

# Sherman Thomas Charter School

“Growing Life Long Learners”



Parent/Student Handbook  
2020-2021

## The Parent ~ Student Handbook

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## **SHERMAN THOMAS CHARTER SCHOOL**

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101 West Adell Street  
Madera, CA 93637

Roger Leach, Director  
(559) 674-1192

July 2020

Dear Parents and Students:

On behalf of the Sherman Thomas Charter School Staff, I would like to welcome all of our students and their families. The dedicated, nurturing and professional staff cares about the growth and wellbeing of each child in their care and is committed to providing the best possible education for all our students.

As you may have heard, Sherman Thomas Charter School was named a California Distinguished School in 2014 by the California Department of Education. We are proud to wave that flag of excellence and desire to continue developing strong academics and character in our students.

To ensure that the school year begins on a strong positive note, it is important for you and your child to understand the information in this handbook. The handbook provides the basis for effective communication between home and school.

We look forward to serving you this coming year. We encourage all parents and other family members to become actively involved in each student's education. This involvement will provide the best possible opportunity for your student to be successful. We ask also that you consider volunteering to serve on school committees and the various activities we have scheduled during the year. Our school is only as strong as the support we receive from our school community!

Sincerely,

Roger Leach  
Executive Director

# Sherman Thomas Charter School Staff

2020/2021 School Year

<b>Executive Director</b>	Roger Leach
<b>Deputy Director</b>	Tera Napier
<b>Principal</b>	Lisa Rider
<b>Administration Office Manager</b>	Minerva Sanchez
<b>Office Manager</b>	Nadeen Carranza
<b>Office Secretary/Attendance Clerk</b>	Melissa Rodriguez
<b>Kindergarten</b>	Dora Childers
<b>First Grade</b>	Gabrielle Kenedy
<b>Second Grade</b>	Soledad Maciel
<b>Third Grade</b>	Lovina Arter
<b>Fourth Grade</b>	Rose Garr
<b>Fifth Grade</b>	Chad Bento
<b>Sixth Grade</b>	Cambra Mulherin
<b>Seventh Grade</b>	Nicole Beckman
<b>Eighth Grade</b>	Sarah Baker
<b>Resource Specialist</b>	Cynthia Schmidt
<b>Instructional Aide</b>	Bresha LaMattina
<b>Instructional Aide</b>	Ricardo Adame
<b>Instructional Aide</b>	Kylie Harvey
<b>Instructional Aide</b>	Susanna Mesa
<b>Instructional Aide</b>	Deanna Munoz
<b>Credential Analyst</b>	Mariann Perez
<b>Cafeteria Manager</b>	Maria Hernandez
<b>Cafeteria</b>	Roy Jaramillo
<b>Cafeteria</b>	Lydia Salinas
<b>Cafeteria</b>	Naomi Estrada
<b>Maintenance Supervisor</b>	Paul T. Perez
<b>Maintenance</b>	Paul M. Perez
<b>Maintenance Support</b>	Steve Mount
<b>Janitorial</b>	Louie Vela
<b>Speech Pathologist</b>	Brooke Bohall
<b>Nurse</b>	MCOE Staff

## Board of Directors

Ross Thornton – President  
William Jacobsen – Clerk

Tasha Manfredi-Garlick - Member

Nicolas Leach – Member  
Robert Poythress – Member

**SHERMAN THOMAS CHARTER SCHOOL  
SCHOOL SCHEDULE**

**KINDERGARTEN**

**8:00am –12:00pm**

*“Optional Lunch” 11:45 – 12:00pm*

**TRANSITIONAL KINDERGARTEN**

**11:00am – 3:00pm**

**1<sup>st</sup> – 8<sup>th</sup>**

**8:00am – 3:00pm**

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**Daily Schedule 1<sup>st</sup> – 4<sup>th</sup>**

<b>8:00 – 10:00</b>	<b>Instruction</b>
<b>10:00 – 10:20</b>	<b>Recess</b>
<b>10:20 – 11:15</b>	<b>Instruction</b>
<b>11:15 – 11:55</b>	<b>Lunch</b>
<b>11:55 – 3:00</b>	<b>Instruction</b>

**Daily Schedule 5<sup>th</sup> – 8<sup>th</sup>**

<b>8:00 – 10:25</b>	<b>Instruction</b>
<b>10:25 – 10:45</b>	<b>Break</b>
<b>10:45 – 12:00</b>	<b>Instruction</b>
<b>12:00 – 12:40</b>	<b>Lunch</b>
<b>12:40 – 3:00</b>	<b>Instruction</b>

**STCS AFTER SCHOOL PROGRAM**

**1<sup>st</sup> – 8<sup>th</sup> Grade.....3:00pm – 6:00pm**

### **Arrival and Dismissal from School**

Teachers do not begin their duty day until 7:45 am. Students **should not arrive earlier than 7:30 am**. These students are to report directly to Cafeteria. Once yard duty is present, at 7:40 a.m, students may play on the blacktop, in front of the cafeteria, or on the playground. They are not allowed in the field before school. Students are to leave or be picked up immediately following the end of school each day unless an emergency situation exists and prior arrangements have been made with the Principal and Office Manager. **All parents are required to park their vehicle in a parking stall when picking up their child from school.**

### **Bicycles**

Bicycles may be ridden to and from school. Bicycles are to be parked properly in the designated area by the cafeteria. Bicycles are not allowed elsewhere on the school grounds at any time. Be sure to always lock your bicycle. The school assumes no liability for any bicycle or bicycle equipment.

### **Birthdays**

Parents will need to notify teacher before bringing any treats for their children or classmates.

### **Books (classroom)**

Books are issued to students the first week of school. Students are responsible for returning these books during the last week of school. If a student willfully damages STCS's books or property or fails to return a textbook, library book, or other STCS property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, STCS may withhold the student's grades, transcripts, and diplomas until the damages have been paid. If the student and the student's parents/guardian are unable to pay for the damages or to return the property, STCS 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 and diploma will be released.

### **Field Trips**

Through the school year, students will occasionally be going on field trips. Parent permission slips must be signed and returned to school personnel prior to the trip. All standard rules of conduct and procedures used in the daily transportation of pupils will be observed and enforced on the field trips.

### **Fire Drills & Safety Drills**

Safety drills are held periodically. Drills will be indicated by way of the teacher's phone through an "All Call". All students, personnel, and visitors must go to and remain in the designated area when the All Call sounds. Absolutely no misbehavior will be tolerated during drills.

### **Food Services**

Meals will be provided by Ezequiel Tafoya Alvarado Academy (ETAA). Breakfast costs \$2.30 and lunch costs \$3.30 a day. Reduced price meals for Breakfast are \$.35 and lunch \$.45 Meals are to be paid before school begins in the morning.

We encourage payment by the week or month. **Charging lunch is against the policy of Sherman Thomas Charter School.**

### **Free and Reduced-Price Meals**

Sherman Thomas Charter School participates in the National School Lunch Program. Applications for free or reduced-price meals are included in the first day packets to all families and can also be obtained on the Sherman Thomas 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. STCS also maintains a School Wellness Policy pursuant to state and federal requirements. Copies of the complete Free and Reduced Priced Meal Policy and School Wellness Policy are available upon request at the main office.

### **Homework Policy**

In order to be consistent, the Sherman Thomas Charter School staff has adopted a uniform homework policy for all grade levels. Homework policy will be sent home at the start of school by classroom teacher.

A suggested parental guide for homework would be:

<b>Grades 1 –3</b>	<b>30 minutes</b>
<b>Grades 4 - 8</b>	<b>1 hour</b>

**Immunizations and Physical Examinations**

To ensure a safe learning environment for all students, Sherman Thomas 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 Sherman Thomas Charter School.

The required immunizations include:

<b>Child's Grade</b>	<b>List of shots required to attend school</b>
<b>Entering Kindergarten</b>	<p>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> <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>
<b>Entering Grade 7<sup>th</sup></b>	<p>Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose                      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 7th grade 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>

The School will offer vision, hearing, and scoliosis screenings for applicable grade levels in accordance with the law.

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 STCS 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.

### **Library**

Sherman Thomas Charter School will offer various library services for our students. The library schedule will be published for teachers. Students who check out library books are responsible for the books, and if they are lost or damaged, students will be expected to pay for the book. Students leaving the school must clear their library record.

### **Lost and Found**

Articles found on the school grounds will be turned into the lost and found container in the cafeteria. Children should look there first for items that they may have lost. Other items found should be turned into the school office. Parents are advised to write children's names on lunch boxes, sweaters, coats, etc. Articles of clothing not claimed at the end of the school year will be given to one of the local charities.

### **Medication**

As outlined in the School policy, Parents are required by State law to inform the school of any medication to be taken by the child at school. Facts on current dosage and the name of the supervising physician are needed. Parents must fill out a form requesting that medication be given at school before any medication will be dispensed. The form may be obtained through the school office. A complete copy of the School's policy is available at the District Office 101 W Adell Madera, Ca 93638.

### **Oral Health Assessment**

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

### **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)

STCS 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.

### **Pregnant and Parenting Students**

STCS recognizes that pregnant and parenting students are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. A pregnant or parenting student is entitled to eight (8) weeks of parental leave, or more if deemed medically necessary by the student’s physician, which the student may take before the birth of the student’s infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. STCS will ensure that absences from the student’s regular school program are excused until the student is able to return to the regular school program.

