee) finds that a complaint against an employee is valid, the Executive Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the School. The decision of the Board of Directors shall be final.

Confidentiality

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.

Non-Retaliation

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.

Resolution

The administration 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.

Nondiscrimination

The 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, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

The 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 and the Individuals with Disabilities in Education Improvement Act of 2004.

The School is committed to providing a work and educational atmosphere that is free of unlawful harassment. The School prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, 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. The School will not condone or tolerate harassment of any type, including bullying, discrimination, or intimidation, by any employee, independent contractor or other person with which the Charter School does business, or any other individual, student, or volunteer. This policy applies to all employees, students, or volunteers and relationships, regardless of position or gender. The School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

Uniform Complaint Policy**Scope**

The School's policy is to comply with applicable federal and state laws and regulations. The 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 unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of actual or perceived characteristics of age, ancestry, color, disability, ethnic group identification, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Adult Education Programs, Consolidated Categorical Aid Programs, Migrant Education, Career Technical and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Child Nutrition Programs, and Special Education Programs.
- (3) A complaint may also be filed 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 *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
 - c. 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.
 - d. If the School finds merit in a pupil fees complaint the School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the School to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

- e. 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.
- (4) Complaints of noncompliance with the requirements governing the Local Control Funding Formula or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

The School acknowledges and respects every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. The School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the School will attempt to do so as appropriate. The 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 Executive Director or designee on a case-by-case basis.

The 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 unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officers

The School's Board of Directors designates the following Compliance Officer to receive and investigate complaints and to ensure the School's compliance with law:

Executive Director

The Executive Director 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 Executive Director or designee.

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

Notifications

The Executive Director or designee shall annually provide written notification of the School's uniform complaint procedures to employees, students, parents and/or guardians, advisory committees, private school officials and other interested parties (e.g., Adult Education).

The annual notice shall be in English, and when necessary, in the primary language, pursuant to section 48985 of the Education Code if fifteen (15) percent or more of the pupils enrolled in the School speak a single primary language other than English.

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

The annual notice shall include the following:

- (a) A statement that the Charter School is primarily responsible for compliance with federal and state laws and regulations.
- (b) A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
- (c) A statement identifying the responsible staff member, position, or unit designated to receive complaints.
- (d) A statement that the complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within 15 days of receiving the Charter School's Decision.
- (e) A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code § 262.3.
- (f) A statement that copies of the local educational agency complaint procedures shall be available free of charge.

Uniform Complaint Procedures

The following procedures shall be used to address all complaints which allege that the 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 School.

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

Pupil fees complaints shall be filed not later than one (1) year from the date the alleged violation occurred.

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, School staff shall assist him/her in the filing of the complaint.

Step 2: Mediation

Within three days of receiving the complaint, the Compliance Officer may informally discuss with the Complainant the possibility of using mediation. If the Complainant agrees to mediation, the Compliance Officer shall make arrangements for this process.

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

If the mediation process does not resolve the 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 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 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 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 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 School's decision shall be in writing and sent to the Complainant. The 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 School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For unlawful discrimination, harassment, intimidation, and/or bullying complaints arising under state law, notice that the Complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For unlawful discrimination, harassment, intimidation, and/or bullying 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 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 School's decision, the Complainant may appeal in writing to the CDE within fifteen (15) days of receiving the 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 School's decision.

Upon notification by the CDE that the Complainant has appealed the School's decision, the Executive Director 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 School, if not covered by the decision.
4. A copy of the investigation files, 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 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 School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the School has not taken action within 60 days of the date the complaint was filed with the School.

Civil Law Remedies

A Complainant may pursue available civil law remedies outside of the School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest

attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, harassment, intimidation, and/or bullying complaints arising under state law, however, a Complainant must wait until 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 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.

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

Signature of Complainant

Date: _____

Print Name

To be completed by School:

Received by: _____

Date: _____



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: _____

<input type="checkbox"/> Adult Education	<input type="checkbox"/> Consolidated Categorical Programs	<input type="checkbox"/> Nutrition Services
<input type="checkbox"/> Career/Technical Education	<input type="checkbox"/> Migrant and Indian Education	<input type="checkbox"/> Special Education
<input type="checkbox"/> Child Development Programs	<input type="checkbox"/> Pupil Fees	<input type="checkbox"/> Local Control Funding Formula

- ☐ Age
- ☐ Ancestry
- ☐ Color
- ☐ Disability (Mental or Physical)
- ☐ Ethnic Group Identification
- ☐ Gender / Gender Expression / Gender Identity
- ☐ National Origin
- ☐ Race or ethnicity
- ☐ Religion
- ☐ Sex (Actual or Perceived)
- ☐ Sexual Orientation (Actual or Perceived)
- ☐ Based on association with a person or group with one or more of these actual or perceived characteristics
- ☐ Genetic information

- [illegible]

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:

EXECUTIVE DIRECTOR
INVICTUS ACADEMY
LOCATION TBD

INVICTUS ACADEMY OF RICHMOND**HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING COMPLAINT
FORM**

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

I hereby authorize the 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.

Signature of Complainant

Date: _____

Print Name

To be completed by the Charter School:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____