



**Parent and Student Handbook**

**2020-2021 Academic Year**

## Welcome Letter

Dear Invictus Families and Imagineers (students):

On behalf of the Invictus Leadership Academy staff, we are excited about beginning this new year with you and welcome you to our new campus.

To ensure that every child is given full access to a meaningful and rigorous educational program, we have an absolute zero-tolerance policy for student behaviors that would impede the learning of others. Also, to guarantee every child's safety, we will address all misbehaviors that could potentially compromise the health of our students (i.e., violating distancing protocols, inappropriate touching, failure to wear face-covering, or not washing hands). While understanding that children are adjusting to our new normal, we will redirect students as appropriate and apply more drastic measures if redirection is unsuccessful ( i.e., assigning students to a virtual learning environment until their behavior is no longer is a threat).

As we are amid an international pandemic, we applaud your commitment to ensuring that your children are prepared to compete for the jobs of the future. Collectively our staff wants to communicate our utter dedication to both your child's safety and their long-term development. To that end, we are dedicated to helping your children develop the strongest academic and social-emotional capacities by providing you three options for enrollment: 100% virtual learning, Halftime virtual learning, and full-time in-person instruction.

We look forward to serving your children and sharing an incredible year of learning, and I look forward to speaking with you soon.

Sincerely,



Dr. LaTonya Derbigny

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## **Non-Discrimination Statement**

Invictus Leadership Academy Leadership Academy Charter School (Invictus Leadership Academy) does not discriminate against any person on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

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

The Charter School does not discourage students from enrolling or seeking to enroll in the Charter School for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. Charter School shall not encourage a student currently attending Charter School to disenroll or transfer to another school based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with the Charter School’s charter and relevant policies.

The Charter School does not request nor require student records prior to a student’s enrollment.

The Charter School shall provide a copy of the California Department of Education Complaint Notice and Form to any parent, guardian, or student over the age of 18 at the following times: (1) when a parent, guardian, or student over of the age of 18 inquires about enrollment; (2) before conducting an enrollment lottery; and (3) before dis-enrollment of a student.

The Charter School is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination Act of 1975; the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability). Charter School also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin, or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. Charter School does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other persons with which Charter School does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. Charter School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section above, should be directed to the Charter School Uniform Complaint Procedures (“UCP”) Compliance Officer:

Ms. Tinia Cortez  
Compliance Coordinator

6715 S Western Ave, Los Angeles, CA 90047

The lack of English language skills will not be a barrier to admission or participation in Charter School's programs or activities. Charter School prohibits retaliation against anyone who files a complaint or who participates or refuses to participate in a complaint investigation.

## **Fire Drills/ Alarms/ Extinguishers**

Fire Drills are held at various times throughout the year. **Promptness and silence are required.** In each classroom and in halls, an emergency evacuation plan showing emergency routes is posted. If an alarm sounds while students are passing in the halls, students should proceed toward the exit in the section of the hall in which they are located at the moment. Students should remember that perfect order is essential for complete safety. Violations of this policy are subject to disciplinary action. For a copy of our Comprehensive School Safety Plan, please contact the main office.

Fire alarm equipment is governed by State and Federal Laws. Any student tampering with fire alarms/fire extinguishers will be subjected to disciplinary action up to which may include expulsion, arrest, and prosecution.

## **Parent and Family Engagement Policy**

The Charter School aims to provide all students in our school significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act ("ESEA"). The Charter School staff recognizes a partnership with families is essential to meet this goal. Our Parent and Family Engagement Policy leverages and promotes the active involvement of all families as partners with schools to ensure student success. A copy of the Charter School's complete Policy is available upon request in the main office.

## **Student Health, Drugs, and Medication**

### Administration of Medication While at School

A letter of authorization for each prescription must be submitted by the parent and the physician at least annually and will be placed on file in the office. The letter from the physician must detail the name of the medication, the times for administration, method, and dosage. In the event that the type of medication, dosage, frequency of administration, or reason for administration changes, please be sure to submit a new/ updated letter immediately.

If it is necessary for a student to take medication on a regular basis (for example allergy, headaches, etc.), permission must be on file from a physician and parent which will permit a student to come to the office and take medication when required. **No student will be permitted to take any drug, even over the counter medications, except in the presence of the school staff or when students are authorized to self-administer medication consistent with a doctor's prescription.** Medication must be provided in a pharmacy prepared bottle with the student name, dosage, and administration directions clearly appearing on the label. All over-the-counter medication must be in the original container with the child's



name and administration instruction clearly written on the label.

Medication, properly identified, must be given to the school staff in order to ensure the correct administration of the medication. Students may not carry medication with them at school unless authorized by the physician and parent and approved by the school. A copy of the Invictus Leadership Academy Administration of Medication Policy is available at the Main Office.

#### Availability of Health Insurance

Children—regardless of immigration status (foster youth, pregnant women, and legally present individuals, including those with deferred action for childhood arrivals [“DACA”] status) may be eligible for no- or low-cost Medi-Cal insurance. Medi-Cal covers immunizations, checkups, specialists, vision and dental services, and more for children and youth at no- or low-cost. Medi-Cal enrollment is available year-round.

Covered California is where legal residents of California can compare quality health plans and choose the one that works best for them. Based on income and family size, many Californians may qualify for financial assistance. Enroll during Open Enrollment or any time you experience a life-changing event, like losing your job or having a baby. You have sixty (60) days from the event to complete enrollment. Information regarding the availability of insurance is provided with enrollment forms and available at:

[http://hbex.coveredca.com/toolkit/PDFs/ALL IN Flyer EnrollGetCareRenew CC.pdf](http://hbex.coveredca.com/toolkit/PDFs/ALL_IN_Flyer_EnrollGetCareRenew_CC.pdf)

The Charter School shall not discriminate against a student who does not have health care coverage or use any information relating to a student’s health care coverage or interest in learning about health care coverage in any manner that would bring harm to the student or the student’s family.

#### California Healthy Kids Survey

The Charter School will administer the California Healthy Kids Survey (“CHKS”) to students at grades five and seven, whose parents or guardians provide written permission. The CHKS is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency that enables the Charter School to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence.

#### Oral Health Assessment

Students enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, are required to have an oral health assessment completed by a dental professional. Please contact the office if you have questions about this requirement by May 31st.

#### Physical Examination and Right to Refuse

All students are to have completed a health screening examination on or before the 90th day after the student’s entrance into first grade or such students must have obtained a waiver pursuant to Health and Safety Code Sections 124040 and 124085. This examination can be obtained from your family physician or possibly through the services provided by your County Health Department. Information and forms are

distributed to students enrolled in kindergarten. If your child's medical status changes, please provide the teacher with a physician's written verification of the medical issue, especially if it impacts in any way your child's ability to perform schoolwork.

A parent/guardian having control or charge of any child enrolled in the Charter School may file annually with the Executive Director of the school in which the child is enrolled a written and signed statement stating that the parent/guardian will not consent to a physical examination of the child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

### Opioid Information Sheet

The Charter School annually provides each athlete with an Opioid Factsheet for Patients published by the Centers for Disease Control and Prevention. The athlete and, if the athlete is 17 years of age or younger, the athlete's parent or guardian shall sign a document acknowledging receipt of the Opioid Factsheet for Patients and return that document to the Charter School before the athlete initiates practice or competition. The fact sheet is available at:

<https://www.cdc.gov/drugoverdose/pdf/AHA-Patient-Opioid-Factsheet-a.pdf>

### Information Regarding Type 2 Diabetes

Invictus Leadership Academy is obligated to notify every incoming 7th grader about Type 2 diabetes. Because this information is important for all students, we have included this information sheet within the Handbook. Type 2 diabetes is the most common diabetes in adults.

- Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.
- According to the U.S. Center for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy, Specifically, The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells. The pancreas makes insulin, a hormone that moves glucose from the blood to the cells. In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise. Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

### Risk Factors Associated with Type 2 Diabetes

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

### Risk Factors

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

- *Being overweight.* The single greatest risk factor for type 2 in children is excess weight. In the U.S., almost one out every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- *Family history of diabetes.* Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.
- *Inactivity.* Being inactive further reduces the body's ability to respond to insulin.
- *Specific racial/ ethnic groups.* Native Americans, African Americans, Hispanics/ Latinos, or Asian/ Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- *Puberty.* Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

### Warning Signs and Symptoms Associated with Type 2 Diabetes

Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially, there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these forewarning signs, and not everyone who has these symptoms necessarily has type 2 Diabetes.

- Increase hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fats levels

### Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and regularly exercising can help children achieve or maintain a normal weight and normal blood glucose levels.

- *Eat healthy foods.* Make wise food choices. Eat foods low in fat and calories.
- *Get more physical activity.* Increase physical activity to at least 60 min every day.
- *Take medication.* If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition that may lead to type 2 diabetes).

### Types of Diabetes Screening Tests That Are Available

**Glycated hemoglobin (A1C) test.** A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.

**Random (non-fasting) blood sugar test.** A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.

**Fasting blood sugar test.** A blood sample is taken after an overnight fast. A fasting blood sugar level less

than 100 mg/ dL is normal. A level of 100 to 125 mg/ dL is considered pre-diabetes. A level of 126 mg/ dL or higher on two separate tests indicates diabetes.

**Oral glucose tolerance test.** A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/ dL after two hours indicates diabetes.

Type 2 diabetes in children is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school administrator, or health care provider if you have questions. For more information about type 2 diabetes and to find this information in alternate languages, visit

<http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>.

### Student Wellness

Invictus Leadership Academy is committed to the optimal development of every student. Invictus believes that for students to have the opportunity to achieve personal, academic, developmental, and social success, we need to create positive, safe, and health-promoting learning environments at every level, in every setting, throughout the school year, including good nutrition and physical activity before, during and after the school day. For a copy of the School's Wellness Policy, please contact the Front Office.