Upon return to school after taking parental leave, a pregnant or parenting student will be able to make up work missed during the pregnant or parenting student’s leave, including, but not limited to, makeup work plans and reenrollment in courses. Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in STCS if it is necessary in order for the student to be able to complete any graduation

requirements, unless STCS determines that the student is reasonably able to complete the graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

Complaints of noncompliance with laws relating to pregnant or parenting students may be filed under STCS's Uniform Complaint Procedures ("UCP"). The complaint may be filed in writing with the compliance officer:

Roger Leach  
Executive Director  
101 W. Adell St.  
Madera, CA 93638  
(559) 675-6613

A copy of the UCP is available upon request at 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 Executive Director.

### **Sexual Health Education**

STCS offers comprehensive sexual health education to its students in grades 7-12. A parent or guardian of a student has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent ("opt-out") process. STCS does not require active parental consent ("opt-in") for comprehensive sexual health education and HIV prevention education. Parents and guardians may:

- Inspect written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.
- Excuse their child from participation in comprehensive sexual health education and HIV prevention education in writing to STCS.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by STCS personnel or outside consultants. When STCS chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
  - The date of the instruction
  - The name of the organization or affiliation of each guest speaker
- Request a copy of Education Code sections 51930 through 51939.

Anonymous, voluntary, and confidential research and evaluation tools to measure student's health behaviors and risks (including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes concerning or practices relating to sex) may be administered to students in grades 7-12. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent ("opt-out") process. Parents/guardians shall be notified in writing that this test, questionnaire, or

survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to STCS.

A student may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on student health behaviors and risks, if STCS has received a written request from the student's parent or guardian excusing the student from participation. An alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

### **Surveys About Personal Beliefs**

Unless the student's parent/guardian gives written permission, a student will not be given any test, questionnaire, survey, or examination containing any questions about the student's, or the student's parents' or guardians' personal beliefs or practices in sex, family life, morality, or religion.

### **Human Trafficking Prevention**

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. STCS believes it is a priority to inform our students about (1) prevalence, nature of and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance, and (2) how social media and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, STCS will provide age-appropriate instruction on the prevention of human trafficking, including sexual abuse, assault, and harassment. You have the right to excuse your child from all or part of the instruction on the prevention of human trafficking. An opt-out form is available in the front office for your convenience. Your consent for this instruction is NOT required. If we do not receive a written request to excuse your child, your child will be included in the instruction.

Information and materials for parents/guardians about the curriculum and resources on prevention of human trafficking and abuse, including sexual abuse, assault, and harassment are available on STCS's website for your review.

### **Diabetes**

STCS will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.

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

Please contact the office if you need a copy of this information sheet or if you have any questions about this information sheet.

### **Animal Dissections**

Students at STCS may perform animal dissections as part of the science curriculum. Any student who provides their teacher with a written statement, signed by their parent/guardian, specifying the student's moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, may be excused from such activities if the teacher believes that an adequate alternative education project is possible. The alternative education project shall require a comparable time and effort investment by the student. It shall not, as a means of penalizing the student, be more arduous than the original education project. The student shall not be discriminated against based upon their moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof.

### **Personal Possessions**

We discourage children from bringing personal possessions or extra money to school unless requested to do so by the teacher or principal. We do this because we cannot be responsible for lost property. While we will attempt to recover stolen property, it is very difficult. When money is sent to school, it should be placed in an envelope with the child's name and room number written on it. **Students are not to bring videos, toys, electronic devices, etc. to school without prior permission from the teacher.** Anything brought to school without prior permission will be kept by the teacher or director for parents/guardians to claim. Items not claimed by parents/guardians by the end of the school year will be donated to one of the local charities

### **Pets at School**

With the exception of service animals, students are not allowed to bring animals to school. Dogs and cats create a real problem on the school grounds. If your child wishes to share his pet with the class, parents/guardians must bring the animal to school for a short visit and take it home afterwards. Prior arrangements with the teacher are required.

### **Report Cards and Progress Reports**

Report cards will be sent home with students three times a year at the end of each trimester. In addition, Sherman Thomas Charter School provides an online grading program through Power School, enabling teachers to post homework assignments, grades, and attendance for your students. Parents/guardians will receive a pass code to access information on the Sherman Thomas Charter School web site.

### **Testing**

Testing will occur throughout the year in the form of formative and summative assessments as well as state mandated testing. In addition, students will take online NWEA MAP in the fall, winter, and spring as well as Smarter Balance testing in the spring. The purpose of this testing is to determine how well your child has succeeded in mastering basic reading, language, and math concepts and skills. Every student will receive a percentile score which will indicate where he/she the student ranks when compared to a national sample of students of his/her their age and grade level. You are encouraged to seek more detailed information with regard to your child's test scores from your child's teacher. Notwithstanding any other provision of law, a parent's or guardian's written request to STCS officials to excuse their child from any or all parts of the California Assessment of Student Performance ("CAASPP") shall be granted.

### **Cal Grant Program Notice**

STCS is required by state law to submit the Grade Point Average ("GPA") of all high school seniors by Oct. 1 of each year, unless the student over age 18 years of age or parent/guardian for those under 18 years of age opt-out. Students currently in eleventh (11th) grade will be deemed a Cal Grant applicant, unless the student (or parent/guardian, if the student is under 18 years of age) has opted out by or before February 1.

### **Availability of Prospectus**

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

### **School Bus and Passenger Safety**

All students who are transported in a school bus or school student activity bus shall receive instruction in school bus emergency procedures and passenger safety. A copy of the complete Policy is available upon request at the main office.

### **School Safety Plan**

STCS has established a Comprehensive School Safety Plan. The Plan is available upon request at the main office.

## **Visitors**

All visitors are to sign in at the front office before entering campus. Non-enrolled children are not permitted to be on campus unless accompanied by a parent. High School students wishing to volunteer must have prior written approval. A copy of the complete Policy is available upon request at the main office.

## **ATTENDANCE / ABSENCES**

Habits of perfect attendance, being on time, and completing every work assignment prepares your child to be successful as a student and as a dependable, successful adult later in life. Under California law, a student missing more than 30 minutes of instruction without valid excuse three times during the school year must be classified as a truant. Truancy includes unexcused absences for full day or more than 30 minutes of the school day (tardies or early departures). To assist in understanding STCS expectations, the following is a summary of the policies on attendance and truancy for all students.

### **Excused Absences for Classroom Based Attendance**

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law or this Attendance 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:
  - a. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.
4. Attendance at funeral services for a member of the immediate family:
  - a. Excused absence in this instance shall be limited to one (1) day if the service is conducted in California or three (3) days if the service is conducted out of state.

- b. "Immediate family" shall be defined as parent or guardian, grandparent, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any other relative living in the student's household.
5. Observation of a religious holiday or ceremony.
6. Participation in religious instruction or exercises as follows:
  - a. The student shall be excused for this purpose on no more than four (4) school days per month.
7. For the purposes of jury duty in the manner provided for by law.
8. Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excusal).
9. To permit the student to spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 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. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
10. For purpose of serving as a member of a precinct board for an election pursuant to Election Code section 12302.
11. Attendance at the student's naturalization ceremony to become a United States citizen.
12. Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks.
13. Authorized at the discretion of a school administrator, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.
14. A student who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five (5) absences per school year subject to the requirements of Education Code section 48225.5.
15. In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5)

days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.

16. Appearance in court.

17. Attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization upon written request by parent and approval by the Executive Director or designee pursuant to uniform standards established by the Board.

### **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:
  - a. Name of student;
  - b. Name of parent/guardian or parent representative;
  - c. Name of verifying employee;
  - d. Date or dates of absence; and
  - e. 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 information outlined above.
4. Healthcare provider verification:
  - a. When excusing students for confidential medical services or verifying such appointments, STCS staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
  - b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has had fourteen (14) absences in the school year for illness verified by methods listed in #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

Insofar as 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.

Students should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or for Students in grades 7-12, inclusive, who may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.

### **Process for Addressing Truancy**

Under California law, a student missing more than 30 minutes of instruction without an excuse three times during the school year must be classified as a truant. Truancy includes unexcused absences for full day or more than 30 minutes of the school day (tardies or early departures.) Accordingly, STCS has developed the following policies and procedures.

- o Unexcused Absences or more than 30 minutes - Principal/designee calls parent Truancy Letter #1 home.
- o 5 Unexcused Absences of more than 30 minutes - Truancy Letter #2 will be sent home
- o 7 Unexcused Absences of more than 30 minutes - Required meeting with the parent, Principal or designee and Teacher
- o 10 Unexcused Absences of more than 30 minutes - Hearing before Student Attendance Review Team (SART).
  - The SART panel is comprised of Mr. Leach (director), Mrs. Napier (Deputy Director) Lisa Rider Principal and teacher The SART panel 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 SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
    - 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 SART panel 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 store privileges
  - Loss of school event privileges
  - Required remediation plan as set by the SART
  - Notification to the District Attorney
  - The SART panel may discuss other school placement options.
- Notice of action recommended by the SART will be provided in writing to the parent/guardian.
  - If 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 Sherman Thomas Charter School's communication attempts, as set forth above, the student will be in violation of the SART contract, and the SART panel will recommend that the student be deemed to have voluntarily disenrolled and STCS will comply with the removal process outlined below.
  - If, after the above procedures have been followed, the student continues to have unexcused absences, the parent/guardian may receive notice that the student is in violation of the SART contract. The student will then be required to appear before the SART panel again to discuss the unexcused absences. After such meeting, or after reasonable attempts by the SART panel to schedule the meeting if the parent/guardian is nonresponsive, the SART panel may recommend additional administrative action. The parent will receive written notice of the SART panel's recommendation.

