The School of Arts and Enterprise
Unlocking your creative excellence!
2019-2020 Student-Parent Handbook
A Guide for Students, Parents/Legal Guardians, and Staff

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Letter from our Executive Director

SAE Community,

The School of Arts and Enterprise is a special place. I have had the pleasure of serving in different capacities in multiple locales throughout my career, but in such a short time, The SAE has left an indelible mark on me and I am privileged to be a part of it.

The students here are unique and powerful. Our student community is full of thespians, vocalists, dancers, visual and digital artists, film makers, and instrumental musicians who are imaginative and brimming with unmatched potential.

We are a community that believes in education for ALL students as a basic human right. We understand the need to invest in the whole child, to celebrate with them when they are successful and undergird them during challenging times. Our teachers are proud to serve here and understand the unique opportunity that is each school day. They have been moved to emotion watching the peerless performance of their very own student, who sat in their class hours earlier, transform in front of a capacity audience.

As you read this Student-Parent Handbook with your child, partner with us in our continuous push to student achievement. The Handbook is an important part of The SAE and includes our policies, procedures, technology agreement, and important information that will help guide us all to a successful school year.

Thank you, for being a part of The SAE Community.

Sincerely,

Jon Gundry
Executive Director
Mission Statement

To create accomplished life-long learners, The SAE’s standards-aligned, college-preparatory school program emphasizes arts and business through innovative project-based learning.

PHILOSOPHY, GOALS AND OBJECTIVES
The Governing Board (“Board”) and staff of the School of Arts and Enterprise (“The SAE” or “Charter School”) believes that the effectiveness of the educational program of the school depends fundamentally upon a sound philosophic base, a set of agreed upon goals and detailed objectives consistent with these goals.

Education is the life-long development and cultivation of the mind, body and character. The SAE and its Board work to provide the best possible educational opportunities for its community. The SAE emphasizes education of the whole person by promoting intellectual, emotional, physical and social growth upon which each student may build his or her future. Students are treated as individuals and develop the skills of a responsible member of a democratic society and changing world.

An educated person in the 21st century will have accumulated a large base of global knowledge upon which to build in order to achieve success in a highly technical and sophisticated society. The global economy and international interdependence will demand a strong knowledge of information technology. A core of knowledge in the subjects of language arts, math, geography, history, science, art and entrepreneurship will be basic requirements. The ability to work well in teams, think critically and creatively, solve complex problems, communicate effectively, and employ the skills of a life-long learner will also be essential for success in the workplace. Such knowledge must enjoy synergy and successful learners will be able to combine the core knowledge with artistic understanding, and the ability to collaborate efficiently with others. Finally, an educated person in the 21st century will understand the need for civic responsibility and social justice.

Students come to schools at different levels of development and with a variety of experiences. They learn at different rates and in different ways. The SAE shall provide an educational experience that allows for these individual differences and ensure that each student has an equal opportunity to reach his or her full potential.
## The SAE Bell Schedules 2019-20

### Regular Day Bell Schedules

#### Grades 6 - 8

<table>
<thead>
<tr>
<th>Period</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>0'</td>
<td>7:55-8:35</td>
</tr>
<tr>
<td>1</td>
<td>8:45-9:35</td>
</tr>
<tr>
<td>Breakfast</td>
<td>9:35-9:50</td>
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<tr>
<td>2</td>
<td>9:55-10:45</td>
</tr>
<tr>
<td>3</td>
<td>10:50-11:40</td>
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<tr>
<td>House or Lunch 1</td>
<td>11:40-12:10</td>
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<tr>
<td>House or Lunch 2</td>
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<tr>
<td>4</td>
<td>12:50-1:40</td>
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<td>5</td>
<td>1:45-2:35</td>
</tr>
<tr>
<td>6</td>
<td>2:40-3:30</td>
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#### Grades 9 - 12