### Mental Health Services

The Charter School recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and/or violence. Access to mental health services at the Charter School or in our community is not only critical to improving the physical and emotional safety of students, but it also helps address barriers to learning and provides support so that all students can learn problem-solving skills and achieve in school and, ultimately, in life. The following resources are available to your child:

#### Available on Campus:

- Special education services – if you believe your child may have a disability, you are encouraged to directly contact the Executive Director at 323-615-4243 to request an evaluation.

- Prescription medication while on campus – if your child requires prescription medication during school hours, and you would like assistance from School staff in providing this medication to your child, please contact the School Secretary at 323-615-4243.

#### Available in the Community:

- The Child Welfare Division of LACDMH was created to ensure comprehensive, coordinated delivery of mental health services to children and youths in or at-risk of entering the foster care system. <https://dmh.lacounty.gov/our-services/children/child-welfare-division/>
- The Family and Community Partnerships (FCP) administrative unit strengthens system and community capacity to address the mental health needs of children and their families. <https://dmh.lacounty.gov/our-services/children/fcp/>
- TBS is an intensive, individualized, one-to-one behavioral mental health service available to children/youth with serious emotional challenges and their families, who are under 21 years old and have full-scope Medi-Cal. <https://dmh.lacounty.gov/our-services/children/therapeutic-behavioral-services/>

#### Available Nationally:

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at 1-800-273-8255.
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. **Available at 1-866-488-7386 or visit <https://www.thetrevorproject.org/>.**
- Big Brothers/Big Sisters of America – This organization is a community- based mentorship program. Community-specific program information can be found online at <https://www.bbbs.org> or by calling (813) 720-8778.

#### Suicide Prevention Policy

The Board of Directors of Invictus Leadership Academy Charter School (“Invictus” or the “Charter School”) recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

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

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

#### Staff Development- Mental Health

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

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

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
2. At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
3. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:
  - a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.
  - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment.
  - d. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member.
  - e. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide.
  - f. Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.

- g. Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
  - i. Youth affected by suicide.
  - ii. Youth with a history of suicide ideation or attempts.
  - iii. Youth with disabilities, mental illness, or substance abuse disorders.
  - iv. Lesbian, gay, bisexual, transgender, or questioning youth.
  - v. Youth experiencing homelessness or in out-of-home settings, such as foster care.
  - vi. Youth who have suffered traumatic experiences.
- 4. In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff may include the following components:
  - a. The impact of traumatic stress on emotional and mental health.
  - b. Common misconceptions about suicide.
  - c. Charter School and community suicide prevention resources.
  - d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
  - e. The factors associated with suicide (risk factors, warning signs, protective factors).
  - f. How to identify youth who may be at risk of suicide.
  - g. Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on Invictus guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on Invictus guidelines.
  - h. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
  - i. Charter School-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention).
  - j. Responding after a suicide occurs (suicide postvention).
  - k. Resources regarding youth suicide prevention.
  - l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
  - m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

#### Employee Qualifications and Scope of Services

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

## Parents, Guardians, and Caregivers Participation and Education

1. Parents/guardians/caregivers may be included in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on the Invictus Web page and included in the parent handbook.
3. Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
4. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
  - a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.

How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

## Intervention and Emergency Procedures

Invictus designates the Executive Director to act as the primary suicide prevention liaison.

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

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

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

When a student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911.

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

1. Ensure the student's physical safety by one or more of the following, as appropriate:
  - Securing immediate medical treatment if a suicide attempt has occurred.
  - Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened.
  - Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene.
  - Remaining calm, keeping in mind the student is overwhelmed, confused, and emotionally distressed.



- Moving all other students out of the immediate area.
  - Not sending the student away or leaving him/her alone, even to go to the restroom.
  - Providing comfort to the student, listening and allowing the student to talk and being comfortable with moments of silence.
  - Promising privacy and help, but not promising confidentiality.
2. Document the incident in writing as soon as feasible.
  3. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed and coordinate and consult with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.
  4. After a referral is made, Invictus shall verify with the parent/guardian that the follow up treatment has been accessed. Parents/guardians will be required to provide documentation of care for the student. If parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide or in emotional distress, the suicide prevention liaisons shall meet with the parent to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of care. If follow up care is still not provided, Invictus may contact Child Protective Services.
  5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at Invictus.
  6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

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

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

1. Contact the parent/guardian and offer support to the family.
2. Discuss with the family how they would like Invictus to respond to the attempt while minimizing widespread rumors among teachers, staff, and students.
3. Obtain permission from the parent/guardian to share information to ensure the facts regarding the crisis are correct.
4. The suicide prevention liaisons shall handle any media requests.
5. Provide care and determine appropriate support to affected students.

6. Offer to the student and parent/guardian steps for re-integration to school. Re-integration may include obtaining a written release from the parent/guardian to speak with any health care providers; conferring with the student and parent/guardian about any specific requests on how to handle the situation; informing the student's teachers about possible days of absences; allowing accommodations for make-up work (being understanding that missed assignments may add stress to the student); appropriate staff maintaining ongoing contact with the student to monitor the student's actions and mood; and working with the parent/guardian to involve the student in an aftercare plan.

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

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

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

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on the school community, including students and staff. Invictus shall follow the below action plan for responding to a suicide death, which incorporates both immediate and long-term steps and objectives:

The suicide prevention liaison shall:

1. Coordinate the following:
  - a. Confirm death and cause.
  - b. Identify a staff member to contact deceased's family (within 24 hours).
  - c. Enact the Suicide Postvention Response.
  - d. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
2. Coordinate an all-staff meeting, to include:
  - a. Notification (if not already conducted) to staff about suicide death.
  - b. Emotional support and resources available to staff.
  - c. Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
  - d. Share information that is relevant and that which you have permission to disclose.
3. Prepare staff to respond to needs of students regarding the following:
  - a. Review of protocols for referring students for support/assessment.
  - b. Talking points for staff to notify students.
  - c. Resources available to students (on and off campus).
4. Identify students significantly affected by suicide death and other students at risk of imitative behavior.
5. Identify students affected by suicide death but not at risk of imitative behavior.
6. Communicate with the larger school community about the suicide death.

7. Consider funeral arrangements for family and school community.
8. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
9. Identify media spokesperson if needed.
10. Include long-term suicide postvention responses:
  - a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
  - b. Support siblings, close friends, teachers, and/or students of deceased.
  - c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

Immunizations and Physical Examinations

To ensure a safe learning environment for all students, the School follows and abides by the health standards set forth by the state of California. Students will not attend school until all required records have been received. The immunization status of all students will be reviewed periodically. Those students who do not meet the State guidelines may be excluded from school until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of the School.

**Immunizations**

Pursuant to the California Health and Safety Code and the California Code of Regulations, children must have a minimum number of immunizations (shots) before they can attend school. Immunization records will be required for all incoming students. Verification of immunizations will be completed with written medical records from the child’s doctor or immunization clinic. To ensure a safe learning environment for all students, the Charter School follows and abides by the health standards set forth by the state of California. Students will not attend school until all required records have been received. The immunization status of all students will be reviewed periodically. Those students who do not meet the State guidelines may be excluded from school until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of the Charter School.

These required immunizations include:

Child’s Grade	List of shots required to attend school
<b>Entering Kindergarten</b>	Diphtheria, Pertussis, and Tetanus (DTaP) - Five (5) doses Polio - Four (4) doses  Measles, Mumps, and Rubella (MMR) - Two (2) doses Hepatitis B (Hep B) - Three (3) doses  Varicella (chickenpox) – Two (2) doses

	<p><b>NOTE:</b> Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement for DTaP. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.</p>
<p><b>Entering 7<sup>th</sup> Grade</b></p>	<p>Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose</p> <p>Varicella (chickenpox) - Two (2) doses</p> <p><b>NOTE:</b> In order to begin 7th grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet all requirements for children 7-17 years old (i.e., polio, MMR, varicella and primary series for diphtheria, tetanus, and pertussis), <b><u>in addition to</u></b> the requirements for Tdap and varicella (varicella requirement for seventh-grade advancement expires after June 30, 2025). At least one dose of pertussis-containing vaccine is required on or after the 7th birthday.</p>

**Involuntary Removal Process**

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action (“Involuntary Removal Notice”). The written notice shall be in the native language of the student or the student’s parent or guardian or if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student’s basic rights including the right

to request a hearing before the effective date of the action. The hearing shall be consistent with the Charter School's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the Charter School's suspension and expulsion policy.

Upon parent/guardian request for a hearing, the Charter School will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder and shall include a copy of the Charter School's expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy continue or re-occur. Invictus Leadership Academy provides student screening for issues with vision and/or hearing, and for scoliosis. Screenings will be made available via partnerships with local medical clinics. This partnership also provides a full range of health services at no cost to the students and parents. However, a parent or guardian having control or charge of any child enrolled in Invictus may annually file a written, signed statement with the Executive Director stating that he or she will not consent to a physical examination of his child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, the student shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

## **Emergency School Closing**

In case of an emergency. (storms, etc.) when the school must be closed, parents will be notified. A message will also be left on the school's main phone number voicemail should the school be closed for an emergency.

## **School Non-Responsibility for Personal Property**

The School is not responsible for the loss of any personal items, of either a student, parent(family), or staff member, while the item is inside or on the premises of Invictus Leadership Academy buildings or property. This includes loss that occurs as a result of lockers that are broken into or

rooms that are entered illegally. Invictus Leadership Academy does not and cannot carry insurance to cover these losses.

### Lost and Found

Please do not bring valuable items to school or leave valuables of any kind at school. Found articles should be brought to the main office where pupils who have lost them may claim them. Personal student items are not covered by school insurance.

Parents and staff members are advised, therefore, to obtain sufficient insurance to cover such valuable articles as jewelry, watches, etc., through their own homeowner's or renter's insurance. It is possible for parents to obtain riders on these policies at a very minimal cost to cover their belongings while they are outside of the household premises. Students are strongly discouraged from bringing valuables and large sums of money to school.