### **Process for Students Who Are Not in Attendance at the Beginning of the School Year**

When students are not in attendance on the first five (5) days of the school year, STCS will attempt to reach the parent/guardian on a daily basis for each of the first five (5) days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify STCS of the absence and provide documentation consistent with this policy. However, consistent with the process below, students who are not in attendance due to an unexcused absence by the fifth day of the school year will be disenrolled from STCS roster

after following the Removal Process described below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first day of the school year will be contacted by phone to ensure their intent to enroll in STCS.
2. Students who have indicated their intent to enroll but have not attended by the third (3<sup>rd</sup>) day of the school year will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5<sup>th</sup>) day of the school year will receive a phone call reiterating the content of the letter.
4. STCS will send the Removal Notice to the Parent/Guardian and follow the Removal Process described below for any students who have not attended by the sixth (6<sup>th</sup>) day, and do not have an excused absence.
5. The Removal Process can be started immediately upon STCS receiving documentation of Student's enrollment and attendance at another public or private school (i.e. a CALPADS report).
6. STCS will use the contact information provided by the parent/guardian in the registration packet.
7. Upon removal, the last known school district of residence will be notified of the student's failure to attend STCS and the disenrollment within thirty (30) days of the disenrollment.

### **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 SART contract. The student will then be required to appear before the SART panel again to discuss the unexcused absences or tardies. After such meeting, or after reasonable attempts by the SART panel to schedule the meeting if the parent/guardian is nonresponsive, the SART panel may recommend that the student be deemed to have voluntarily disenrolled from Sherman Thomas Charter School. The parent will receive written notice of the SART panel's recommendation.

The SART panel shall then forward its recommendation to the Governing Board for review of the matter and final decision. The parent/guardian will receive written notice of the intent to remove the student and 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

and be in the native language of the student or the student's parents 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 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 STCS'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 STCS issues a final decision.

The Board's decision shall be final as to that recommendation.

Upon parent/guardian request for a hearing, STCS 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 STCS's expulsion hearing process.

If the parent/guardian is nonresponsive to the removal notice, the Student will be disenrolled as of the effective date set forth in the 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 there is a Board decision to disenroll, notice will be sent to the student's last known district of residence within thirty (30) days.

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

**A doctor must verify high absent rates due to illness. A student will not be considered absent if the student successfully completes the "Pre-arranged Non-classroom Instruction" program.**

## Pre-arranged Non-Classroom Instruction

This program represents one of the most unique and valuable parts of the ability of Sherman Thomas Charter School to meet the needs of its students. In order for students to optimize their time when absent from school so that they don't get too far behind in their studies, the school has designed the "**Pre-arranged Non-classroom Instruction**" program. To utilize this program, parents must contact the school at its regular phone number **before the start of the school day**. The parent will need to call the school before 8:00am. In contacting the school, indicate that your child will be absent, the reason why, and that you wish to have your child participate in the pre-arranged non-classroom instruction program. Participation in the pre-arrange non-classroom instruction program can be denied, if used excessively and/or student is lacking appropriate academic progress.

This packet must be picked up between 1:00pm-3:00pm the same day the school is notified of the child's absence. Accompanying the work packet will be a "Contract for Pre-arranged Non-classroom Instruction" form. This form must be filled out completely (**including all of the appropriate signatures**) and turned in with the completed work packet, the **day the student returns to school**. It is important to note several pieces of information:

- a) It is important that for attendance credit to be given, at least a portion of the assigned work must be completed each day the student is not in school. **However, any classroom assignments or tests missed must be made up.**
- b) The form and work packet must be completed and turned into your teacher the first day the student returns to school in order for the student to receive full academic and attendance credit.
- c) Not completing the packet and turning in the appropriate paperwork within the allotted time must, by law, result in an absence for the student.
- d) This procedure must be repeated **EACH** time the student is absent.

Completion of the pre-arranged absence forms and work packets will ensure that students stay academically current and be given credit for the Trimester perfect academic attendance awards. It will also benefit all of the students of Sherman Thomas Charter School by keeping a positive fiscal impact on the district which directly affects its ability to provide the unusual extra programs such as libraries, computers, field trips, etc.

## Auxiliary Services

### **School Nurse**

Our nurse is on campus when provided by Madera Unified School District (MUSD). In addition to conducting hearing, vision, and scoliosis screenings, she plays an important role in:

- (1) Providing health education resources for teachers
- (2) Maintaining all health records for children
- (3) Contacting parents regarding illness, health problems and excessive absence observed at school
- (4) Advising the principal and staff regarding health related conditions and/or hazards which may affect the operation of the school.

### **Speech and Language Specialist**

The speech and language specialist is on campus as the need arises, provided by (MCOE). He/she works with children who are in need of specialized remedial and developmental instruction in language proficiency, primarily speaking and hearing.

### **Resource Specialist**

Our resource specialist is on site. The resource specialist is a classroom teacher with special certification in special education and learning disabilities. The resource specialist provides specific prescriptive instruction in academic areas to students who have been certified as requiring such instruction. The resource specialist plays an active role as a resource to teachers in designing and implementing teaching strategies for students with learning difficulties.

### **Student Study Team (SST)**

Mrs. Lovina Arter, Mrs. Nicole Beckman and Mrs. Brooke Bohall are responsible for organizing and maintaining our student study team. The SST is composed of a team of teachers who meet with parents or guardians to resolve any academic, social, emotional, or discipline problems a child might be experiencing at school. Parents as well as teachers are welcome to refer children to the SST. By working together we can make every child's education a rewarding experience at Sherman Thomas Charter School.

## **Special Education**

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

## **Section 504**

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

## **Mental Health Services**

STCS 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 STCS and 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 a Cindy Schmidt at 559-674-1192 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 Nadeen Carranza at 559-674-1192.

Available in the Community:

- Madera County Behavioral Health at 559-673-3508

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.

## Awards

### Assembly Awards

The following are some of the opportunities for special recognition available to Sherman Thomas Charter School students 3 times a year.

### Academic Awards

Aggie awards are a means of giving recognition to students based on scholastic achievement in core curricular areas (language arts, math, science, social science/history and PE). The requirements reflect not only on the student's academic achievement, but the student's effort and citizenship as well. The qualification requirements for the awards are:

1. No 1's or F's on the report card.
2. No N's or U's on the report card.
3. Grade point requirements

**Honor Roll                      3.5 to 4.0 (4th through 8th grades)**

### All Year-Round Perfect Attendance

Students must be in attendance on the first day of school and not miss one day of school for any reason. **Independent study or prearranged non-classroom based instruction does not count towards all year round perfect attendance.** Students with perfect attendance for the year will receive an award at the last awards assembly.

### Character Award

Every month a student from each class in grades 1-8 will be chosen to receive the character award. The characteristics are as follows:

#### **1st Trimester -**

Courage -	<b>August</b>
Responsibility -	<b>September</b>
Cooperation -	<b>October</b>
Generosity -	<b>November/December</b>

#### **2nd Trimester -**

Proactive -	<b>January</b>
Honesty	<b>February</b>
Tolerance	<b>March</b>

#### **3rd Trimester -**

Patience -	<b>April</b>
Determination -	<b>May</b>

## **Co-Curricular Activities**

### **Interscholastic Athletic Program**

STCS provides both a physical education program for all students and an interscholastic program in which our school competes with other schools. The goal of both programs is to teach and develop proficiency in the skills associated with specific sports. They strive to develop the personal qualities of discipline, commitment and sportsmanship, associated with being a member of a team. Students in grades five through eight (some sports allow as young as grade three) are able to try out for a team. In order to participate in the following sports, students must meet the eligibility requirements, which include maintaining a minimum of 2.0 GPA, and following school as well as classroom rules.

- Basketball
- Cross Country (Grades 3-8)
- Soccer
- Volleyball
- Wrestling (Grades 4-8)
- Flag Football

### **Student Council**

Students in grades 5<sup>th</sup>–8<sup>th</sup> will have the opportunity to participate in student council. There will be a class election in grades 5- 8 to vote on a class representative for each grade. There will also be 3 officer positions: president, vice president, and treasurer. The student council will meet regularly to organize and run school spirit activities.

### **Academic Pentathlon**

Students in 7<sup>th</sup> and 8<sup>th</sup> grade are invited to try out for the Academic Pentathlon teams.

Students must meet any eligibility requirements designated by the coaches, including maintaining a 2.0 GPA. Sixth grade students may also be invited to try out if space permits. In the event that more students want to be on any team than space allows, the coaches will determine the team based on a variety of measures including evaluating classroom grades, behavior, GPA, and a competition among interested participants.

### **Concussions and Head Injuries**

Sherman Thomas Charter School takes concussions of its athletes seriously. A concussion is a kind of brain injury. It can be caused by a bump or hit to the head, or by a blow to another part of the body with the force that shakes the head. Concussions can appear in any sport, and can look differently in each person. Concussions are a serious medical condition and those participating in athletics at Sherman Thomas Charter School must view, sign, and return the information sheet, available on the California Interscholastic Federation's website, to the main office.

[http://www.cifstate.org/sports-medicine/concussions/CIF\\_Concussion\\_Info\\_Sheet.pdf](http://www.cifstate.org/sports-medicine/concussions/CIF_Concussion_Info_Sheet.pdf)

### **Sudden Cardiac Arrest**

Sherman Thomas Charter School is invested in the health of its athletes, especially their heart health. Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. Those participating in athletics at Sherman Thomas Charter School, may review the California Interscholastic Federation's website, on information regarding sudden cardiac arrest via the link below

<http://cifstate.org/sports-medicine/sca/index>

### **Opioid Information Sheet**

STCS 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 STCS 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>

## **Code of Conduct**

### **SHERMAN THOMAS CHARTER SCHOOL STUDENTS ARE EXPECTED TO:**

1. Be active self-directed learners who examine options as they initiate and complete tasks.
2. Be effective collaborators who assume various roles to accomplish group or community goals using self-knowledge, compromise, cooperation, and respect.
3. Be good decision makers who consider consequences and make choices demonstrating integrity and evaluation.
4. Be community participants understanding and practicing our democratic traditions and values respecting human dignity, honesty, and fairness who can accept the consequences for their actions.