<table>
<thead>
<tr>
<th>Block</th>
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</thead>
<tbody>
<tr>
<td>0'</td>
<td>7:10-7:55</td>
</tr>
<tr>
<td>1 or 2</td>
<td>8:05-9:35</td>
</tr>
<tr>
<td>Breakfast</td>
<td>9:35-9:55</td>
</tr>
<tr>
<td>3 or 4</td>
<td>9:55-11:25</td>
</tr>
<tr>
<td>House</td>
<td>11:35-12:10</td>
</tr>
<tr>
<td>Lunch</td>
<td>12:10-12:40</td>
</tr>
<tr>
<td>5 or 6</td>
<td>12:50-2:20</td>
</tr>
<tr>
<td>7</td>
<td>2:30-3:15</td>
</tr>
<tr>
<td>8'</td>
<td>3:25-4:55</td>
</tr>
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### Friday Bell Schedules

#### Grades 6 - 8

<table>
<thead>
<tr>
<th>Period</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>8:05-8:50</td>
</tr>
<tr>
<td>B</td>
<td>8:55-9:40</td>
</tr>
<tr>
<td>Breakfast</td>
<td>9:40-10:00</td>
</tr>
<tr>
<td>C</td>
<td>10:05-10:50</td>
</tr>
<tr>
<td>D</td>
<td>10:55-11:40</td>
</tr>
<tr>
<td>E</td>
<td>11:45-12:30</td>
</tr>
<tr>
<td>Lunch</td>
<td>12:35-1:05</td>
</tr>
<tr>
<td>FAA**</td>
<td>1:05-3:30</td>
</tr>
</tbody>
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#### Grades 9 - 12

<table>
<thead>
<tr>
<th>Block</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>8:05-9:00</td>
</tr>
<tr>
<td>B</td>
<td>9:10-10:05</td>
</tr>
<tr>
<td>Breakfast</td>
<td>10:05-10:25</td>
</tr>
<tr>
<td>C</td>
<td>10:35-11:30</td>
</tr>
<tr>
<td>D</td>
<td>11:40-12:35</td>
</tr>
<tr>
<td>Lunch</td>
<td>12:35-1:05</td>
</tr>
<tr>
<td>FAA**</td>
<td>1:05-3:30</td>
</tr>
</tbody>
</table>

*Period 0, Block 0, and Block 8 are optional courses

** Friday Afternoon Arts (FAA) attendance is determined by student's art department
21st Century Learning Goals:
The SAE UNLOCK Skills

Understand Diversity.
Understand the opportunities and challenges of diversity on a local and global scale.
• model respect for all human diversity
• understand environmental, historical, and global trends
• assume responsibility for your actions

Never give up on excellence.
Never give up on excellence--rethink, revise, refine.
• commit to high-quality craftsmanship and excellence through reflection and revision
• critique your work using established workplace criteria

Learn to problem-solve.
Learn to problem-solve through creativity and critical thinking.
• seek out innovation and expert resources to analyze, evaluate, and synthesize
• hypothesize creative solutions and complete rigorous experiments to test them
• use data to drive decision-making

Open yourself to collaboration.
Open yourself to allow for effective collaboration.
• practice active listening and reflective dialogue
• abide by community norms
• solve problems in teams using roles and expectations to set and monitor goals

Communicate clearly.
Communicate your ideas and opinions clearly using 21st century tools.
• use precise questions to drive your investigations
• critically use a variety of media formats to express ideas clearly, creatively, and concisely

Know how to market.
Know how to market your talents using 21st century skills.
• use social media with an understanding of the risks and power inherent in them
• understand and use the elements of discourse in the Information Age to effectively market your ideas
• analyze opportunities and challenges in order set and achieve life goals
Learning and Standards-Based Grading Policy

The SAE’s instructional approach, Mastery Learning, is designed to help all students improve their learning. Some key aspects of mastery learning include:

- Learning objectives will be transparent from the first day of a unit and on each assignment.
- Students will have opportunities to track and reflect on their progress on the standards.
- Formative assessments are opportunities for students to practice the standards.
- Summative assessments are the primary factor in academic grades.
- Multiple summative assessments that address various learning styles will be used.
- Grades are based ONLY on mastery of academic standards and UNLOCK skills. Students must earn a C or higher to pass a course and receive credits.

Standards-based Grading

The SAE has adopted the Mastery Learning model of standards-based grading. Students are evaluated based on specific academic standards and UNLOCK skills. Students are not given “points” for simply completing work or participating. Student must demonstrate their knowledge and abilities on a variety of assessment types (quizzes, oral quizzes, discussions, tests, essays, reports, speeches, projects, presentations, portfolios).