### Halls and Passes

Students are required to report to class on time. During the school day, students are not to be in the hallways without a pass while class is in session. Passes are issued by teachers and the office staff only. Students have regular access to teachers and staff members during the school day. However, if a student wishes to see a teacher during his or her free time, the student should arrange for this in advance. That teacher must issue a signed pass granting permission to be excused from the teachers' study hall or to meet before school in the morning or after regular hours. However, in the case of an emergency, students may have access to a staff member without prior arrangement.

### Displays of Affection

Students are to refrain from displays of affection in the halls including kissing and embracing. Parents will be contacted and disciplinary action will be taken when students refuse to cooperate.

### Fighting

Invictus Leadership Academy does not tolerate fighting or bullying. Students who participate in fighting and/or bullying will be disciplined.

**IMPORTANT:** A physical response to a situation is not appropriate. All fight participants are considered responsible. In most cases, both students know a fight is becoming eminent. Even if a student doesn't throw the first punch, he/ she may have instigated the fight. The student is responsible for alerting school personnel so the situation can be addressed (if a student does alert an adult but is still the "victim" of a fight, expulsion may not be justified).

## **State Testing**

The School shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress). A parent or guardian may annually submit a written request to School officials to excuse his or her child from any or all parts of CAASPP assessments.

## **English Learners**

The Charter School is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for

English language learning. The Charter School will meet all applicable legal requirements for English Learners as they pertain to annual notification to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

## **Section 504**

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

## **Special Education**

Invictus Leadership Academy is 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 (IDEA), Education Code requirements, and applicable policies and practices of the El Dorado County Charter SELPA. These services are available for special education students enrolled at the School.

Invictus Leadership Academy offers high-quality educational programs and services for all its students in accordance 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.

The parent/guardian of any student suspected of needing or qualifying for special education services should contact the Campus Administrator of the school.

## **Teacher Qualifications**

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

## **Student Records**

This serves as Invictus Leadership Academy's Annual Notification of FERPA Rights and Directory Information Policy as required under the Family Educational Rights and Privacy Act (FERPA). Invictus stores various student records, including, but not limited to, transcripts, enrollment records, disciplinary records, and immunization records. FERPA affords parents and students

who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

The right to inspect and review the student's education records 5 business days after the day Invictus Leadership Academy receives a request for access.

Parents or eligible students should submit to the Campus Administrator or designee a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask Invictus Leadership Academy to amend a record should send a written request to the Campus Administrator or designee. The written request should clearly identify the part of the record they want changed and specify why it should be changed. If Invictus decides not to amend the record as requested by the parent or eligible student, Invictus Leadership Academy will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by 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 of Directors. 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.

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

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

The right to file a complaint with the C.S. Department of Education concerning alleged failures by Invictus Leadership Academy to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:



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

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

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§99.31(a)(1).)
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2).)
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35.)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4).)
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5).)
- To organizations conducting studies for, or on behalf of, the school in order to- (a) develop, validate, or administer predictive tests; (6) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6).)
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7).)

- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8).)
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9).)
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10).)
- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11).)
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L).)
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K).)

Invictus Leadership Academy will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information - names, addresses, and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

Invictus Leadership Academy has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date of Birth
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended

Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin. Parents and guardians may refuse the release of a student's directory information. If you do not wish Invictus Leadership Academy to disclose directory information from your child's education records without your prior written consent, you must notify Invictus Leadership Academy in writing within the first 30 days of the school year. Please notify the Main Office.

## **Policy against Title IX Violations, Bullying, Harassment, Sexual Harassment, and Intimidation**

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Invictus Leadership Academy prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school- owned technology, and through other electronic means.

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

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

Moreover, Invictus will not condone or tolerate misconduct prohibited by this policy by any employee, independent contractor or other person with which Invictus Leadership Academy does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. Invictus Leadership Academy will promptly and thoroughly investigate any complaint of such misconduct prohibited by this policy and take appropriate corrective action, if warranted.

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

Tinia Cortez

[tiniacortez@ymail.com](mailto:tiniacortez@ymail.com)

323-615-4243

## Definitions

### Prohibited Unlawful Harassment

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

### Prohibited Unlawful Harassment under Title IX

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

Invictus Leadership Academy is committed to providing a workplace and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

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

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

Sexual harassment may include, but is not limited to:

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

Unwanted sexual advances, propositions, or other sexual comments, such as:

- Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
- Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual

to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct

- Subjecting or threats of subjecting an employee or student to unwelcome sexual attention or conduct or intentionally making the employee's or student's performance more difficult because of the employee's or student's sex
- Sexual or discriminatory displays or publications anywhere in the workplace or educational environment, such as:
- Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic or bringing or possessing any such material to read, display or view at work or the educational environment
- Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic, and
- Displaying signs or other materials purporting to segregate an individual by sex in an area of the workplace or educational environment (other than restrooms or similar rooms)

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

## **Prohibited Bullying**

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

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

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

Cyberbullying is bullying committed by means of an electronic act, including, but not limited to, the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless

communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

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

- A message, text, sound, video, or image.
- A post on a social network Internet Web site including, but not limited to:
- Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
- Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated
- Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- An act of "Cyber sexual bullying," including, but not limited to, the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in the definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

## **Grievance Procedures**

### Reporting

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

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

Tinia Cortez  
[Tiniacortez@ymail.com](mailto:Tiniacortez@ymail.com)  
323-615-4243

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights, 400 Maryland Avenue, SW Washington, DC 20202-1100  
Telephone: 800-421-3481

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

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

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

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

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

#### Investigation

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

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

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

### Consequences

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

## **Uniform Complaint Procedures**

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

### Right of Appeal

Should the reporting individual find the Coordinator's 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.

### Annual Notice of Uniform Complaint Procedure

Invictus Leadership Academy has the primary responsibility to ensure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violations of state or federal laws governing educational programs, including the charging of unlawful pupil fees, non-compliance with the Local Control Funding Formula, and non-compliance with reasonable accommodations for lactating pupils.

Invictus Leadership Academy shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure ("UCP") adopted by our Board of Directors. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived characteristics of age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, genetic information, physical disability, mental disability, medical condition, marital status, nationality, national origin, race or ethnicity, immigration status, religion, sex, sexual orientation, or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any Invictus program or activity that receives or benefits from state financial assistance.

All students have a right to a free public education, regardless of immigration status or religious beliefs. For more information about this <sup>15</sup>UC, we recommend families review the "Know Your Rights" immigration enforcement established by the California Attorney General and



available on the California Attorney General website here: <https://oag.ca.gov/immigrant/rights>. Students who are victims of hate crimes have the right to report such crimes per this process.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws including (to the extent offered by Invictus):

- After School Education and Safety Programs
- Foster and Homeless Youth Services
- Consolidated Categorical Aid Programs
- Migrant Education
- Child Nutrition Programs
- California Peer Assistance and Review Programs for Teachers Child Care and Development
- Every Student Succeeds Act/ No Child Left Behind Act (2001) Programs (Titles I-VII) State Preschool
- Bilingual Education
- Economic Impact Aid
- Tobacco-Use Prevention Education
- Requirements governing the Local Control Funding Formula, Local Control and Accountability Plans or Sections 47606.5 and 47607.3 of the Education Code, as applicable
- Former Juvenile Court Pupils, and Pupils of Military Families
- Physical Education Instructional Minutes
- Compensatory Education
- School Safety Plans
- Special Education

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:

- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fee complaint shall not be filed later than one (1) year from the date the alleged violation occurred.

Complaints of non-compliance with laws relating to pupil fees are filed with the Executive Director. A complaint regarding pupil fees and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance

with laws. Complaints other than complaints relating to pupil fees must be filed in writing with the following compliance officer:

Ms. Tinia Cortez  
6715 South Western Ave  
[Tiniacortez@ymail.com](mailto:Tiniacortez@ymail.com)  
323-615-4243

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the Executive Director or his or her designee in writing.

Complaints will be investigated, and a written decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) daytime period may be extended by the written agreement of the complainant. The compliance officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with Invictus Leadership Academy' UCP policies and procedures.

The complainant has a right to appeal Invictus Leadership Academy's decision to the California Department of Education ("CDE") by filing a written appeal within fifteen (15) days of receiving the decision. The appeal must include a copy of the complaint filed with the School and a copy of Invictus Leadership Academy's decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside Invictus Leadership Academy'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.

A copy of the UCP policy and complaint procedures shall be available free of charge in the Main Office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Campus Administrator.

## **Field Trips**

Students may be encouraged to participate in educational field trips that are related to classroom curriculum. "All trips will be well supervised by Invictus Leadership Academy Faculty members, and parents are encouraged to attend as chaperones (please see Field Trip policy for more details). If a field trip is planned, parents will receive adequate notice. Students will not be allowed to participate in field trips without parents' written permission. All Invictus Leadership Academy rules and Code of Conduct apply when students are on field trips.

Before a student participates in a school-sponsored field trip, it is the parent's responsibility to inform the school of any emergency medical information, allergies, etc.

## **Summer School and Enrichment**

Invictus Leadership Academy Education Charter School will focus on extensive student support structures (e.g. summer school, shadow classes, before/after-school tutoring) to help students meet matriculation requirements. Additionally, students identified for retention will be provided remediation and enrichment programs (e.g. after-school tutoring and summer enrichment).

Students may take enrichment courses during the summer session, but these courses will not be applied to course requirements or calculated into GPA or class rank. Enrollment in the summer school program is not guaranteed. In the event that the summer school is not available, more information will be provided to students and families during the school year.

## **Nutritionally Adequate Free or Reduced-Price Meals**

Applications for free or reduced-price meals are included in the enrollment 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.

**Free and Reduced-Price Meals** Pursuant to California Law, the Charter School will provide each student who meets federal eligibility criteria for free and reduced-price meals with at least one free or reduced-price, nutritionally adequate meal per school day. Applications for free or reduced-price meals are included in the first-day packets to all families and can also be obtained on the Charter School website and in the main office. All families are encouraged to complete the application form in order to include as many eligible students as possible. Completed application forms can be returned to the main office.