### **SHERMAN THOMAS CHARTER SCHOOL PARENT PARTICIPATION**

Family participation is essential for a child's whole educational experience. Sherman Thomas Charter School will expect active involvement in the development of each student through family participation.

In parent participation, parents/guardians are encouraged but not required to serve 30 hours of annual volunteer service to the school. Recognizing that not all parents can be in the classroom for these hours, other specific service opportunities can and will be arranged on a one-on-one basis. No student will be punished, face consequences, or be disenrolled from the School for a parent's failure to volunteer.

### **TEACHER EXPECTATIONS**

Each classroom teacher will establish a Classroom Discipline Plan. Stated expectations for students will be available for parents and students. The Classroom Discipline Plan is consistent with school policies and aligns with the Sherman Thomas Charter School charter.

### **SCHOOL EXPECTATIONS FOR STUDENTS**

It is expected that students will demonstrate appropriate behaviors and attitudes including respect, honesty, and fairness necessary to maintain a productive, healthy and safe school climate. Sherman Thomas Charter School has listed the enumerated offenses, consistent with its charter that may lead to a suspension or expulsion or involuntary removal from the school. In its Suspension and Expulsion Policy and Procedures at the end of this Handbook:

## CONSEQUENCES

Students who fail to adhere to the Sherman Thomas Charter School code of conduct or comply with the Sherman Thomas Charter School charter regarding the offenses that may lead to suspension or expulsion must be aware of the consequences of this non-adherence. Below is a brief list of the consequences and these consequences will depend on the severity and frequency of the unacceptable behavior in accordance with the Classroom Teacher Discipline Plan and general inappropriate behaviors listed above and in the Suspension and Expulsion Policy.

### **Corrective actions may include:**

1. Parent/guardian notification (Teacher and/or Administration).
2. Teacher/Administrative detention.
3. Restitution.
4. In-School Suspension.
5. Out-of-School Suspension.
6. Police Notification (if breaking a law is involved).
7. Expulsion from school.

## DUE PROCESS

When accused of a behavioral violation, students are entitled to these following elements of “Due Process”:

1. The right to be informed of the rules and regulations involved
2. The right to be informed of the charges if a violation occurs.
3. A fair opportunity to tell their side and receive a copy of all rulings regarding their violation.

For a full description of the procedures regarding suspension, expulsion and involuntary removal specifically, please review Suspension and Expulsion Policy and Procedures at the end of this Handbook.

## **Nondiscrimination Statement**

Sherman Thomas Charter School 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, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

Sherman Thomas 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”).

Sherman Thomas Charter School does not discourage students from enrolling or seeking to enroll in Sherman Thomas 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. Sherman Thomas Charter School shall not encourage a student currently attending Sherman Thomas 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 Sherman Thomas Charter School's charter and relevant policies.

Sherman Thomas Charter School does not request nor require student records prior to a student's enrollment.

Sherman Thomas 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 disenrollment of a student.

Sherman Thomas 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). Sherman Thomas 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, 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. Sherman Thomas Charter School does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which Sherman Thomas 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. Sherman Thomas 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 Sherman Thomas Charter School Uniform Complaint Procedures Compliance Officer listed in this handbook:

Roger Leach, Executive Director  
[rleach@stcsca.org](mailto:rleach@stcsca.org) (559) 675-6613

# Sherman Thomas Uniform Policy

The policy of the Sherman Thomas Charter School Board shall be that no mode of attire will be considered proper for school wear that distracts or disrupts classroom and school decorum. Any substantial complaint concerning the dress code shall be dealt with by the school administration.

## School Uniforms

Students attending K-8 at Sherman Thomas Charter School shall be required to wear official school uniforms. Uniforms shall be the same for students as follows:

- ❖ Uniform shirts/blouses will be white, hunter green, navy, khaki, or green plaid. Shirts will be polo/golf style/crew neck (short or long sleeves) or shirts/blouses that button down the front. No emblem, logo, decoration larger than 1 inch unless approved STCS apparel.
- ❖ White, hunter green, navy blue, or tan turtlenecks with no emblem, logo, or decoration. Turtlenecks can be worn separately or under uniform shirt.
- ❖ T-shirts (solid white, hunter green, navy blue, khaki tan, or green plaid) will be allowed under the uniform shirt.
- ❖ Khaki(shades may vary) white, navy blue, or hunter green pants, skirts, shorts, skorts, dresses, or jumpers must be uniform style and color (no colored jeans/denim unless otherwise scheduled for “free dress days”). Emblems, logos, or decorations are not allowed.
- ❖ Pants, shorts, and skorts must measure (front and back) no shorter than 6 inches above the knee. Skirts and jumpers must measure no shorter than 4 inches above the knee. Shorts/Scooters in approved colors may be worn under skirts/jumpers.
- ❖ Socks/knee highs/tights are acceptable and can be worn in any colors, pattern, and variation as long as they do not become a distraction at school or in class.
- ❖ Acceptable active wear for school is limited to include sweater, sweater vest, sweatshirt, sweatpants, or fleece. Colors for everyday active wear include khaki, navy blue, hunter green, khaki tan, or green plaid. No emblem, logo, or decoration is allowed on school active wear. Active wear should only be worn during Physical Education time.
- ❖ Heavy coats and jackets must have a liner to be considered a coat or a jacket worn to and from school and/or outdoors are not restricted.
- ❖ All hats shall be in approved colors, which include khaki, navy blue, hunter green, green plaid, and/or white or have a logo or insignia representing an accredited College or University. Headwear worn for religious purposes is permitted.

\*\* Free dress days are on scheduled ½ days. Look at school calendar for scheduled days. \*\*

**Grooming:**

Hair which causes undue attention is not acceptable; i.e., unusual designs, colors, symbols, messages, Mohawks, or “tails,” or unusual razor cuts.

Complete razor shaving of the head is allowed. Partial razor shaving of the head may be only one inch (1”) above the top of the ear.

**Jewelry:**

No facial piercings are allowed.

<b>Free Day Dress Code Only</b>
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\*The following is the Dress Code for “Free Dress” days, which are all ½ days.

**PURPOSE:**

To specify standards of dress and grooming that promote a safe school setting conducive to a positive learning environment consistent with the Board’s policy governing acceptable and appropriate apparel and appearance for students.

**A. Apparel**

- **All clothing** shall be neat, clean and acceptable in repair and appearance and shall be worn within the bounds of decency and good taste as appropriate for school. Garments shall be sufficient to appropriately conceal undergarments at all times.
- **Articles of clothing** which display skulls, gang symbols, profanity or products or slogans which promote tobacco, alcohol, drugs, or sex; materially interfere with school work; create disorder or disrupt the educational process are not allowed.
- **Any clothing** or apparel that a student or group of students wear to identify themselves for the purpose of harassing, threatening, or intimidating others will not be allowed.
- **Extreme fashion** that draws undue attention to the student will not be allowed. This includes exotic clothing, exotic jewelry, exotic make-up, body piercing, etc.
- **Tank tops** Shoulder straps must not be less than one inch in width for grades TK-3, and two inches in width for grades 4<sup>th</sup>-8<sup>th</sup>. Racerback Tanks are acceptable as long as all undergarments are covered at all times. Any apparel determined by school personnel to be too revealing is not acceptable.

- **Beach wear**, swim wear, halter tops, tube tops, spaghetti straps, bare midriffs or chests, see-through or fishnet outfits, or off the shoulder and low-cut tops are not appropriate or acceptable.
- **Mini-skirts** and culottes are acceptable so long as they extend to a maximum of four inches (4") above the knee. Dress that exposes bare midriffs or cleavage is prohibited.
- **Shorts** are permissible. Shorts are to be worn no shorter than six inches (6") above the top of the kneecap, and shorter than mid-thigh.
- **Leggings** will be allowed if over garment reaches four inches (4") above the knee. Leggings do not need to be in school color.
- **Shoes** must be worn by all students. For safety reasons, students are not allowed to wear flip-flops, shoes or sandals without a heel strap. No open back shoes are allowed. Proper footwear must be worn for physical education.
- **Excessively baggy** pants are not allowed. Pants cannot exceed five inches (5") when measured at the kneecap of the straightened leg. Pants must fit and be worn at the natural waist. The bottom of the pant leg may not be frayed or drag on the ground. Pants must be hemmed and not stapled, pinned, or taped.
- **Oversized shirts** that present a safety concern or reflect gang style are not acceptable.
- **Appropriate hats**, caps, and other types of head coverings worn shall not be worn inside buildings. Rules relative to college, university, and professional team apparel apply to hats, caps and other types of head coverings. Gang related symbols of any kind are not acceptable. Head coverings worn for religious reasons are permitted.
- **No frayed clothing** is acceptable (manufactured or otherwise).
- **Clothing, Jewelry** and personal items shall be free of writing, pictures, or any other insignia which are crude, vulgar, profane, or sexually suggestive; shall not bear drug, alcohol or tobacco company advertising, promotions or likenesses; shall not promote violence, illegal activity, or relate to gang affiliation or activity; and shall not advocate racial, religious, or sexual orientation prejudice.

**D. Exemption to Policy**

Religious beliefs, when verified, may be grounds for an exemption to a specific portion of the dress and grooming policy. A petition for an exemption from

enforcement of a specified portion of Dress Code Policy may be submitted to the office.