For every assignment, students are evaluated on a 4-point rubric:

- 4.0 = Advanced
- 3.5 = Approaching Advanced
- 3.0 = Proficient
- 2.5 = Approaching Proficient
- 2.0 = Basic
- 1.5 or 1 = Below Basic

Formative vs. Summative Assessments

For the purpose of Mastery Learning, it is important to recognize the difference between “formative” and “summative” assessments.

Formative Assessments are activities given during the instructional process to inform teachers how students are progressing toward the learning goals and help students understand and track their progress towards standards mastery. Every formative assessment is aligned to a specific standard or standards. Formative assessments are included in the grade book to guide instruction and inform teachers of student learning needs. Students are given ample chances to move towards mastery of standards through formative assessments. However, final grades are tabulated only through summative assessments.

Summative Assessments are given to enable students to demonstrate their mastery of the standards. Every summative assessment is aligned to a specific standard or standards. Students take
summative assessments only after feedback from multiple formative assessments have been received.

Grades on summative assessments are the primary calculation for a student’s final course grade. Because formative assessments are required before summative assessments, retakes on summative assessments are discouraged. Retakes on summative assessments will be granted on a case-by-case basis.

**Final Course Mark for Mastery Learning**
A student’s final course grade should be an accurate reflection of the level of standards that have been mastered by the end of the course. Final grades will be an average of the most recent assessment of each standard as well as UNLOCK Skills assessments. UNLOCK Skills will count for about 10% of the final grade for academic courses.

**A Note on Quarterly Progress Reporting for Mastery Learning**
Please note that in the Mastery Learning model, a student’s grade shows the level of mastery they have achieved on specific standards in that content area. It is NOT necessarily an indication of how hard a student is working or how well they behave in class.

If a student is failing for the overall course at the quarter, please refer to the individual progress report or grade book entries from that teacher in the Powerschool online portal to see which standards the student needs more practice or help with during tutoring. (If you have trouble accessing the Powerschool online portal, please call The SAE Main Office for assistance.) Mastering knowledge and skills happens over time, with many opportunities for application and practice. Students may not yet have a passing grade because the course is only half over at the quarter progress report. Students will have opportunities to retake assessments and therefore show their mastery of skills and knowledge as the semester continues.

Mastery Learning hugely improves student success in high school and prepares students for college; based on research, Mastery Learning makes a difference in students’ lives.

**Cal Grant Program Notice**
The SAE 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 or parent/guardian for those under 18 opt-out. Students currently in eleventh (11th) grade will be deemed a Cal Grant applicant, unless the Student (or Parent, if the Student is under 18) has opted out by or before February 1.

**Tutoring**
After school tutoring is available, and an important part of ensuring student success at The SAE. A schedule of which classrooms will be open each day will be provided to students by their individual teachers. Teachers will notify parents of a student’s need to attend tutoring sessions. Attendance will be taken during all tutoring sessions. Tutoring is an opportunity for students to gain additional targeted instruction to further student understanding concepts taught in class, and to work towards mastery of standards.

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

**House-Advisory**

Students are grouped into Houses. Houses are groups of students that meet during scheduled House time. Houses serve a variety of functions, including the following:

- House is an important vehicle to re-emphasize UNLOCK skills.
- Houses serve a basic structural function, including attendance taking, announcements, emergency planning, etc.
- Houses allow groups of students to develop group process skills on an ongoing basis.
- House advisors work with their House during assessment periods and act as liaisons between students and other faculty and between parents/legal guardians and faculty.
- House promotes a highly personalized environment, thereby supporting student achievement.
- House may also be used for Issues and Events, timed writing, structured project time, team/class bonding, etc.

**Policy Regarding Student Projects**

Project-Based Learning (“PBL”) is required as a critical part of The SAE’s educational program. PBL is a student-driven, interdisciplinary program that promotes students to participate in inquiry based, authentic, real-world projects that integrate their 21st century skill-base. Teachers support students in the development and design of these projects. Students are also given the opportunity to support and reflect on their projects during the SAE Culmination events.