## **Grading Policies and Procedures**

### Grades and Reports

Official grades will be posted electronically in Invictus Leadership Academy Campus, Invictus Leadership Academy' Student Information System, six (6) times per year. This includes four (3) interim progress reports (to be posted eight weeks after the beginning of each quarter); three (3) trimester report cards (to be posted at the end of T1, T2, and T3);

**NOTE:** Interim progress report grades are reported at a time when all work may not yet be graded and should be interpreted as an indicator of progress only.

Parents will be reminded by email and/or school messenger when grades are posted. If you do not have access to the Internet at home, parents may request a hard copy of interim progress reports be sent by mail. The School will mail home the quarterly and semester report cards for every student for record-keeping purposes.

Although each teacher has their own grading scale, grades generally include credit for homework, classwork, projects, class participation, test, and quizzes. In Middle School courses, Midterm and

Final exams together account for at least 20% of the course final average. We encourage all students and parents to regularly check Jupiter Ed for up-to-date grades and progress in courses.

### Failing Reports

It is important for parents to be kept abreast of their students' progress. Teachers may make phone calls to parents when a student's grades begin to decline.

If a student fails to complete assignments, his or her grade may decline enough to constitute an "F" or "Zero" in that class. Any student who has lower than a "C" average will be strongly encouraged to participate in the after-school program or tutoring until their grades have improved and they are excused from tutoring.

Parents are encouraged to check Jupiter ED regularly to stay updated on student assignments and grades.

### Homework

Homework is an integral part of students' academic careers. It is to be used as a tool to enhance what was taught in class. All teachers are expected to assign homework to their students at least three days per week. In middle school, homework should take students a minimum of 30 minutes to complete each assignment, along with all projects. Parents are encouraged to check Jupiter Ed regularly to stay current on their child's grades, homework, missing assignments, discipline/ behavior incidents, and academic status.

### Promotion/ Culmination Requirements

In order to successfully matriculate from Invictus, each student must:

- Have completed all required courses with a "C" or better
- Have obtained a cumulative 2.0 GPA by the end of the 3<sup>rd</sup> quarter in all core subjects
- Have no more than 5% (maximum of 10) unexcused absences or tardies during the graduating year (See the Attendance Policy Below)
- Have demonstrated good citizenship (if applicable)

A student (and parent of a student) who is in danger of failing to meet the criteria above may be required to participate in a Student Success Team ("SST") meeting consisting of the student's teachers, a school counselor, administrator, and/or other relevant Invictus staff members to develop a plan for meeting the appropriate benchmarks for promotion and strategy for resolving the barriers to successfully completing the same. Students who fail to meet the above criteria and who fail to make a reasonable effort to adhere to the SST plan may be in danger of retention.

### Incompletes

Students will receive an "Incomplete" on their semester report card if coursework remains missing by the end of the semester. Students who receive an incomplete grade must resolve their incompletes within two (2) weeks of the semester grade posting and may not carry over into the next semester. Any incomplete grade left unresolved after two (2) weeks will result in all remaining coursework (e.g. missing assignments or missed finals) being recorded as a zero.

**NOTE:** All unresolved incompletes will be recorded on their transcript and sent to the colleges to which they applied. **Exceptions** due to extended illness may be made in accordance with the school's Attendance Guidelines.

## **Retention/Eligibility**

Invictus expects that each student will progress successfully through the grade levels and will meet grade-level standards of academic achievement. The Board recognizes that a student who fails to meet the grade-level achievement standards at the end of the academic year may nonetheless be able to catch up and meet the grade-level standards by the end of the next academic year with appropriate supplemental instruction.

The School will clearly identify those students who have failed to meet expected minimum grade-level standards or who are at risk of failing to meet those standards, and will develop supplemental instructional programs to address the academic deficiencies pursuant to the Education Code's requirements.

Documented exceptions to these procedures may be made in special situations (e.g., special education students) with the approval of the Campus Administrator and Board of Directors.

1. The teacher shall utilize the Student Success Team (SST) in attempting to help a student who is not progressing at grade-level.
2. If the student is failing to make progress on grade-level, the parents must be notified of concerns early, so that the school and home may cooperate in helping him/her achieve greater success. An official notice to the parent(s) /guardian(s) that a student is at risk of being retained must be sent no later than November 15.
3. Most retentions should be at the primary level. However, older students may be considered if it is strongly felt retention will help the student.
4. No student shall be retained unless properly assessed by the SST.
5. No student shall be retained for more than one year.
6. A *Student Retention Report* must be on file at the school for each student retained.
7. Parent notification of the final recommendation to retain or promote is to be given as early as possible in the school year, but no later than 10 school days following the end of the third quarter.

### Special Education

Nothing in this policy supersedes state or federal law governing special education students. (Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq.; Rehabilitation Act of 1973, 29 U.S.C. 794, title 34

C.F.R. Part 300, 34 C.F.R Section 104.1, et seq.) As required by state and federal law, the individualized education plan shall govern the standards required for promotion and the placement determinations for special education students.

### Appeal Procedure

A student's parent/guardian may appeal to the Campus Administrator's decision to promote or retain the student pursuant to this policy. The procedures set forth in the Uniform Complaint Policy shall apply to appeals of retention decisions. The Campus Administrator must be afforded

an opportunity to respond to the arguments made in the appeal either in writing or orally. The appealing parent/guardian has the burden of showing why the school's decision to promote or retain should be overruled. This showing must be made by clear and convincing evidence that other interventions will more appropriately correct the student's academic deficiencies.

Appeals of promotion/retention decisions for students who have Individualized Education Plans shall be made and addressed in accordance with the applicable federal and state laws and regulations.

## **Education of Foster and Mobile/Homeless Students**

**Definitions:** For the purposes of this annual notice the terms are defined as follows:

1. "Foster youth" refers to any child who has been removed from their home pursuant Welfare and Institutions Code section 309 and/or is the subject of a petition filed under Welfare and Institutions Code section 300 or 602. This includes children who are the subject of cases in dependency court and juvenile justice court.
2. "Child of a military family" refers to a student who resides in the household of an active duty military member.
3. "Currently Migratory Child" refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency ("LEA"), either within California or from another state, in order that the child or a member of the child's immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child's eligibility for migrant education services. "Currently Migratory Child" includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
4. "Pupil participating in a newcomer program" means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

Within this notice, foster youth, former juvenile court school pupils, a child of a military family, a currently migratory child, and a pupil participating in the newcomer program will be collectively referred to as "Foster and Mobile Youth." Within this notice, a parent, guardian, or other person holding the educational rights for a Foster and Mobile Youth will be referred to as a "parent."

**Foster and Mobile Youth Liaison:** The Executive Director is the Liaison for Foster and Mobile Youth:

Dr. LaTonya Derbigny, Executive Director  
6715 S Western Ave, Los Angeles, CA 90047  
323-615-4243

The Foster and Mobile Youth Liaison's responsibilities include but are not limited to the following:

1. Ensuring and facilitating the proper educational placement, enrollment in school, and checkout from the school of foster children.
2. Assisting foster children when transferring from one school to another school in ensuring proper transfer of credits, records, and grades.

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

Foster youth, currently migratory children and children of military families have the right to remain in their school of origin if it is their best interest. The Charter School will immediately enroll a foster youth, currently migratory child or child of a military family seeking re-enrollment in the Charter School as the student's school of origin (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy). If a dispute arises regarding a foster youth's request to remain in the Charter School as the school of origin, the foster youth has the right to remain in the Charter School pending the resolution of the dispute. The Charter School will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to the Charter School (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g. producing medical records or academic records from a previous school).

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the child's status as a foster youth, currently migratory child or child of a military family, as follows:

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

**Acceptance of Course Work:** The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a Foster and Mobile Youth.

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

may continue and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

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

The Charter School shall not lower a foster youth’s grades as a result of the student’s absence due to a verified court appearance, a related court-ordered activity, or a change in the placement of the student made by a county or placing agency. If a foster youth is absent from school due to a decision to change the placement of the student made by a county or placing agency, the grades and credits of the pupil will be calculated as of the date the student left the Charter School.

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

**Discipline Determinations:** If the Charter School intends to extend the suspension of any foster/youth pending a recommendation for expulsion, the Charter School will invite the student’s attorney and an appropriate representative from the relevant county agency to participate in the meeting at which the extension of the suspension will be discussed.

If the Charter School intends to suspend for more than ten (10) consecutive school days or expel a student with a disability who is also a foster youth due to an act for which the recommendation for expulsion is discretionary, the Charter School will invite the student’s attorney and an appropriate representative from the relevant county agency to participate in the Manifestation Determination Review meeting.

**Complaints of Noncompliance:** A complaint of noncompliance with any of the requirements outlined above may be filed through the Charter School’s Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

**Availability of Complete Policy:** For any Foster and Mobile Youth who enrolls at the Charter School, a copy of the Charter School’s complete foster youth policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.



## **Education of Homeless Children and Youth**

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 U.S.C. § 11434a):

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

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

**School Liaison:** The Executive Director is the School Liaison for homeless students (42 U.S.C. § 11432(g)(1)(J)(ii)):

The Charter School Liaison shall ensure that (42 U.S.C. § 11432(g)(6)):

1. Homeless students are identified by school personnel and through outreach and coordination activities with other entities and agencies.
2. Homeless students enroll in and have a full and equal opportunity to succeed at the Charter School.
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by the Charter School, if any, and referrals to health care services, dental services, mental health services, and substance abuse services, housing services, and other appropriate services.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.

6. Enrollment/admissions disputes are mediated in accordance with law, the Charter School's charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. Charter School personnel providing services receive professional development and other support.
9. The Charter School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the Charter School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

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

**Acceptance of Course Work:** The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a homeless student.

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

For any homeless student who enrolls at the Charter School, a copy of the Charter School's complete policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.