If students are in violations of “**Dress Code**” the following steps will be taken:

- **1<sup>st</sup> Offense** – Sent to office, parents/guardians called to bring proper attire or loaners will be used. Students remain in office until arrival of parents. **Verbal Warning**
- **2<sup>nd</sup> Offense** – Sent to office, “**In House Suspension**”. Student will remain in office remainder of day. Proper School clothes must be brought for student to change.
- **3<sup>rd</sup> Offense** - Sent to office, “**Strike** will be given.

Any further dress codes violations after the “First Strike” will result in another strike.

## Programs

### STCS After School Program

The California Teaching Fellows Foundation (“Teaching Fellows”) is an expanded learning program service provider in California’s Central Valley. Teaching Fellows partners with local school districts to staff and operate over 250 after school and summer learning programs. These programs, which are funded by federal and state grants, **are offered free of cost** to K-12 students. Teaching Fellows **programs are centered around research-based practices that have been proven to support mastery of the material being taught during the regular school day**. In this way, our programs make an enormous social impact on the lives of young people. **Students participating in our programs have continuously reported good to excellent quality experiences (with peers, staff, and the programs)**. This is important because research shows that higher “program experiences” are associated with (1) lower scores in misconduct, and (2) higher scores in work habits, reading efficacy, math efficacy, science efficacy, and social competencies.

### English Learners

STCS 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. STCS 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. STCS will

implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

### **Education of Foster and Mobile Youth**

**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. "Former juvenile court school pupils" refers to a student who, upon completion of the student's second year of high school, transfers from a juvenile court school to STCS.
3. "Child of a military family" refers to a student who resides in the household of an active duty military member.
4. "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 STCS 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.
5. "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 or designee designates the following staff person as the Liaison for Foster and Mobile Youth:

Tera Napier  
Deputy Director  
101 W. Adell Madera, Ca 93638  
(559) 674-1192

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 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:** STCS 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. STCS will immediately enroll a foster youth, currently migratory child or child of a military family seeking reenrollment in STCS as the student's school of origin (subject to STCS's capacity and pursuant to the procedures stated in STCS's charter and Board policy). If a dispute arises regarding a foster youth's request to remain in STCS as the school of origin, the foster youth has the right to remain in STCS pending the resolution of the dispute. STCS will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to STCS (subject to STCS's capacity and pursuant to the procedures stated in STCS'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.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

**Graduation Requirements:** Foster and Mobile Youth who transfer to STCS any time after the completion of their second year of high school, and pupils participating in a newcomer program who are in their third or fourth year of high school, shall be exempt from any of STCS's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless STCS makes a finding that the student is reasonably able to complete STCS's graduation requirements by the end of the student's fourth year of high school.

To determine whether a Foster and Mobile Youth is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student's school enrollment may be used, whichever will qualify the student for the exemption. In the case of a pupil participating in a newcomer program, enrollment in grade 11 or 12 may be used to determine whether the student is in their third or fourth year of high school.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into STCS, STCS shall notify the student, the parent, and where applicable, the student's social worker or probation officer, of the availability of the exemption and whether the student qualifies for an exemption.

STCS shall notify students who are exempted from STCS's additional graduation requirements and the student's parent how any of the requirements that are waived will affect the pupil's ability to gain admission to a postsecondary educational institution and provide information about transfer opportunities available through the California Community Colleges.

STCS shall not require any student who would otherwise be entitled to remain in attendance at STCS to accept the exemption from STCS's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. STCS shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption. An eligible student's exemption from STCS's additional graduation requirements will continue to apply while the student is enrolled in STCS or if the student transfers to another school even after the court's jurisdiction terminates or the student no longer meets the definition of a child of military family, a currently migratory child or a pupil participating in a newcomer program.

STCS shall not require or request that a student transfer schools in order to qualify the student for the exemption. Nor shall a student, a student's parent/guardian or educational rights holder, or a student's social worker or probation officer request a transfer solely to qualify for an exemption from STCS's additional graduation requirements.

If a student who is exempted from STCS's additional graduation requirements completes the California minimum coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and would otherwise be entitled to remain in attendance at STCS, STCS shall not require or request that the student graduate before the end of the student's fourth year of high school.

If STCS determines the student is reasonably able to complete STCS's graduation requirements by the end of the student's fifth year of high school, STCS shall do the following:

1. Inform the student of the student's option to remain at STCS for a fifth year to complete STCS's graduation requirements.
2. Inform the student, and the educational rights holder for the student, about how remaining in school for a fifth year to complete STCS's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at STCS for a fifth year to complete STCS's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the educational rights holder for the student.

**Acceptance of Course Work:** STCS 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.

STCS 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, STCS shall not require the student to retake the portion of the course the student completed unless STCS, 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 STCS receives a transfer request and/or student records request for the educational information and records of a foster youth from a new local educational agency ("LEA"), STCS shall provide these student records within two (2) business days. STCS 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.

STCS shall not lower a foster youth's grades as a result of the student's absence due to a verified court appearance, related court ordered activity, or a change 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 STCS.

In accordance with STCS's Educational Records and Student Information Policy, under limited circumstances, STCS 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 STCS intends to extend the suspension of any foster/ youth pending a recommendation for expulsion, STCS 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 STCS 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, STCS 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 STCS'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 STCS, a copy of STCS'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.

### **Homeless Students**

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

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

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

**School Liaison:** The Executive Director or designee designates the following staff person as the School Liaison for homeless students (42 USC 11432(g)(1)(J) (ii).):

Tera Napier

Deputy Director

101 W. Adell Madera, Ca 93638 (559) 674-1192

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

1. Homeless students are identified by school personnel and through outreach coordination activities with other entities and agencies.
2. Homeless students enroll in, and have a full and equal opportunity to succeed at Sherman Thomas 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 Sherman Thomas 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, Sherman Thomas Charter School charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. School personnel providing services receive professional development and other support.

9. The School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

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/>

**High School Graduation Requirements:** Homeless students who transfer to STCS any time after the completion of their second year of high school shall be exempt from any of STCS's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless STCS makes a finding that the student is reasonably able to complete STCS's graduation requirements by the end of the student's fourth year of high school.

To determine whether a homeless student is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student's school enrollment may be used, whichever will qualify the student for the exemption.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into STCS, STCS shall notify the student, the student's educational rights holder, and the School Liaison of the availability of the exemption and whether the student qualifies for an exemption.

STCS shall notify students who are exempted from STCS's additional graduation requirements and the student's educational rights holder of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and provide information about transfer opportunities available through the California Community Colleges.

STCS shall not require any student who would otherwise be entitled to remain in attendance at STCS to accept the exemption from STCS's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. STCS shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption. An eligible student's exemption from STCS's additional graduation requirements will continue to apply while the student is enrolled in STCS or if the student transfers to another school even after the student no longer meets the definition of a homeless child.

STCS shall not require or request that a student transfer schools in order to qualify the student for the exemption. Nor shall a student, a student's parent/guardian or educational rights holder, or a student's social worker or probation officer request a transfer solely to qualify for an exemption from STCS's additional graduation requirements.

If a student who is exempted from STCS's additional graduation requirements completes the California minimum coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and would otherwise be entitled to remain in attendance at STCS, STCS shall not require or request that the student graduate before the end of the student's fourth year of high school.

If STCS determines the student is reasonably able to complete STCS's graduation requirements by the end of the student's fifth year of high school, STCS shall do the following:

1. Inform the student of the student's option to remain at STCS for a fifth year to complete STCS's graduation requirements.
2. Inform the student, and the educational rights holder for the student, about how remaining in school for a fifth year to complete STCS's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at STCS for a fifth year to complete STCS's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the educational rights holder for the student.

**Acceptance of Course Work:** STCS 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.

STCS 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, STCS shall not require the student to retake the portion of the course the student completed unless STCS, 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 STCS, a copy of STCS'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.

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

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

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status) sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including ancestry, color, ethnic group identification, ethnic background and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, Sherman Thomas Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a

timely manner Sherman Thomas Charter School staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, Sherman Thomas Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom Sherman Thomas Charter School 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. Sherman Thomas Charter School will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. Sherman Thomas Charter School complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

### **Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator (“Coordinator”):**

Tera Napier  
Deputy Director  
101 W. Adell  
Madera, Ca 93638  
tnapier@mystcs.org  
(559) 674-1192

### **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 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 characteristics listed 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 discrimination and harassment on the basis of sex. In accordance with these existing laws, discrimination and harassment on the basis of sex in education institutions, including in the education institutions admissions and employment practice 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 Sherman Thomas Charter School.

Sherman Thomas Charter School is committed to provide a workplace and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of the Title IX and 34.C.F.R Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by a sexual desire when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through 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 themselves or against another individual.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults and
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
  - Preferential treatment or promises of preferential treatment to an 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

- o Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or employee's sex
- Sexual or discriminatory displays or publications anywhere in the workplace or educational environment, such as:
  - o 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 in the work or educational environment
  - o 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
  - o Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms)

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

### **Prohibited Bullying**

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

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

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

**Cyberbullying** is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet,

social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

**Electronic act** means the creation and transmission originated on or off the 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:

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

**Formal Complaint of Sexual Harassment** means a written document filed and signed by a complainant who is participating in or attempting to participate in STCS's education

program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that STCS investigate the allegation of sexual harassment.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

### **Bullying and Cyberbullying Prevention Procedures**

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

#### **1. Cyberbullying Prevention Procedures**

STCS advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- d. To consider how it would feel receiving such comments before making comments about others online.

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

#### **2. Education**

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

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

STCS's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

STCS informs STCS employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

### **3. Professional Development**

STCS annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other STCS employees who have regular interaction with students.