PBL projects may address the development of student entrepreneurial skills. Such projects may include, but are not limited to, the sale of student artwork at local galleries, student production of a CD or film for sale, or the design and sale of student-made jewelry, bags, and t-shirts. These projects are made possible through the joint efforts of The SAE administration in providing support, The SAE teaching staff in providing instruction, and the students in providing creativity. The following policy addresses use of funds and reimbursement with regard to student projects:

- Students shall not be permitted to garner any profit from the student project. Such projects are made possible through the use of public funds in a public instruction setting. Any profit resulting from student projects shall be contributed to an approved charitable organization or shall be utilized for the benefit of the student’s project class.

**The SAE Academic Expo/Arts Festival Policy**

The SAE’s Academic Expo and The SAE Arts Festival will occur on Saturdays near the close of each semester; the dates can be found on The SAE Master Calendar, which is available on the School’s website or in the Main Office. These culminating events are an integrated display of students’ academic and artistic mastery.
The SAE Academic Expo and The SAE Arts Festival are a display of standards-based outcomes that affect students’ grades. Student engagement at these events is important to the SAE student experience, and attendance is mandatory.

Prior administrative approval is required for excusal due to emergency related absences from these events. Students who do receive an excused absence from these events are expected to remediate the missed portion of their culminating activity.

**Change of Arts Major**
The SAE requires all students at The SAE High School to select an artistic major as part of its Nationally Award Winning Arts Program. Students will select a single major from the following options - Dance, Digital Arts, Filmmaking, Instrumental Music, Theatre, Vocal Music, and Visual Arts. Students are required to select their major upon start of 9th grade year (or entrance to The SAE) and maintain it through graduation. Students from the above listed majors may also audition for acceptance into The SAE’s Musical Theatre Dual Major at the beginning of each school year. The SAE does not offer “double majoring” or “minors” - but strongly encourages interdisciplinary collaborations when available.

A student may only apply to change their major at the end of their 9th grade year, and the following procedure is required prior to approval:

- Meet with a High School Counselor to discuss issues, artistic goals and reasons for change and confirm room in potential new major.
- Prove basic competency in new major by performing an assessment as directed by the Department Director.
- Complete SAE Arts Major Change Form - receiving Department Director’s signatures for release from current major and acceptance to new major.
- Receive final approval by signature of the Artistic Director of The SAE.

**Graduation and Promotion Policies**

**8th Grade Promotion Policy**

**Qualifications of Promotion for Middle School**
8th grade students of The SAE Middle School are eligible to participate in the Promotion Ceremony by meeting the following criteria:

- Take all required courses and achieve a year-long “C” (2.0) average or higher
- Comply with all applicable contracts (Academic/Behavior/Attendance)
- Successfully complete and present Portfolio
- Sign and turn in 8th grade Promotion Agreement

Students who do not meet the promotion requirements, but have demonstrated marked growth in multiple areas, may appeal to the Promotion Appeals Committee to have their promotion participation privileges reinstated. The Appeals committee will consist of an administrator, 8th Grade teacher, Middle School
Counselor, and the student’s HOUSE teacher.

**High School Graduation**
Graduation is a special time to recognize those that have completed the recommended course of study for The SAE. The Board believes that these students deserve the privilege of a public celebration that recognizes the significance of their achievements and encourages them to continue the pursuit of life-long learning.

At the discretion of The Graduation Appeals Committee, students who satisfy the entirety of graduation requirements will be eligible to receive their diploma and will be able to pick it up from The SAE Registrar or have it mailed to them upon request.

**Senior Activities and Privileges**
Senior courses are dynamic and individualized based on each student's post-secondary goals. Administration reserves the right to review individual student requirements on a case by case basis.

**Qualifications for High School Diploma and Graduation Ceremony**
High School students who qualify to participate in the graduation ceremony and receive their high school diploma from The SAE must fulfill the minimum California graduation requirements, and successfully present their Portfolio and complete any remediation deemed necessary by members of the Portfolio panels. The High School Counselor has details on graduation requirements.

**Graduation Ceremony Conduct and Disciplinary Standard**
Any student participating in a graduation ceremony shall comply with The SAE policies and regulations pertaining to student conduct. Students who violate these policies prior to or during the ceremony can be subject to removal from the ceremony. In order to encourage high standards of student conduct and behavior, a student may be denied the privilege of participating in graduation ceremonies and/or activities for reasons in accordance with school rules including, such as for prior discipline or poor attendance.