## **Cheating/Academic Dishonesty Policy**

Invictus desires to promote a positive learning environment in which students are challenged academically and intellectually. Academic dishonesty is not tolerated in any form. Invictus Leadership Academy has adopted the following guidelines to address instances of academic dishonesty.

## Academic Dishonesty

Academic dishonesty includes, but is not limited to:

1. Cheating on Exams.
2. Copying from others or plagiarism of any kind.
3. Having or using notes, formulas, or other information in a programmable calculator or another electronic device without explicit teacher review and permission.
4. Having or using a communication device such as a cell phone, pager, Personal Digital Assistant (PDA), or electronic translator to send or obtain unauthorized information.
5. Taking an exam for another student or permitting someone else to take a test for you.
6. Asking another to give you improper assistance, including offering money or other benefits.
7. Asking for or accepting money or any other benefit in return for giving another improper assistance.
8. Providing or receiving information about all or part of an exam, including answers (e.g., telling someone in a subsequent period what was on your exam, or being told this information).
9. Having or using a "cheat sheet" (a piece of paper with answers, formulas, information, or notes of any kind) that is not specifically authorized by the teacher.
10. Altering a graded exam and resubmitting it for a better grade.
11. Working together on a take-home exam, unless specifically authorized by the teacher.
12. Gaining or providing unauthorized access to examination materials.
13. Misrepresenting your academic accomplishments, such as by tampering with computer records.
14. Deceiving a teacher or making up a false reason or excuse to get special consideration on an exam or an extension for an exam or paper.
15. Failing to promptly stop work on an exam when the time allocated has elapsed.
16. Forging a signature.
17. Hoarding or damaging library materials.

**NOTE:** Attempted academic dishonesty, even if unsuccessful, is treated as academic dishonesty. Simply having possession during an exam of any prohibited or unauthorized information or device, whether or not it is actually used, is an act of academic dishonesty and will be dealt with as such. Cheating includes, but is not limited to, the following:

- Copying from others.
- Having or using notes, formulas, or other information in a programmable calculator or other electronic
- Using a device without explicit teacher review and permission.
- Having or using a communication device such as a cell phone, pager, PDA, or electronic translator to send or obtain unauthorized information.
- Taking an exam for another student or permitting someone else to take a test for you.

- Asking another to give you improper assistance, including offering money or other benefits.
- Asking for or accepting money or any other benefit in return for giving another improper assistance.
- Providing or receiving information about all or part of an exam, including answers (e.g., telling someone in a subsequent period what was on your exam, or being told this information).

Plagiarism includes, but is not limited to, the following:

1. Giving or getting improper assistance on an assignment meant to be individual work. (When in doubt, ask.)
2. Including in any assignments turned in for credit any materials not based on your own research and writing. This includes:
  - a. Using the services of a commercial term paper company.
  - b. Using the services of another student.
  - c. Copying part or all another person's paper and submitting it as your own for an assignment.
3. Acting as a provider of paper(s) for a student or students.
4. Submitting substantial portions of the same academic work for credit in more than one course without consulting both teachers (self-plagiarism).
5. Failing to use quotation marks where appropriate.
6. Failing to properly acknowledge paraphrased materials via textual attribution, footnotes, endnotes, and/or a bibliography.
7. Making up data for an experiment ("fudging data").
8. Citing nonexistent sources (articles, books, etc.).

#### CHEATING/ACADEMIC DISHONESTY - CONSEQUENCES:

Because cheating undermines the process of learning and teaching, it is a very serious breach of discipline. In all cases of cheating, whether on a homework assignment, a quiz, test, examination, report, or essay assignment, the teacher in whose class the student's infraction occurred will document and report the infraction to Administration and will notify the student's parents of the infraction. Furthermore, the student will lose all credit.

for the assignment in question. For repeated offenses of cheating, consequences that are more stringent will apply. The following guidelines for consequences are applicable to instances of cheating:

First offense:

- Teacher documents and reports to the Administration.
- The student receives a "0" on the assignment/quiz/test.
- Parents receive notification.
- The student is assigned to detention/Saturday School.
- The teacher will assign a "U" in citizenship for the current grading period (*if applicable*).
- Student placed on Behavior Modification Contract.

#### Second offense:

- Teacher documents and reports to the Administration
- Student receives a "0" on the assignment/ quiz/test.
- Parents receive notification.
- Parent conference.
- The student receives on-campus suspension (1-3 days).
- The student will be ineligible and/or lose eligibility in all academic organizations and will be removed from any elected and/or appointed leadership position for the remainder of the school year.
- Student -will receive no academic recognition at award events, including Honor Roll Banquet, promotion, and graduation ceremonies, for the current school year.

#### Additional offenses:

- Teacher documents and reports to the Administration
- Student receives a "0" on the assignment/quiz/test
- Parents receive notification.
- Parent conference.
- The student receives on-campus suspension (1-3 days).

#### Fourth offense:

- Teacher documents and reports to the Administration
- The student receives a "0" on the assignment/quiz/test.
- Parents receive notification.
- Parent conference.
- The student receives an off-campus suspension.

## **Cellular Telephones, Pagers, and Electronic Communication Devices**

Personal electronic communication devices, including cellular telephones and pagers, must not be on or visible during school hours and during after-school programs. This includes between classes and lunch breaks. If any faculty or staff member sees or hears one of these devices, it will be confiscated. If it is the first offense, the device will be returned at the end of the day. On the second offense, the device will be held until retrieved by a parent/ guardian. After the second confiscation, the device will be held until the end of the quarter - NO EXCEPTIONS!

Calls to and from parents do not constitute valid reasons for a student to use a cellular phone. If a parent needs to contact a student, he/ she must call the school office. A message will be given to the student in a timely manner; or if necessary due to an emergency, the student will be taken out of class to take the call.

Invictus Leadership Academy is not responsible for lost, damaged, or stolen cellular telephones or communication devices. All devices brought to school are done so at students' risk.

### Electronic Media Devices

For purposes of attendance at Invictus Leadership Academy, electronic media devices include but are not limited to CD players, DVD players, Walkman, radios, iPods, iPads, tablets, Mp3/Mp4 players. Kindles, eReaders, etc.

No electronic media devices are permitted to be used on campus. If these devices are brought to school, they must be kept in students' backpacks or in their lockers.

If it is the first offense, the device will be returned at the end of the day. On the second offense, the device will be held until retrieved by a parent/ guardian. After the second confiscation, the device will be held until the end of the quarter - **NO EXCEPTIONS!**

### Acceptable Use and Internet Safety Policy

All users Students, staff, and faculty shall not:

- Use the network to access and/or transmit material in violation of any law, including copyrighted material.
- Access, download, display, transmit, produce, generate, copy or propagate any material that is obscene or pornographic material; advocates illegal acts; contains ethnic slurs, or racial epithets; or **discriminates on the basis of gender, national origin, sexual orientation, race, religion, ethnicity, disability or age.**
- Degrade, damage, or disrupt equipment or system performance.
- Gain unauthorized access to network resources.
- Permit or authorize any other person to use their name or login password.
- Use an account of any other person or vandalize another user's data.
- Waste electronic storage space by saving unnecessary files or programs.
- Download, install, load, or use programs without the written permission of a technology administrator.
- Use the Internet for personal commercial purposes or for political lobbying.
- Use inappropriate, offensive, foul, or abusive language.
- Harass or annoy any other party with obscene, libelous, threatening or anonymous messages, objectionable information, images, or language.
- Forward chain letters.
- Forward e-mail messages of broad interest-including Virus alerts and jokes---to the entire school community.
- Knowingly make use of pirated software or violate software licensing agreements.
- Engage in the practice of "hacking" or knowingly engage in any other illegal activity using the school network or device.

Students, staff, and faculty must:

- Use the Internet and other electronic resources only for legitimate educational purposes.

- Respect commonly accepted practices of Internet etiquette including, but not limited to, use of appropriate language.
- Be aware of potential security risks at all times and take all reasonable steps to minimize risks by, at minimum, logging off the network when a computer is unattended and reporting all unauthorized use of one's account to a technology administrator.
- Forward all e-mails of broad interest, such as virus alerts, to a technology administrator for appropriate distribution to the entire school community.
- Treat all computer areas and equipment with the utmost care and respect.

#### Students use of electronics and the internet

Students may access the Internet only with adult supervision and must notify a teacher or staff member immediately if they come across inappropriate content. In addition, students may not use the Internet to give out personal information (such as a home address, telephone number, or picture) about themselves or other students. Student use of electronic resources is restricted to teacher-approved projects and research.

All students and parents will be required to sign a Technology User Agreement for Students.

### **Closed Campus Policy**

In order to keep our students in a supervised, safe, and orderly environment, Invictus Leadership Academy maintains a "closed campus" policy at all campus locations.

All ILA students are not allowed to leave campus unless escorted by a parent/ guardian or emergency contact. Students must sign out at the reception desk if leaving school before the end of the regular school day. Students who are in violation of this policy shall be subject to disciplinary action.

Students who become ill during the school day must go to the School Office to contact a parent/ guardian or emergency contact to pick them up. No student will be released unless escorted by a parent/ guardian or emergency contact. Students must be signed out before being released from campus.

## School Activities & Extra-Curricular Activities

### After School Tutoring

In this program, the staff offers their time after school to review what is being taught in the classroom. This program is open to all students, but the focus is on those students whose best efforts result in below-average academic achievement. Students with a "C" or below may be mandated to attend after school tutoring. The focus of this program is student academic achievement and mastery of established benchmarks. For more information, please see your Campus Administrator.