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

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

Charter School also informs certificated employees about the groups of students determined by STCS, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth ("LGBTQ") and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

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

## **Grievance Procedures**

### **1. Scope of Grievance Procedures**

STCS will comply with its Uniform Complaint Procedures (“UCP”) policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person’s association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- a. Are written and signed;
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the STCS UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, STCS will utilize the following grievance procedures in addition to its UCP when applicable.

### **2. Reporting**

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by the Policy , to intervene when 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 employee or 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:

Tera Napier  
Deputy Director  
101 W. Adell  
Madera, Ca 93638  
tnapier@mystcs.org  
(559) 674-1192

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. STCS will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

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

Sherman Thomas Charter School prohibits any form of retaliation against any individual who files report or complaint, testifies, assists, participates, or refused to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

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 and any individual designated as coordinator, investigator or decision-maker will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

### **3. Supportive Measures**

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider the complainant's wishes with respect to supportive

measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to STCS's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or STCS's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. STCS will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of STCS to provide the supportive measures.

## **2. Investigation and Response**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of Sherman Thomas Charter School, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator or administrative designee will inform the complainant of the reasons for the delay or extension 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, the Coordinator or administrative designee will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations
  - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:

- A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
- A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
- A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
- A statement that STCS prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
  - STCS may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with STCS's policies.
  - STCS may remove a respondent from STCS's education program or activity on an emergency basis, in accordance with STCS's policies, provided that STCS undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
  - This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
  - If a formal complaint of sexual harassment is filed, STCS may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If STCS offers such a process, it will do the following:
    - Provide the parties with advance written notice of:
      - The allegations;
      - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
      - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
      - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
    - Obtain the parties' advance voluntary, written consent to the informal resolution process.

- STCS will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
  - The decision-maker will not be the same person(s) as the Coordinator or the investigator. STCS shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
  - In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
  - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
  - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
  - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
  - Prior to completion of the investigative report, STCS will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
  - The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
  - If the investigation reveals that the alleged harassment did not occur in STCS's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable STCS policy.
  - STCS may dismiss a formal complaint of sexual harassment if:
    - The complainant provides a written withdrawal of the complaint to the Coordinator;
    - The respondent is no longer employed or enrolled at STCS; or

- The specific circumstances prevent STCS from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
  - If a formal complaint of sexual harassment or any of the claims therein are dismissed, STCS will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
  - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
  - STCS will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
    - The allegations in the formal complaint of sexual harassment;
    - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
    - The findings of facts supporting the determination;
    - The conclusions about the application of STCS's code of conduct to the facts;
    - The decision and rationale for each allegation;
    - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
    - The procedures and permissible bases for appeals.

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

## **5. Consequences**

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from STCS or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by STCS in response to a formal complaint of sexual harassment.

## **6. Right of Appeal**

Should the reporting individual find STCS's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of STCS's decision or resolution, submit a written appeal to the President of the STCS Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and STCS will implement appeal procedures equally for both parties.
- STCS will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

## **7. Recordkeeping**

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

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

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in to a report or formal complaint of sexual harassment.

**SHERMAN THOMAS CHARTER SCHOOL**

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

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date of Alleged Incident(s): \_\_\_\_\_

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

\_\_\_\_\_ List any witnesses that were present:

\_\_\_\_\_ Where did the incident(s) occur?  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
Signature of Complainant

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**To be completed by Sherman Thomas Charter School:**

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

Follow up Meeting with Complainant held on: \_\_\_\_\_

**School Calendar  
2020-2021  
DAYS SCHOOL CLOSED AND HALF DAYS**

<b>August 17th</b>	First Day of School
<b>August 31st</b>	Staff Development (½ day)
<b>September 7th</b>	Labor Day (no school)
<b>September 14th</b>	Staff Development (½ day)
<b>September 18th</b>	Parent/Teacher Conference (no school)
<b>September 28th</b>	Staff Development (½ day)
<b>October 5th</b>	Staff Development (½ day)
<b>October 19th</b>	Staff Development (½ day)
<b>November 2nd</b>	No school
<b>November 11th</b>	Veteran's Day (no school)
<b>November 20th</b>	All Thanksgiving Celebrations (½ day)
<b>November 23rd - 27th</b>	Thanksgiving Holiday (no school)
<b>November 30th</b>	Staff Development (½ day)
<b>December 18th</b>	Staff Development (½ day)
<b>December 21st – January 8th</b>	Christmas Break (no school)
<b>2021</b>	
<b>January 11th</b>	Return to School
<b>January 18th</b>	Martin Luther King Jr. (no school)
<b>January 25th</b>	Staff Development (½ day)
<b>February 1st</b>	Staff Development (½ day)
<b>February 8th</b>	President's Day (no school)
<b>February 15th</b>	Washington's Birthday (no school)
<b>February 22nd</b>	Half Day
<b>March 1st</b>	Staff Development (½ day)
<b>March 15th</b>	Staff Development (½ day)
<b>March 26th</b>	Staff Development ½ day)
<b>March 29th - April 2nd</b>	Easter Break (no school)
<b>April 5th</b>	Staff Development (1/2 day)
<b>April 19th</b>	Staff Development (½ day)
<b>May 3rd</b>	Staff Development (½ day)
<b>May 24th, 25th, 26th, 27th</b>	Half Days
<b>May 28th</b>	Last Day of School (½ day)

\*\*\*\*Dates and events are subject to change. Please look at the monthly calendars sent home for a more accurate calendar\*\*\*\*

### **Pupil Records, including Challenges and Directory Information**

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

### **Pupil Records, including Challenges and Directory Information**

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

1. The right to inspect and review the student's education records within 5 business days after the day Sherman Thomas Charter School receives a request for access. Parents or eligible students should submit to Sherman Thomas Charter School Executive Director or designee a written request that identifies the records they wish to inspect.

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

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

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

student, the Executive Director must order the correction or the removal and destruction of the information and inform the parent or eligible student of the amendment in writing.

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

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

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

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

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

Student Privacy Policy 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 Sherman Thomas Charter School to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A School may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student —

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

State and Local authorities, within a juvenile justice system, pursuant to specific State law;  
A foster family agency with jurisdiction over a currently enrolled or former student, a short-Term residential treatment program staff responsible for the education or case management Of a student, and a caregiver (regardless of whether the caregiver has been appointed as The student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or

non-related extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by Sherman Thomas Charter School for student and parents, and any individualized education program (“IEP”) or Section 504 plan that may have been developed or maintained by Charter School; and/or A victim of an alleged perpetrator of a crime or violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceedings conducted by Sherman Thomas Charter School with respect to that alleged crime or offense. Sherman Thomas Charter School discloses the final results of the disciplinary proceeding regardless of whether Sherman Thomas Charter School concluded a violation was committed.

“Directory Information” is information that is generally not considered harmful or an invasion of privacy if released. Directory information can be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. Sherman Thomas Charter School has designated the following information as directory information:

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

If you do not want Sherman Thomas Charter School to disclose directory information from your child’s education records without your prior written consent, you must notify Sherman Thomas Charter School in writing at the time of enrollment or re-enrollment. Please notify the Executive Director At:rl<sup>e</sup>ach@stcsca.org or (559) 675-6613. A copy of the complete Policy is available upon request at the main office.

## **Uniform Complaint Procedure**

### **Annual Notification**

Sherman Thomas Charter School has primary responsibility to ensure compliance with applicable state and federal laws and regulations

Sherman Thomas will investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by our Governing Board for the following types of complaints. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, genetic information, physical disability, mental disability, medical condition, marital status, nationality, national origin, race or ethnicity, 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 Sherman Thomas Charter School program or activity that receives or benefits from state financial assistance.

Complaints alleging a violation of state or federal law or regulation governing the following programs:

- Accommodations for Pregnant, Parenting or Lactating Students;
- Adult Education;
- Career Technical and Technical Education;
- Career Technical and Technical Training;
- Child Care and Development Programs;
- Consolidated Categorical Aid;
- Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
- Every Student Succeeds Act
- Migrant Education programs
- Regional Occupational Centers and Programs; and School Safety Plans.

Complaints alleging of noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or Local Control and Accountability Plans (“LCAP”) under Education Code sections 47606.5 and 47607.3, as applicable. If Sherman Thomas Charter School adopts a School Plan for Student Achievement (“SPSA”) in addition to its LCAP, complaints of noncompliance with the requirements of the SPSA under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under the UCP.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

Complaints regarding state preschool health and safety issues in local educational agencies exempt from licensing are governed by 5 C.C.R. sections 4690-4694, except as otherwise indicated. Sherman Thomas Charter School is operating the following preschool programs as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations: [INSERT APPLICABLE PROGRAMS]. Sherman Thomas Charter School is operating the following preschool programs pursuant to Title 22 licensing requirements: [INSERT APPLICABLE PROGRAMS].

Complaints of noncompliance with laws relating to pupil fees may be filed with the Principal of a school. Only complaints regarding pupil fees or LCAP compliance may be filed anonymously and only if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees or LCAP. Complaints other than complaints relating to pupil fees must be filed in writing with the Compliance Officers listed below

### **Compliance Officers**

Complaints should be directed to the school compliance officer Roger Leach, Executive Director, 101 W. Adell St., Madera, CA 93638 (559) 675-6613.

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

The compliance officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with Sherman Thomas Charter School's UCP Policy. The Compliance Officer shall provide the complainant with a final written investigation report ("Decision") within sixty (60) calendar days from Sherman Thomas Charter School's receipt of complaint. This sixty (60) calendar day time period may be extended by written agreement of the complainant.

The complainant has a right to appeal Sherman Thomas Charter School's Decision to the California Department of Education ("CDE") by filing a written appeal within thirty (30) days of the date of Sherman Thomas Charter Schools Decision, except if Charter School has used its UCP to address a complaint that is not subject to the UCP requirements. The appeal must include a copy of the complaint filed with the Sherman Thomas Charter School, a copy of Sherman Thomas Charter School's Decision, including at least one of the following:

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

A complainant who appeals Sherman Thomas Charter School's Decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3.), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision.