Prior to denial of the privilege, the student, and where practicable his/her parents/guardians, shall be made aware of the grounds for such denial and shall be given the opportunity to respond. If a privilege is to be denied, the student and parent/guardian shall receive written notification of the denied privilege based on the policies of The SAE.

**Valedictorian/Salutatorian Selection Guidelines**
The SAE shall use the following guidelines to select valedictorian(s) and salutatorian(s).

- The valedictorian shall have the highest cumulative unweighted grade point average at the end of the 1st semester of the year in which the student(s) graduates. Grades will be evaluated at the end of the 3rd Quarter. Grades must be maintained.
- The valedictorian and salutatorian must have attended The SAE for at least two (2) consecutive years.
- The cumulative unweighted grade point average shall be based on whatever courses students have completed through the end of the 1st semester in which they are graduating. The total number of courses may include courses from community college and ROP(s).
• The SAE director shall appoint a committee to review unique student situations that warrant the selection of valedictorian(s) and salutatorian(s). The SAE will also review situations of additional valedictorian(s) and salutatorian(s).

The committee shall consider scope and rigor of academics, student attendance and student behavior.

• The committee will take into account any unique personal circumstances or situations of each student.

• The SAE shall provide an opportunity for each valedictorian(s) and salutatorian(s) to speak at graduation. (The Director shall supervise and coordinate the student speech preparation and shall make final determinations of valedictorian(s) or salutatorian(s) who will speak at the graduation ceremony).

**Eighteen (18) and over Guidelines**

Some students enrolled at The SAE will reach the age of eighteen (18) before graduation. Eighteen (18) is the age of majority and, legally, an eighteen (18) year old student is able to enter into contractual obligations on their own behalf (and is required to abide by those obligations). The SAE requires all students, upon their eighteenth (18th) birthday, to review their Enrollment Agreement, that their parents initially completed, with The High School Counselor. An eighteen (18) year old student may complete an Addendum to the Enrollment Agreement that will provide the following:

- permission for The SAE to discuss and release information/records to the student’s parent(s)/guardian(s) about any issues related to the student, covered under FERPA and all applicable laws regarding student records; and
- authorization for the School to interact with the student’s parent(s)/guardian(s) as if the student were under the age of eighteen (18).

The student’s parent(s)/guardian(s) will still be responsible under the Enrollment Agreement.

**Off Campus Lunch**

Only 12th grade students with parent/guardian permission may be eligible for Off-Campus Lunch Privileges. Eligible 12th grade students must produce their ID card on request from The SAE staff before leaving campus for lunch. Students must ensure they are responsible while being off-campus; eligible students are only allowed to be off-campus during the designated time for lunch and must return before their class time begins. Off-campus lunch privileges may be revoked for attendance, behavior, or academic issues.

Unacceptable behavior while off campus may result in the permanent removal of a student's Off-Campus Lunch Privilege. Administration reserves the right to remove a student's Off-Campus Lunch Privilege indefinitely. Senior students are eligible to participate in The SAE's Off-Campus Lunch Privilege by submitting a permission form with parent/legal guardian signature, and by completing any HOUSE requirements submitted by the HOUSE teacher within the first five (5) to ten (10) school days.
Attendance Policy

Student success is directly correlated to consistent and punctual attendance in class and school-related events. Students with good attendance records achieve higher grades, are more successful in their pursuit of higher education, and are more employable after leaving school. The SAE expects that every pupil shall attend school punctually, and regularly, and conform to the regulations of the school. It is the policy of The SAE that students attend class regularly; that work missed because of school-related activities or illness be promptly made up; that truancy is unacceptable; and that other absences approved by the parent/legal guardian be minimized or avoided whenever possible. *Excessive absences and/or tardies can be reason to dismiss a student from The SAE consistent with the Involuntary Removal Process below.*

**Attendance Tips**

- Consistent and on-time attendance is a strong indicator of academic success.
- Missing just two (2) days a month, or 10% of the school year, can negatively affect a student’s ability to be successful.
- Encourage students to get plenty of rest, six (6) to eight (8) hours of sleep each night makes a difference.
- Contact The SAE for resources to help with maintaining good attendance.