### Extra-Curricular Activities

Students at Invictus Leadership Academy are provided with several choices for extracurricular activities and they vary per campus. For specific information regarding extra-curricular activities, please see your campus receptionist

### Extra-Curricular Activities

Students in grades 3<sup>rd</sup> – 8<sup>th</sup> are eligible to participate in school leadership. Students must be nominated and elected each year to serve in a leadership capacity for their campus. Each student must meet the following conditions:

- Must have maintained a B or higher-grade average last year.
- Must have a letter of recommendation from any Invictus teacher.
- Must have no more than ten (10) tardies or absences for the past semester.
- Must not have an "N" in citizenship (if applicable), or be on a Behavior Modification Plan.
- Agree to maintain regular attendance in leadership meetings and participate in leadership activities.

## **Lost or Damaged School Property**

If a student willfully damages the Charter School's property or the personal property of a Charter School employee, or fails to return a textbook, library book, computer/tablet, or other Charter School property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, Charter School may withhold the student's grades and/or transcripts, until the damages have been paid. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, Charter School will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades will be released.



# Dress Code

## UNIFORM POLICY

Invictus Leadership Academy Education Charter School enforces a dress code for all students attending school. Unless otherwise noted, all students are expected to wear the appropriate school uniform that consists of khaki/black pants (or skirts), a burgundy polo-style collared shirt for all students, and regular closed-toe/heel shoes free of gang attire. Burgundy polo shirts with the school logo may be purchased from the School; however, store-bought burgundy polo style shirts are also acceptable. Students are not required to purchase a shirt with a logo on it.

For the safety of all Invictus Leadership Academy students and staff, the administration reserves the right to ban any clothing style that indicates gang affiliation, violence, drug use, or any clothing style that distracts from the learning environment.

### Dress Code Violations

Students may not remain at school dressed in a manner that (1) creates a safety hazard for the student or for other students and/or (2) constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order. Students will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student will be provided conforming loaner clothing for the day.

### **Pants**

- Oversized or baggy pants will not be permitted. (*Baggy pants constitute* when pulled and pinched, the waistline of the pants is located at the hipbone of the student) will have more than one inch of excess material. *Oversized pants:* pants may not be more than one size larger than the student's actual size.
- Sagging pants will not be permitted. All students must wear their pants with a belt
- Pants worn correctly will sit on the student's natural hipbone.
- The length of hemmed pants will be no longer than the heel of the shoe.
- Rubber bands on the student's pants are not permitted.

### **Skirt**

- Skirts may be no more than 3 inches above the knee.

### **Shirts**

- Burgundy polo style shirts are required for all students.
- Shirts worn under uniforms may only be burgundy, white or black.

### **Hats**

- Hats/caps/beanies/scarves/bonnets/du-rags are not permitted unless advance notice of specific occasion or religious purposes is given.

### **Hair**

- Student's hair must be groomed neatly at all times.
- Neat braids are acceptable for all students.
- Hair color must be comparable to a natural hair color (e.g. black, brown, natural red or burgundy, blonde, etc.). No neon or extreme hair color (e.g. blue, pink, green, purple, yellow, orange, pastels, etc.)
- All facial hair must be neat and not excessive.

### **Jewelry/Accessories/Tattoos**

- Excessive jewelry is not permitted (including large hoop earrings and long thick chains with large medallions).
- Tongue rings, lip rings, eyebrow piercing, chin piercing, toe rings, and other rings on any other body part are strictly forbidden.
- Tattoos should not be visible and should remain covered at all times to the extent practicable.

### **Shoes**

- Shoes must be worn at all times. Enclosed footwear with a substantial sole is required.
- Platform shoes (over 3 inches), beach-style thong shoes, house shoes or slippers, and metal reinforced footwear are not permitted.
- Shoes may not represent any gang affiliation (no solid colors of red, burgundy, blue, purple; Nike Cortez, etc.).

The Invictus Leadership Academy Charter School uniform policy will be strictly enforced. Any violations may be subject to disciplinary action.

### **Free Dress**

The following rules apply to all students during "Free Dress" days:

Invictus will allow students "Free Dress" days in which they may wear clothes that are not uniforms. During these specified "free dress" days, students are not required to wear a burgundy polo shirt and khaki/black pants/skirt, but must still adhere to the rest of the uniform policy mentioned above (e.g. no baggy pants, no hats/caps, etc.) and may not wear the following:

### **Prohibited Garments**

- Halter tops, tube tops, or tops with straps less than 1 inch wide.
- White or black undershirts worn as shins.
- Strapless or off-the-shoulder apparel.
- See-through garments such as blouses, tops, shirts, skirts, etc.
- Low-cut garments or any clothing that reveals undergarment or chest.
- Bare midriff garments.
- Short skirts (more than 3 inches above the knees).

- Jackets or cover-ups to conceal clothing that reveals bras or midriffs are not acceptable.
- Leggings, yoga pants, or jeggings of any kind.

### **Violent, Suggestive, or Obscene Garments**

- Garments with violent, gang affiliation, suggestive or obscene statements will not be allowed.
- Garments, accessories, or tattoos with slogans or pictures depicting or promoting gang affiliation, drugs, alcohol, tobacco, weapons, or other controlled substances are not appropriate.

### **Jewelry/Accessories**

- Earrings, jewelry or accessories that present a safety hazard to the wearer or others, are not permitted.
- Spiked or studded jewelry or apparel of any kind, including ankle bands, bracelets, chokers, rings, gloves, and belts are not permitted.
- Only prescription glasses may be worn. Other types of glasses may not be worn on campus.

## **Local Law Enforcement Notification**

In addition to the above information contained in the preceding pages to this handbook, Invictus will report any instances of criminal behavior to, the Sheriff's Department or local law enforcement agency as appropriate

### Child Abuse Reporting Policy

State law requires all School employees to report suspected cases of child abuse or neglect. Employees of the School are not allowed to call or contact parents to investigate this matter. The law specifically states that the local law enforcement agency has jurisdiction to investigate any report of child abuse. All staff will abide by the State law and school policy in reporting suspected cases of child abuse or child neglect. All School employees will receive annual training on the mandated reporting requirements within six weeks of the first day of each school year or their first day of employment.

### Abuse of teacher and/or child and other disruptions

- Any parent/guardian, or another person over 16 who is not a pupil of the school who comes upon any school ground or into any schoolhouse and willfully interferes with the discipline, good order, lawful conduct, or administration of any school class or activity of the school, with the intent to disrupt, obstruct, or to inflict damage to property or bodily injury upon any person, is guilty of a misdemeanor.
- Any parent, guardian, or another person whose conduct in a place where a school employee is required to be in the course of his or her duties materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor.
- It is the duty of school employees to report an attack, an assault, or a menace by a pupil to law enforcement authorities.

### Gambling

Every person who deals, plays, or carries on, opens or causes to be opened, or conducts either as owner or employee, whether for hire or not, any game of faro, monte, roulette, lansquenet, rouge et noire, rondo, tan, fan-tan, stud-horst poker, seven-and-a-half, twenty-one, hokey-pokey, or any banking or percentage game played with cards, dice or any device, for money, checks, credit, or other representative value, and every person who plays or bets against any of such prohibited games, is guilty of a misdemeanor and shall be punishable by a fine not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

### Malicious Mischief

A pupil who defaces, damages, or destroys any school property may be suspended or expelled consistent with school policy.

### Pornography

Every person who sells, distributes, displays, or gives away any harmful matter, i.e. pornography, to a minor is punishable by a fine and/or imprisonment.

### Indecent Exposure

Indecent exposure in a willful and lewd manner and will not be permitted. Offenders will face disciplinary action.

## **Guidelines for Corrective Measures**

### Assigning Detention

All teachers should use detention as a measure of discipline as needed in their classrooms. Teachers do not need permission to assign detention; especially if a student does not complete their homework (that student will be assigned detention every time she/he does not complete the assigned classwork or homework).

### Procedures for Detention:

- An administrator will be assigned the responsibility to facilitate detention.
- Each detention session will last one hour.
- Detention cannot be assigned on the same day of an incident. Parents must receive notice that their child will be staying after school to serve detention.
- At the end of the school day, teachers should send a completed "Detention Assignment Form" (see "Forms" section) to the Campus Administrator to request that students serve detention. It will be the responsibility of the Campus Administrator to ensure those parents are contacted.

If a teacher or parent desires that a student complete a specific assignment during detention, they are to inform the staff member and or administrator who will be overseeing detention on that day.

## What should students do during detention?

- Students may engage in a lesson format discussion about their behavior. Students should only talk to the teacher during detention - NO EXCEPTIONS!
- Students may perform campus beautification duties.
- Students may be assigned a behavioral standards-based lesson that addresses the student's specific infraction.
- Students may be required to sit quietly, in an upright position, hands folded, and feet flat on the floor.
- Students should not complete homework or make-up work during detention. Remember, this is a time for students to focus on changing their behavior and learn to be more productive citizens.

\*Any student who serves more than three detentions during a month requires a parent conference and may be subject to disciplinary action up to and including suspension or expulsion pursuant to the school's policy.

### Student Rules for Detention

After school detention will be **a minimum of one (1) hour in duration.** Detention is intended to serve as a disciplinary aid in improving students' behavior and/or problems with attendance. Any student who has been assigned detention must return the signed disciplined letter to school by 8:00 am on the day following the day the infraction occurred. **Failure to do so will result in double detention. If the student refuses to ask his/her parent or guardian to sign the letter and, as a result, it is not returned to the school within two days, the student will be suspended for willful defiance of valid school authority,**

Students assigned to detention must adhere to the following rules:

1. Attend detention on the assigned day.
2. Arrive at detention on time. A late student will be considered a no-show and an extra day of detention must be served. Two (2) no-shows = one (1) day at-home suspension. A parent/guardian conference will be required when the student misses detention.
3. Follow all directions given by the detention facilitator.
4. No talking, standing up, or moving around without permission.
5. No passes will be given for the restroom or to get water (unless there is an emergency). Take care of all personal needs before detention begins.
6. Students will not be allowed to go to their lockers during detention.
7. Any student who creates a disturbance will be asked to leave. In this case, the student will be required to serve an extra day of detention or be suspended.