If a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.

If Sherman Thomas Charter School finds merit in a UCP complaint, or the CDE finds merit in an appeal, Sherman Thomas Charter School shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.

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

A copy of the UCP policy and complaint procedures shall be available free of charge in the School 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 Director.

**UNIFORM COMPLAINT PROCEDURE FORM**

Last Name: \_\_\_\_\_  
First Name/MI: \_\_\_\_\_  
Student Name (if applicable): \_\_\_\_\_  
Grade: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Street Address/Apt. #: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Zip Code: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
Work Phone: \_\_\_\_\_  
School/Office of Alleged Violation: \_\_\_\_\_

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

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

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

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

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

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

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

I have attached supporting documents.  Yes  No

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Mail complaint and any relevant documents to:

Roger Leach  
101 W. Adell Street  
Madera, CA 93638  
559-674-1192

# STUDENT FEES POLICY PURSUANT TO AB 1575

In Order to be fully compliant with Assembly Bill 1575 (2012), the Sherman Thomas Charter School has adopted the following policies and procedures regarding student fees.

1. Students enrolled in the Sherman Thomas Charter School shall not be required to pay a “pupil fee” for participation in an “educational activity,” whether required or elective and without regard to whether the activity is credit-bearing. Education Code section 49010(a) defines “educational activity” as an activity offered by a charter school that constitutes “an integral fundamental part of elementary and secondary education, including but not limited to, curricular and extracurricular activities.” This does not include, and therefore a fee may be charged, for non-educational services that a charter school elects to provide, such as bus transportation, health services, or nutrition services.
2. All supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge.
3. STCS does not use a “fee waiver” policy to make pupil fees permissible.
4. STCS does not intend to establish a two-tier educational system by requiring a minimal educational standards and also offering a second higher educational standard the pupils may only obtain through payment of a fee or purchase of additional supplies that the school does not provide.
5. STCS does not offer course or credit privileges related to educational activities in exchange for money or donations of goods or services from pupil or the pupil’s parents or guardians, nor shall the school remove such credit or privileges, or otherwise discrimination against a pupil, for failure to make a donation.
6. Voluntary donations of time, funds or property or participation in fundraising activities are encouraged and allowed, but such fund raising is COMPLETELY VOLUNTARY. Pupils may be encouraged to participate in fundraising activities through prizes or other recognition for voluntary participation.
7. STCS does not require the purchase of any uniform or any logoed articles of clothing. Entirely optional logoed clothing can be worn voluntarily and may require payment of a fee.
8. All fees allowed under Education Code section 48904 regarding damaged or unreturned items remain allowed under this policy. Specifically, uniform items, books, or other materials loaned free of charge to students must be replaced if willfully damaged. The amount charged will be the cost of repair or replacement, whichever is less. It is STCS’s policy that any student or family who cannot afford to replace the item shall be eligible for a scholarship to replace the item free of charge in exchange for additional voluntary school service on the part of the student and/or parent. Given the nature of STCS as a public charter school of choice, in which a parent enrolls their child partly with the intent to instill a sense of personal responsibility in the child, STCS believes that when a student loses or damages school property, the school’s role in helping instill that responsibility includes an obligation to repay the school for that item in the form of cash or services equivalent to the amount owed by the student under this policy, at a rate of \$15 per hour of service.

9. Purely recreational activities may be subject to mandatory fees (dances, attendance at optional outdoor education, leadership development, athletic events for spectators, or Washington D.C trip).
10. STCS will not discriminate in any way based on whether a pupil, parents, or guardians contribute time or money to the school.
11. STCS allows the purchase of optional items such as yearbooks, school pictures, etc. and does not consider those as required fees.
12. STCS does ask families to donate 30 voluntary service hours to the school. STCS provides many ways parents can get credit for hours, including attendance at parent meetings, report card nights, family events, etc. If a family does not provide some or all of those hours, the school will not discriminate against those families in any way.
13. Parents or guardians who believe that they are being charged a fee for anything they believe is illegal under AB1575 should contact the Director Roger Leach at (559) 675-6613 101 W. Adell Madera, Ca 93638 immediately to file a complaint under STCS's Uniform Compliant procedures.
14. Complaints will be investigated and resolved within 60 days of receipt of the complaint. If the complaint is resolved pursuant to an investigation, the Director shall issue a written decision stating the finding of fact and the reasons for the disposition of the complaint.
15. If a complaint is found to have merit, the school will make reasonable efforts to reimburse all affected pupils, parents, or guardians.
16. If a complaint is not satisfied with the decision of the Director of STCS, the complainant may appeal to the California Department of Education.
17. This policy will be published in the school's annual "Student/Parent Handbook."

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

The Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at Sherman Thomas Charter Schools ("Charter School"). In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension and 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 only policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter as 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 Parent 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 this 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 Principal's office.

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

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

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

#### **A. Grounds for Suspension and Expulsion of Students**

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

#### **B. Enumerated Offenses**

***The following actions are deemed unacceptable at Sherman Thomas Charter School. Committing any of these actions may result in suspension and could be grounds for expulsion:***

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.  
 (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.  
 (3) Except as provided in Section 48910, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (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 purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (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 pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has 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 pupils’ 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 substantial interference with his or her academic performance.
    - Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - (2) (A) “Electronic act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - 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. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
    - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “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.
    - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “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.
    - (I) 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 (A) to (D), 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.

- (II) 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.
- (B) Notwithstanding paragraph (1) and subparagraph (A), 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.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, 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 his or her exceptional needs.
- (s) In addition to the reasons specified above, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5. For the purposes of this chapter, 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 not apply to pupils enrolled in grades 1 to 3, inclusive.
- (t) In addition to the grounds set forth above, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.
- (u) In addition to the grounds specified above, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.
- (v) In addition to the grounds specified above, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.
  - 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 (\$1000), 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 district property, or the personal property of the person threatened or his or her immediate family.

- 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, pursuant to this section, 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 (a).
- As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.
- It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

A. **Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal’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 Principal or designee.

The conference may be omitted if the Principal 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. This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, 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.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and pupil's parents fail to attend the conference.

This determination will be made by the Principal 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.

#### 4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two or more schooldays, the homework that the pupil would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

### **B. Authority to Expel**

A student may be expelled either by the 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 of Directors as needed. The Administrative Panel should consist of at least three members from any of the charter schools operated by STCS, who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

### **C. Expulsion Procedures**

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal 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 a 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.

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

The Charter School may, upon 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 by the Charter School hearing officer. Copies of these sworn declarations, edited to delete the name and the identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided a copy of the applicable disciplinary rules and advise of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to

the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during the testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that the extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding sexual behavior of the complaining witness is not admissible for any purpose.

#### **E. 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.

#### **F. 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.

#### **G. Written Notice to Expel**

The Principal 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 Principal 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.

#### **H. 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.

#### **I. No Right to Appeal**

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

#### **J. 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 expulsions.

#### **K. 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 admission.

#### **L. 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 Principal 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 Principal or designee shall make a recommendation to the Board of directors following a 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.

#### **M. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities**

##### *1. 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 that the Charter School or the SELPA would be deemed to have knowledge that the student had a disability.

##### *2. Services During Suspension*

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

##### *3. Procedural Safeguards/Manifestation Determination*

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

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

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

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

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

- i. 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;
- ii. If a behavioral intervention plan has been developed, review the behavioral intervention plan. If the child already has such a behavioral intervention plan, modify it, as necessary, to address the behavior; and
- iii. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

#### *4. Due Process Appeals*

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

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

#### *5. Special Circumstances*

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

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

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

#### 6. *Interim Alternative Educational Setting*

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

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

A student who has not been identified as an individual with disabilities pursuant to 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:

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

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

**Professional Boundaries: Staff/Student Interaction Policy**

## **Suicide Prevention**

### **Sherman Thomas Charter Schools Youth Suicide Prevention Policy**

The Governing Board of Sherman Thomas Charter Schools recognizes that suicide is a leading cause of death among youth and that an even greater amount of youth consider (17 percent of high school students) and attempt suicide (over 8 percent of high school students) (Centers for Disease Control and Prevention, 2015).

The possibility of suicide and suicidal ideation requires vigilant attention from our school staff. As a result, we are ethically and legally responsible for providing an appropriate and timely response in preventing suicidal ideation, attempts, and deaths. We also must work to create a safe and nurturing campus that minimizes suicidal ideation in students.

Recognizing that it is the duty of the district and schools to protect the health, safety, and welfare of its students, this policy aims to safeguard students and staff against suicide attempts, deaths and other trauma associated with suicide, including ensuring adequate supports for students, staff, and families affected by suicide attempts and loss. As it is known that the emotional wellness of students greatly impacts school attendance and educational success, this policy shall be paired with other policies that support the emotional and behavioral wellness of students.

This policy is based on research and best practices in suicide prevention, and has been adopted with the understanding that suicide prevention activities decrease suicide risk, increase help-seeking behavior, identify those at risk of suicide, and decrease suicidal behaviors. Empirical evidence refutes a common belief that talking about suicide can increase risk or “place the idea in someone’s mind.”

In an attempt to reduce suicidal behavior and its impact on students and families, the Executive Director or Site Principal, shall develop strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges frequently associated with suicidal thinking and behavior. These strategies shall include professional development for all school personnel in all job categories who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide.