**Excused Absences**
The SAE defines excused absences as:

- Personal illness
- Quarantine under the direction of a county or city health officer
- Medical, dental, optometric, or chiropractic appointments
  - 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.
- Attendance at funeral services for a member of the immediate family:
  - Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
- "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any relative living in the student's household.
- Participation in religious instruction or exercises as follows:
  - The student shall be excused for this purpose on no more than four school days per month.
- For the purposes of jury duty in the manner provided for by law.
- Due to the illness or medical appointment during school hours of a child of whom the pupil 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.)
- To permit the pupil 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.

- For purpose of serving as a member of a precinct board for an election pursuant to Election Code Section 12302.
- For justifiable personal reasons such as
  - court appearances
  - holidays or ceremonies specific to a family’s customs or beliefs
  - attendance at a religious retreat for no more than four hours during a semester
  - 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 Principal or designee pursuant to uniform standards established by the Board. This should not exceed once a semester for more than five (5) days.
  - Funeral services for non-family members
- verified family emergency
- Attendance at the student’s naturalization ceremony to become a U.S. citizen
- Authorized parental leave for a pregnant or parenting pupil for up to eight (8) weeks.
- Authorized at the discretion of a school administrator, based on the facts of the pupil’s circumstances, are deemed to constitute a valid excuse. A pupil who holds a work permit to work for a period of not more than five consecutive days in the entertainment or allied industries shall be excused from school during the period that the pupil is working in the entertainment or allied industry for a maximum of up to five absences per school year subject to the requirements of Education Code Section 48225.5.
- In order to participate with a not-for-profit performing arts organization in a performance for a public-school pupil audience for a maximum of up to five days per school year provided the pupil’s parent or guardian provides a written note to the school authorities explaining the reason for the pupil’s absence.

Unexcused Absences
The SAE defines unexcused absences as those not defined above as excused, as well as the following:
- unverified absence
- truancy
- absence due to leaving campus without permission

Absence Notification
Parents are notified of class cuts when students are assigned After School Detention.
- Parents will be notified by phone, email or written note home, 24 hours in advance of any after school detention that exceeds 15 minutes in length.

Students who do not attend Detention when assigned may be assigned a full day of On Campus Suspension (“OCS”). Students who refuse to serve OSC may be suspended out of school. Students will need to arrange to make up for missed classroom assignments.

Method of Verification When Returning from an Absence
Students need to have a satisfactory explanation verifying the reason for the absence. If the absence is excused, it will be marked as such in the school's attendance computer system. Student absences are to be
The following methods may be used to verify student absences:

1. Signed, written note from parent/guardian, or legal parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or legal 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, Charter School 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 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.

**Truancies**
The SAE defines a truant student as one who is absent from school without a valid excuse three (3) full days in one school year or tardy or absent for more than a thirty (30) minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof.

Policies regarding truancy, tardiness, and other situations are in effect for all classes. The SAE students and families must be mindful of attendance practices for both academic achievement and reasons of safety and accountability. In order to cultivate successful attendance practices, students and parents will observe the following guidelines:

**Tardies**
An unexcused tardy occurs when the student is not seated and ready for class at the time class is scheduled to begin without a valid excuse from a parent/legal guardian or a SAE staff member. All tardies without a pass into class are unexcused. Students who are late to class often fail to realize that the teacher
may have already recorded them as absent. *It is the student's responsibility* to ask the teacher to correct the "absence" to a "tardy" during non-instructional time.

**Unexcused Tardy Consequences**

- 1st & 2nd Teacher-issued Detention of 30 minutes
- 3rd & 4th Administrative Detention of 1 hour
- 5th & above Parent meeting and contract with additional administrative action

Note: Excessive tardies may have additional consequences per administrative action.

**Extended Vacation**

Extended vacations during the regular school year are strongly discouraged. We must inform you that to schedule vacations during the regular school year is in direct violation of the Compulsory Attendance or the Truancy Law.

**Long-term Absence**

Learning works best when students attend school daily. Although occasional absences are unavoidable, long-term absences pose a special challenge to learning. Class participation and group projects are vital components to The SAE program, and a student's long-term absence will seriously impact his/her mastery of important course concepts and skills. Parents/legal guardians of a student who is absent for an extended period due to illness, injury, or family emergency should contact the Main Office at (909) 622-0699, with an estimate of the student's absence (periodic updates are appreciated). Parents/legal guardians should meet with the counselor of their child’s campus to discuss the plan for an extended absence.