### Suspension

When a student is on home suspension, they may not participate in any activity associated with Invictus Leadership Academy. These activities include, but are not limited to:

- Field Trips
- Graduation

In addition, parents of students serving home suspension must meet with the Campus Administrator or designee.

### Saturday School

Saturday School hours are 8:00 am until noon. Students assigned to Saturday school may have the option to complete tasks in lieu of or in addition to classwork. These tasks may include campus cleanup/School Beautification.

All students assigned to Saturday School must adhere to the following rules (all Invictus Leadership Academy general rules and policies apply when Saturday School is in session):

- Students will follow all instructions given by their Saturday School supervisor.
- Students are expected to remain awake during the entire period.
- Students are not allowed to talk, chew gum, eat, drink, or play games.
- If a student fails to follow directions or disrupts the Saturday school in any manner, he/ she will be dismissed with no credit for time served.
- Failure to serve Saturday School will result in suspension and/or a recommendation for expulsion. In addition, students will receive an absence on their report.

## **Student Attendance Procedures**

### Attendance and Excuses

Students are required to attend school regularly. Procedures have been established that will enable school personnel to determine the reason(s) for all pupil absences and to take appropriate actions in cases of excessive absences/truancy.

Students shall be classified as truant if the student is absent from school without a valid excuse three full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. Such students shall be reported to the Campus Administrator or designee.

In addition, students shall be classified as a chronic truant if the student is absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date.

The School shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive unexcused absences.

### Reporting an Absence

We ask that parent/guardians notify their child's campus every morning prior to the start of the instructional day that their student is going to be absent from school. This is to help

ensure that we verify each student's safe arrival and school and that we accurately record each student's daily attendance. Please be ready to provide the following information:

- Name of caller and relationship to student
- Student name
- Grade level/Teacher name
- Reason for absence

Methods of appropriate communication include, but are not limited to phone call, email, written note, or in-person.

#### Student Tardy Policy

Regular and punctual attendance is expected of all students. Students must be in their seats when the tardy bell rings. A student is considered tardy upon arrival to any class after the tardy bell. Any unexcused tardy in excess of 30 minutes, may be counted toward truancy. The following tardy policy will be followed school-wide:

- Three (3) tardies in one quarter: Office and/or teacher will call parent or guardian and offer counseling
- Five (5) tardies in one quarter: Office and/or teacher will call parent; the student will serve after school detention
- Seven (7) tardies in one quarter: Mandatory conference with student, parent, teacher, and administrator, the student and his or her parent/guardian will be required to sign an attendance contract after seven (7) tardies, under 30 minutes each, in one quarter. For tardies over 30 minutes, see the Truancy Process below.

When arriving late, the parent/guardian or student is expected to sign in through the school office and obtain a tardy slip *before* reporting to class. This practice supports student safety.

#### Student Absence Policy

All absences - excused or unexcused - take away from a student's classroom instruction. Every time a student is absent, the parent will receive notification via telephone.

#### Excused Absences

Absence from school shall be excused only for health reasons, family emergencies, and other justifiable personal reasons, as permitted by law or Board policy.

A student's absence shall be excused for the following reasons:

1. Personal illness
2. Quarantine under the direction of a county or city health officer
3. Medical, dental, optometric, or chiropractic appointments
4. Attendance at funeral services for a member of the immediate family:
  - Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state
  - "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household

5. Observation of religious holiday or ceremony
6. Participation in religious instruction or exercises
  - The student shall be excused for this purpose on no more than four school days per month
7. Attendance at religious retreats for no more than four hours during a semester
8. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position
9. Appearance in court
10. Attendance at the pupil's naturalization ceremony to become a United States citizen

#### Method of Verification

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences:

1. Signed, written note from parent/guardian, parent representative
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/ guardian or parent representative. The employee shall subsequently record the following:
  - Name of student
  - Name of parent/guardian or parent representative
  - Name of verifying employee
  - Date or dates of absence
  - Reason for absence.
3. Visit to the student's home by the verifying employee, or any other reasonable method, which establishes the fact that the student was absent for the reasons stated. A written recording shall be made, including the information outlined above.
4. Healthcare provider verification
  - When excusing students for confidential medical services or verifying such appointments, Charter School staff shall not ask the purpose of such appointments but may contact the medical office to confirm the time of the appointment.
  - A healthcare provider's note of illness will be accepted for any reported absence. When a student has had 14 absences in the school year for illness verified by methods listed #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.



- Class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.
5. Regardless of whether the absence will be considered excused or unexcused, Parents/guardians are expected to call the school receptionist by 8:30 a.m. If they are aware their child will not be attending school that day.

Truancy Process:

1. Each of the first two (2) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/ guardian by the Campus Administrator or designee. The student's classroom teacher may also call home.
2. Each of the third (3rd) and fourth (4th) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/ guardian by Campus Administrator or designee. In addition, the student's classroom teacher may also call home and/or the School may send the parent an e-mail notification. In addition, upon reaching three (3) unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive "Truancy Letter #1" from the School. This letter must be signed by the parent/guardian and returned to the School. This letter shall also be accompanied by a copy of this Attendance Policy. This letter, and all subsequent letter(s) sent home, shall be sent by Certified Mail, return receipt requested, or some other form of mail that can be tracked.
3. Upon reaching seven (7) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive "Truancy Letter #2 - Conference Request," and a parent/guardian conference will be scheduled to review the student's records and develop an intervention plan/contract. In addition, the School may consult with a school counselor regarding the appropriateness of a home visitation and/or case management.
4. Upon reaching ten (10) unexcused absences or unexcused tardies over 30 minutes, the student will be referred to a Student Success Team (SST) and the Truancy Team. In addition, the parent/guardian will receive a "Habitual Truancy Re-classification Letter #3," and will be asked/invited to attend an evening assembly for parents/guardians of chronically absent students.
5. The Truancy Team will discuss the absence problem with the Parent/Guardian to work on solutions, develop strategies, discuss appropriate support services for the student and his/her family, and establish a plan to resolve the attendance issue.
  - The Truancy Team shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
6. The parent shall be required to sign a contract formalizing the agreement by the parents to improve the child's attendance or face additional administrative action. The contract will identify the corrective actions required in the future, and indicate that the Truancy Team shall have the

authority to order one or more of the following consequences for non-compliance with the terms of the contract:

- Parent/guardian to attend school with the child for one day
- Student retention
- After school detention program
- Required school counseling
- Loss of field trip privileges
- Loss of school event privileges
- Required remediation plan as set by the Truancy team
- Notification to the District Attorney

The Truancy Team may discuss other school placement options.

Notice of action recommended by the Truancy Team will be provided in writing to the parent/guardian.

7. If the conditions of the Truancy Team contract are not met, the student may incur additional administrative action up to and including dis-enrollment from the school and notification of the dis-enrollment sent to the student's district of residence.
8. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent's or guardian's responsibility to update the Charter School with any new contact information.
9. If the student is absent ten (10) or more consecutive school days without valid excuse and parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School's communication attempts, as set forth above, the student will be in violation of the Truancy Team contract, and the Truancy Team panel will recommend that the student be deemed to have voluntarily disenrolled and notification of the dis-enrollment be sent to the student's district of residence.

#### Removal from Charter School

If, after the above procedures have been followed, the student continues to have unexcused absences or tardies, the parent/guardian may receive notice that the student is in violation of the Truancy contract. The student will then be required to appear before the Truancy Team again to discuss the unexcused absences or tardies. After such meeting, or after reasonable attempts by the Truancy Team to schedule the meeting if the parent/guardian is nonresponsive, the Truancy Team may recommend that the student be deemed to have voluntarily disenrolled from the Charter School.

Before the Charter School disenrolls any student, the parent or guardian of the student will be provided written notice in the student's or parent/guardian's native language, or, if the student is a foster child or youth or a homeless child or youth, the language of the student's educational rights holder, of the Charter School's intent to remove the student.

This notice shall be provided no less than five (5) school days before the effective date of the action and shall inform the student's parent, guardian, or educational rights holder of the right to a hearing adjudicated by a neutral officer, e.g. the Truancy Team, before the effective date of the action. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision.

The 'Truancy Team or another neutral officer shall forward its recommendation to the Board of Directors for review of the matter and final decision. The parent/guardian will receive written notice of the date and time of the Governing Board review. Such notice shall be sent at least five (5) school days prior to the Board review. The Board's decision shall be final.

If there is a Board decision to disenroll, notice will be sent to the student's district of residence within thirty (30) days.

A Board decision not to disenroll the student does not prevent the Truancy Team from making a similar recommendation in the future.

#### Referral to Appropriate Agencies or County District Attorney:

It is the Charter School's intent to identify and remove all barriers to the student's success, and the School will explore every possible option to address student attendance issues with the family. For any unexcused absence, the School may refer the family to appropriate school-based and/or social service agencies.

If a child's attendance does not improve after a Truancy contract has been developed according to the procedures above, or if the parents fail to attend a required Truancy meeting, the Charter School shall notify the District's Attorney's office, which then may refer the matter for prosecution through the court system. Students 12 years of age and older may be referred to the juvenile court for adjudication.

These policies will be enforced fairly, uniformly, and consistently without regard to the characteristics listed in Education Code Section 220 (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 set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

#### Reports

The Executive Director, or designee, shall from time to time gather and report to the Board the number of absences both excused and unexcused as well as truanancies, and the steps taken to remedy the problems.

#### Attendance and Tests

All tests administered during an excused absence may be made up for full credit. Previously announced tests may be given on the day returned. A student, who misses a

scheduled test, quiz, etc. due to an unexcused absence (e.g. cutting class or truancy) will receive a grade of zero "0" with no opportunity for make-up.

Middle School and High School students are responsible for notifying the teacher on the day of return of their absence and arranging a time to make-up an exam or quiz. This make-up may be scheduled during the lunch period or after-school. Failure to do so may result in a fail.