The Executive Director or Site Principal shall develop and implement preventive strategies and intervention procedures that include the following:

#### **Overall Strategic Plan for Suicide Prevention**

The Executive Director or Site Principal shall involve 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, law enforcement, and community organizations in planning, implementing, and evaluating the organization's strategies for suicide prevention and intervention. Sherman Thomas Charter Schools works with and utilizes personnel and resources from Madera Unified School District (MUSD), Madera County Superintendent of Schools (MCSOS), California Risk Management Authority (CRMA), the California Department of Education (CDE) and our local governing board, which is comprised of parents, community members, and business partners.

Each school shall identify at least one staff member to coordinate and implement suicide prevention activities on their specific campus. This policy shall be reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

## **Prevention**

### **A. Messaging about Suicide Prevention**

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, Sherman Thomas Charter Schools, along with its partners, has critically reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide.

### **B. Suicide Prevention Training and Education**

The Sherman Thomas Charter Schools, 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 and other adults on campus who are working directly with students on a regular basis.

#### **Training:**

- At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention. Staff training can be adjusted year-to-year based on previous professional development activities and emerging best practices.
- 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. Previously employed staff members shall attend annual general

suicide prevention training. Core components of the general suicide prevention training shall include:

- Suicide risk factors, warning signs, and protective factors;
  - How to talk with a student about thoughts of suicide;
  - 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;
  - 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;
  - Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide;
  - 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.
- In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff should include the following components:
    - The impact of traumatic stress on emotional and mental health;
    - Common misconceptions about suicide;
    - School and community suicide prevention resources;
    - Appropriate messaging about suicide (correct terminology, safe messaging guidelines);
    - The factors associated with suicide (risk factors, warning signs, protective factors);
    - How to identify youth who may be at risk of suicide;
    - 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 district 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 district guidelines;

- District-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;
  - District-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention);
  - Responding after a suicide occurs (suicide postvention);
  - Resources regarding youth suicide prevention;
  - Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide;
  - 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.
- The professional development also shall include additional 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:
    - Youth affected by suicide;
    - Youth with a history of suicide ideation or attempts;
    - Youth with disabilities, mental illness, or substance abuse disorders;
    - Lesbian, gay, bisexual, transgender, or questioning youth;
    - Youth experiencing homelessness or in out-of-home settings, such as foster care;
    - Youth who have suffered traumatic experiences;

### **C. Employee Qualifications and Scope of Services**

Employees of the Sherman Thomas Charter Schools and their partners 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.

#### **D. Parents, Guardians, and Caregivers Participation and Education**

- To the extent possible, parents/guardians/caregivers should be included in all suicide prevention efforts.
- All parents/guardians/caregivers should have access to suicide prevention information that addresses the following:
  - Suicide risk factors, warning signs, and protective factors;
  - 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.

#### **E. Student Participation and Education**

The Sherman Thomas Charter Schools, has carefully reviewed available student curricula to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Under the supervision of school-site leadership, students shall:

- Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress;
- Receive developmentally appropriate guidance regarding the organization's suicide prevention, intervention, and referral procedures.
- The content of the education shall include:
  - Coping strategies for dealing with stress and trauma;
  - How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others;

- Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help;
- Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.

Student-focused suicide prevention education can be incorporated into classroom curricula.

## **Intervention, Assessment, Referral**

### **A. Staff**

The Executive Director and each Site Principal shall be designated as the primary and secondary suicide prevention liaisons. Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify a designated suicide prevention liaison. If their Site Principal or the Executive Director is unavailable they shall promptly notify the principal at one of the other two sites.

- The principal, another school administrator, school counselor, school psychologist, social worker, or nurse shall then notify, if appropriate and in the best interest of the student, the student's parents/guardians/caregivers as soon as possible and shall refer the student to mental health resources in the school or community. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

If the 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.

- Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary or secondary suicide prevention liaisons.
- Students experiencing suicidal ideation shall not be left unsupervised.
- A referral process should be prominently disseminated to all staff members, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.

- The Executive Director or Site Principal shall establish crisis intervention procedures to ensure student safety and appropriate communications if a suicide occurs or an attempt is made by a student or adult on campus or at a school-sponsored activity.

## **B. Parents, Guardians, and Caregivers**

A referral process should be disseminated to all parents/guardians/caregivers, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.

## **C. Students**

Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they suspect or have knowledge of another student's emotional distress, suicidal ideation, or attempt.

## **D. Parental Notification and Involvement**

Each school within Sherman Thomas Charter Schools shall identify a process to ensure continuing care for the student identified to be at risk of suicide. The following steps should be followed to ensure continuity of care:

- After a referral is made for a student, school staff shall verify with the parent/guardian/caregiver that follow-up treatment has been accessed. Parents/guardians/caregivers will be required to provide documentation of care for the student.
- If parents/guardians/caregivers 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 point of contact (or other appropriate school staff member) will meet with the parents/guardians/caregivers to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of the importance of care. If follow-up care for the student is still not provided, school staff should consider contacting Child Protective Services (CPS) to report neglect of the youth.

## **E. Action Plan for In-School Suicide Attempts**

If a suicide attempt is made during the school day on campus, it is important to remember that the health and safety of the student and those around him/her is critical. The following steps should be implemented:

- Remain calm, remember the student is overwhelmed, confused, and emotionally distressed;
- Call 911 and give them as much information about any suicide note, medications taken, and access to weapons, if applicable;
- If needed, provide medical first aid until a medical professional is available;
- Move all other students out of the immediate area;
- Contact the administrator or suicide prevention liaison;
- Parents/guardians/caregivers should be contacted as soon as possible;
- Do not send the student away or leave them alone, even if they need to go to the restroom;
- Listen and prompt the student to talk;
- Review options and resources of people who can help;
- Be comfortable with moments of silence as you and the student will need time to process the situation;
- Provide comfort to the student;
- Promise privacy and help, and be respectful, but do not promise confidentiality;
- Student should only be released to parents/guardians/caregivers or to a person who is qualified and trained to provide help.

#### **F. Action Plan for Out-of-School Suicide Attempts**

If a suicide attempt by a student is outside of Sherman Thomas Charter Schools property, it is crucial that the LEA protects the privacy of the student and maintain a confidential record of the actions taken to intervene, support, and protect the student. The following steps should be implemented:

- Contact the parents/guardians/caregivers and offer support to the family;
- Discuss with the family how they would like the school to respond to the attempt while minimizing widespread rumors among teachers, staff, and students;

- Obtain permission from the parents/guardians/caregivers to share information to ensure the facts regarding the crisis is correct;
- Designate a staff member to handle media requests;
- Provide care and determine appropriate support to affected students;
- Offer to the student and parents/guardians/caregivers steps for re-integration to school.

### **G. Supporting Students after a Mental Health Crisis**

It is crucial that careful steps are taken to help provide the mental health support for the student and to monitor their actions for any signs of suicide. The following steps should be implemented after the crisis has happened:

- Treat every threat with seriousness and approach with a calm manner; make the student a priority;
- Listen actively and non-judgmental to the student. Let the student express his or her feelings;
- Acknowledge the feelings and do not argue with the student;
- Offer hope and let the student know they are safe and that help is provided. Do not promise confidentiality or cause stress;
- Explain calmly and get the student to a trained professional, guidance counselor, or designated staff to further support the student;
- Keep close contact with the parents/guardians/caregivers and mental health professionals working with the student.

### **H. Re-Entry to School After a Suicide Attempt**

A student who threatened or attempted suicide is at a higher risk for suicide in the months following the crisis. Having a streamlined and well planned re-entry process ensures the safety and wellbeing of students who have previously attempted suicide and reduces the risk of another attempt. An appropriate re-entry process is an important component of suicide prevention. Involving students in planning for their return to school provides them with a sense of control, personal responsibility, and empowerment.

The following steps shall be implemented upon re-entry:

- Obtain a written release of information signed by parents/guardians/caregivers and providers;
- Confer with student and parents/guardians/caregivers about any specific requests on how to handle the situation;
- Inform the student's teachers about possible days of absences;
- Allow accommodations for student to make up work (be understanding that missed assignments may add stress to student);
- Mental health professionals or trusted staff members should maintain ongoing contact to monitor student's actions and mood;
- Work with parents/guardians/caregivers to involve the student in an aftercare plan.

#### **I. 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 students and staff. Therefore, it is vital that we are prepared ahead of time in the event of such a tragedy. The Executive Director for the Sherman Thomas Charter Schools, along with the Site Principals, shall implement the Suicide Postvention Plan.

- Suicide Postvention Response Plan:
  - Identify a staff member to confirm death and cause (school site administrator);
  - Identify a staff member to contact deceased's family within 24 hours (school site administrator);
  - Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
- Coordinate an all-staff meeting, to include:
  - Notification (if not already conducted) to staff about suicide death;
  - Emotional support and resources available to staff;

- Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration);
  - Share information that is relevant and that which you have permission to disclose.
- Prepare staff to respond to needs of students regarding the following:
  - Review of protocols for referring students for support/assessment;
  - Talking points for staff to notify students;
  - Resources available to students (on and off campus).
- Identify students significantly affected by suicide death and other students at risk of imitative behavior;
- Identify students affected by suicide death but not at risk of imitative behavior;
- Communicate with the larger school community about the suicide death;
- Consider funeral arrangements for family and school community;
- Respond to memorial requests in respectful and non-harmful manner; responses should be handed in a thoughtful way and their impact on other students should be considered;
- Identify media spokesperson skilled to cover story without the use of explicit, graphic, or dramatic content.
- Utilize and respond to social media outlets:
  - Identify what platforms students are using to respond to suicide death
  - Identify/train staff and students to monitor social media outlets
- Include long-term suicide postvention responses:
  - Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed
  - Support siblings, close friends, teachers, and/or students of deceased

- Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide

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