**Policy Regarding Independent Study**

Independent study is an option for any student who will be absent for three (3) school days or more, up to a maximum of ten (10) school days per semester, absent approval from the Executive Director or designee in writing.

It is conducted solely for the educational benefit of the students attending The SAE as a means to encourage daily engagement in schoolwork, even during times of extended absence. No student is required to request or participate in an independent study program during an extended absence. Parents are to give at least five (5) school days’ notice, in the form of a written request, for independent study. In an extenuating circumstance (i.e. a serious injury), with Executive Director or designee approval, the teacher will work with the parent to implement an independent study program in an expedited manner with less than five (5) school days’ notice.

The SAE shall comply with all applicable state and federal laws regarding independent instruction. The Board has adopted the following statements in accordance with Education Code Section 51747:

(a) The independent study program shall allow a maximum of ten (10) school days for all grades from the time an assignment is made until the assignment must be completed and returned to the teacher through a face-to-face meeting, facsimile, mail, or other credible method of meeting and review.

(b) An evaluation will be made by a committee made up of the student's teacher and the Executive Director or designee as to whether it is in the student's best interest to participate in the
independent study program at The SAE during an extended absence whenever the student is missing three (3) or more independent study assignments.

A written record of the findings of this evaluation shall be placed in the student's permanent record and shall be maintained for a period of three (3) years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

(c) A written independent study master agreement for each student shall be maintained on file. Each agreement shall be signed and dated and in effect prior to the start of reporting attendance (ADA) pursuant to that agreement. The agreement shall contain all the items required by Section 51747 of the Education Code, as listed below, and shall be renewed once a year:

- The manner, time, frequency and place for submitting a student's assignments and for reporting his or her progress.
- The objectives and methods of study for the student's work, and the methods utilized to evaluate that work.
- The specific resources, including materials that will be made available to the student.
- A statement of the policies adopted herein regarding the maximum length of time allotted between the assignment and the completion of a student's assigned work, and the number of missed assignments prior to an evaluation of whether or not the student should be allowed to continue in independent study.
- The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.
- A statement on the number of course credits to be earned by the student upon completion.
- The inclusion of a statement that independent study is an optional educational alternative in which no student may be required to participate. In the case of a pupil who is referred or assigned to any school, class or program pursuant to Education Code Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.
- Each written agreement shall be signed, prior to the commencement of independent study, by the student, the student's parent, legal guardian, or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all other persons who have direct responsibility for providing instructional assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of the Family Code.

**Independent Study Attendance Accounting**

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

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

**Independent Study Exceptional Needs**
No individual with exceptional needs as defined in Education Code Section 56026 may participate in independent study unless his or her individualized education program (“IEP”) developed pursuant to Education Code 56340, et seq. specifically provides for that participation.

No temporarily disabled student may receive individual instruction pursuant to Education Code Section 48206.3 through independent study. However, if the temporarily disabled student's parent or guardian and the School agree, the student may receive instruction through independent study instead of receiving the school-provided home instruction.

The SAE shall provide appropriate existing services and resources to enable students to complete their independent study successfully and shall ensure that the independent study student has the same access to all existing services and resources in the school in which the student is enrolled as is available to all other students in the school.

**Senior Attendance Guidelines**

**Seniors may not be allowed to walk at graduation or attend senior events and school functions if they have any of the following:**

a. More than 5 unexcused absences that are not cleared.
b. Owe money for textbooks.
c. Not met graduation requirements.
d. Non-attendance the school day of and after “Grad Night.”
e. Unexcused Non-attendance of school the week before graduation.

**Senior Ditch Day**

**There are no school-sponsored Senior Ditch Days:** All seniors absent on a ditch day will be counted as an unexcused absence. Consequences for ditch days are severe and will include loss of senior privileges.
Chronic Absenteeism

Eligibility
Students are chronically absent when they have missed ten percent (10%) of the school days in a school year (Education Code Section 60901(c.)(1)). Student attendance will be reviewed monthly to determine who falls into the chronically absent, or in danger of being chronically absent, categories.