### Making Up School Work Due to Absence

#### Excused Absences

- Students may make up all worked missed with no grade point deduction if the absence is excused. Students will be given one day make-up for each day absent.
- Students will be given one day make-up for each day absent.
- Example: A student who is absent on Tuesday should have all make-up work completed by Thursday.

#### Unexcused Absences

- Homework/ classwork – the student is expected to make up any assignment, etc., that was given during their unexcused absence, and is responsible for subject matter covered during the absence. Failure to do the assignment will result in a grade of zero (0). Makeup timeline is the same as excused absence.
- A student who is suspended is responsible to make up all missed work.

Student may be required to attend the after-school tutoring Monday through Thursday and Saturdays to make up instruction (as offered) missed due to absences. Standards-based instruction requires that students be present all school days to receive the appropriate instructions. Students missing too much school are severely in danger of not successfully completing classes for graduation and college.

### Requests for Family Vacations

Family vacations are generally considered unexcused absences. Families are encouraged to take scheduled vacations when school is not in session. Missing school can make a significant negative impact on student success. There is no substitute for classroom instruction. Children cannot fully understand the learning without being part of the complete classroom instructional process, especially in the format of the standard-based education mandated by the State of California and the Federal Government. Where a student must miss school days due to a family vacation, said student will be expected to make up their class time after school, Monday through Thursday and in Saturday School. Students leaving for vacations will be expected to perform well on all State Examinations. If a student will be removed from school for a family vacation, the following must be followed to avoid classification as a truant as defined above:

- Parents/ Guardians should notify the Campus Administrator at least two (2) weeks in advance if they are planning to take students out of school.
- The time lost above will count as unexcused absences.
- The student must make-up all work missed during these absences.

Absences taken during posted mid-term and final examination periods are greatly discouraged.

#### Long Term Medical Absences

Accommodations may be made for students with long-term medical absences. A statement by a medical examiner must be produced giving the prognosis of length of time the student will be absent and the nature of the illness.

## **EXPECTATIONS OF STUDENT BEHAVIOR**

### ZERO TOLERANCE POR VIOLENCE= EXPULSION

Violence, in any form, has no place anywhere in society; that includes schools! Invictus Leadership Academy has enforced a "NO TOLERANCE" policy regarding violence of any sort.

Students involved in fights, no matter how minor, or who threaten to cause harm to another person have been, and will continue to be promptly suspended, and recommended for expulsion. NO EXCEPTIONS! This no tolerance policy has significantly reduced the incidents of violence on our campus. Yet, sadly, some students continue to be suspended and expelled for this behavior. We ask all parents/guardians to discuss this issue with their children and remind them that a permanent mark on their school records of "SUSPENDED" and/or "EXPELLED" is not worth a momentary lapse of self-control, which results in violence.

A student may be suspended or expelled for acts related to school activity or attendance that occur at any time, including but not limited to, any of the following: (1) While on school grounds (2) While going to or coming from school (3) During the lunch period, whether on or off the campus (4) During, or while going to or coming from, a school-sponsored activity.

Invictus Leadership Academy' student Suspension and Expulsion Policy and Procedures, as described below, relates to the Charter School's expectations of its students regarding attendance, school behavior, dress, mutual respect, substance abuse, violence, safety, and work habits. Students and their parents are required to verify that they have reviewed and understood the policy at the beginning of each school year.

Violation of the Suspension and Expulsion Policy below may result in a variety of consequences, including but not limited to verbal warnings, written warnings, loss of privileges, isolation in a supervised area, detention during or after school, notices to parents by telephone or letter, parent conferences, suspension, or expulsion.

### **Suspension and Expulsion Policy and Procedures**

The Pupil Suspension and Expulsion Policies are established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education

Code Section 48900 et seq. The Charter School is committed to an annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Business Office.

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

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

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or

the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

#### Grounds for Suspension and Expulsion of Students

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

#### Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
  - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and

betel. This section does not prohibit the use of his or her own prescription products by a pupil.

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



and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. Par the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - (a) 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.
    - (b) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - (c) Causing a reasonable student to experience substantial interference, with his or her academic performance.

(d) Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other, wireless communication device, computer, or pager, of a communication, including, but not limited to, and of the following:

- i. A message, text, sound, video or image.
- ii. A post on a social network Internet Web site including, but not limited to:
  - (a) Posting to or creating a burn page. A "burn page" means an Internet web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
  - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed that the pupil was or is the pupil who was impersonated.
  - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

- (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious

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

- iv. 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.
  - w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (l)(a)-(b).
  - x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
2. Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

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

databases, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - "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:
    - 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.
    - Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - Causing a reasonable student to experience substantial interference with his or her academic performance.
    - 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 creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video or image.
- ii. A post on a social network Internet Web site including, but not limited to:
  1. 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.
  2. 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.
  3. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- iii. An act of cyber sexual bullying.
  - a. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - b. For purposes of this clause, "cyber sexual bullying" does not include a depiction, **portrayal, or image that has any serious literary, artistic, educational, political, or scientific value** or that involves athletic events or school-sanctioned activities.

iv. 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.

- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

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

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

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

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

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

#### Suspension Procedure

Suspensions shall be initiated according to the following procedures:

### Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.

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

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

### Notice to Parents/Guardians

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

### Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made

only after a conference is held with the pupil or the pupil's parents unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Executive Director or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil



poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

#### Authority to Expel

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

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

#### Expulsion Procedures

Unless postponed *for* good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the pupil has committed an expellable offense

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

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

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

7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

#### Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

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

The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive a five-day notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/ she is normally in school if there is no good cause to take the testimony during other hours.

Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness

would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the Witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

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

#### Record of Hearing

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

#### Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

#### Written Notice to Expel

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

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

#### Disciplinary Records

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

#### No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Director/ decision to expel shall be final.

#### Expelled Pupils /Alternative Education

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

#### Rehabilitation Plans

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

one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

#### Readmission

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

#### Suspension and Expulsion of Students with Disabilities

##### Notification of SELPA

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

##### Services During Suspension

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

##### Procedural Safeguards/Manifestation Determination

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

If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

- a) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP /504 Plan.

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

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

If the Charter School, the parent, and relevant members of the IEP / 504 Team determine that the behavior was not a direct 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

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

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

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

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a

disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

### Special Circumstances

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

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

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

### 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 as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

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

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

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

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

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



## STUDENT UNIFORM AGREEMENT FORM

I agree to support the Invictus Leadership Academy uniform policy and understand that it is beneficial for my child to wear clothes that conform to the school dress code at all times, including the mandatory school uniform described above. I agree to adhere to the Invictus Leadership Academy uniform/dress code requirements as required by the school to the best of my ability.

I understand that my child's failure to comply with the uniform requirement of Invictus Leadership Academy Education Charter School may result in appropriate discipline procedures.

Signature of parent(s)/guardian(s)\_\_\_\_\_ Date \_\_\_\_\_

Name of Student\_\_\_\_\_

# PARENT-STUDENT CONSENT TO SEARCH

I, \_\_\_\_\_ PARENT OF, \_\_\_\_\_,  
(parent name) (student name) (DOB),

\_\_\_\_\_ (age), \_\_\_\_\_ (grade), \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ of \_\_\_\_\_  
(time) (month and year)

Knowingly and voluntarily consent the search of my child/ward's personal belongings, such as backpacks, purses, other bags or totes, by Administration or assigned school personnel at check-in at Invictus Leadership Academy.

I understand that the Administrator or assigned school personnel conducting the search will seize any item that:

- is illegal;
- violates an Invictus Leadership Academy Education Charter School policy;
- is evidence of a crime; or
- is evidence of a violation of Invictus Leadership Academy policy,
- My voluntary consent to this search is not the result of fraud, duress, fear, or intimidation.

School official's name Dr. LaTonya Derbigny

School official's signature \_\_\_\_\_ Date \_\_\_\_\_

School official's title Executive Director

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent of (Student Name) \_\_\_\_\_

Student's Name \_\_\_\_\_

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# INVICTUS LEADERSHIP ACADEMY CHARTER SCHOOL MEDIA CONSENT FORM

\_\_\_\_\_  
Name of Student (please print)

\_\_\_\_\_  
Birthdate

I, as the parent or legal guardian of the above-named student, do hereby perpetually and irrevocably grant to the Invictus Leadership Academy, its officers, agents, employees, students, assigns, and licensees, ("Invictus Leadership Academy") the right, permission, and license to record the above-named student's likeness and/or voice with still photography, film, videotape, digital recording or storage device ("Recordings") and to edit such still photographs, film, videotape, or digital files at Invictus's discretion, and to use, reproduce, display, and/or distribute, and/or to make derivative works from any of them for educational or promotional purposes.

I understand and agree that use of such Recordings will be without any compensation to the student or the student's parent or guardian. I understand and agree that Invictus Leadership Academy and its licensees may display or otherwise use the student's first and last name with its use of the Recordings for educational or promotional purposes. I understand and agree that Invictus and/ or its authorized representatives shall have the exclusive right, title, and interest, including copyright, in the Recordings.

I do hereby waive any right to inspect or to approve the Recordings or presentations or the editorial or printed matter that may be used in conjunction therewith. I further waive any claim that I have or may have, release and hold harmless Invictus, its authorized representatives, and licensees from any and all actions, claims, damages, costs or expenses, including attorney's fees, brought by the student and or guardian with respect to the eventual use to which any of the Recordings are or may be applied.

I further expressly agree that the foregoing release is intended to be as broad and inclusive as is permitted by the laws of the State of California and any applicable federal law, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

I acknowledge that I have read this document and understand its terms. I am signing the release freely and voluntarily. I understand that withholding my signature does not impact the enrollment status of my child. I understand that providing this consent is optional and will not change the services or instruction the student receives.

I acknowledge that I have legal authority to sign this form on behalf of the minor child named above.

Student Name \_\_\_\_\_ Parent Name \_\_\_\_\_

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

Phone Number \_\_\_\_\_