“Chronic absenteeism” shall be calculated as follows:

The number of pupils with a primary, secondary, or short-term enrollment during the academic year (August 12, 2019 – June 2, 2020) who are chronically absent where “chronic absentee” means a pupil who is absent ten percent (10%) or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the regular day schools of The SAE, exclusive of Saturdays and Sundays.

The definition is used in California for Local Control and Accountability Plans and differs from the chronic absenteeism rate definition used in accordance with the data collection conducted pursuant to section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)) for Title I schools. The federal definition for chronic absenteeism counts students who have missed 15 days of school for any reason during one school year rather than students who have been absent 10 percent or more of the school days.

School Attendance Review Team

The School Attendance Review Team (“SART”) is composed mainly of a trained group of The SAE stakeholders who will work cooperatively with parents and students to create individualized attendance plans. The SART meets monthly to review attendance data and review attendance plans. The SART will work with The SAE administration and staff to monitor student attendance and identify students with, or in danger of, chronic absenteeism. The SART will help chronically truant or absent students, and their parents or guardians, solve school attendance and behavior problems through the use of available school and community resources. The SART will put together a group of SAE stakeholders and youth-serving agencies to serve on hearing panels that will examine individual cases of chronically absent and/or truant students of The SAE.

SART responsibilities include:

Attendance Monitoring

1. Act as a resource to school staff regarding attendance issues, and provide training, as necessary, related to record keeping for student attendance, early identification of truancy, and data collection for truancy rates, graduation rates, and dropout rates.
2. Collect, analyze, and report truancy data, chronic absentee data, graduation-rate data, and dropout data as ongoing activities for appropriate school personnel to inform decisions about attendance and behavior interventions.

3. Maintain data on the successful transfer of students from and to alternative school programs, charter schools, and other schools.

4. Provide an opportunity for parents or guardians to challenge the accuracy of attendance records that could impact the determination of grades, CalWORKS benefits, or involuntary transfers.

Developing and Coordinating Strategies for Truancy Reduction

1. Coordinate truancy-prevention strategies based on the early identification of truancy, such as prompt notification of absences in the parents’ native language, selective approval of work permits, assignments of weekend school instruction, and counseling for truants.

2. Assist school staff in development of site attendance plans by providing youth development strategies, resources, and referral procedures. Explain policies, regulations, and procedures.

3. Maintain an inventory of local alternative educational programs and community resources, and employ those programs and resources to meet the differential needs of students with school attendance or school behavior problems. Inform parents/guardians of truant students about alternative educational programs to which the student may be assigned.

4. Encourage and coordinate the adoption of attendance-incentive programs at school site and in individual classrooms that reward and celebrate good attendance and significant improvements in attendance.

5. Develop and submit follow-up reports to the School Attendance Review Board (“SARB”) on all directives and agreements made at the SART meetings, especially student agreements to attend school or improve school behavior.

6. Coordinate with grade-level Student Success Teams (“SSTs”) to reduce truancy and collect data on the outcomes of those meetings.

Process for Addressing Truancy

1. Each of the first two (2) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Principal or designee. The student’s classroom teacher may also call home.

2. Each of the third (3rd) and fourth (4th) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by Principal or designee. In addition, the student’s classroom teacher may also call home and/or The SAE may send the parent an e-mail notification. In addition, upon reaching four (4) unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive “Truancy Letter #1” from The SAE notifying the parent/guardian of the student’s “Truant” status. This letter must be signed by the parent/guardian and returned to the Charter School. This letter shall also be accompanied by a copy of this Attendance
Policy. This letter, and all subsequent letter(s) sent home, shall be sent by Certified Mail, return receipt requested, or some other form of mail that can be tracked.

3. Upon reaching five (5) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive “Truancy Letter #2 – Conference Request,” notifying the parent/guardian of the student’s “Habitual Truant” status and a parent/guardian conference will be scheduled to review the student’s records and develop an intervention plan/contract. In addition, The SAE will consult with a school counselor regarding the appropriateness of a home visitation and/or case management.

4. Upon reaching four (4) unexcused absences or unexcused tardies over 30 minutes, the student will be referred to a Student Success Team (SST) and the School Attendance Review Team (SART).

5. The SART panel will be composed of The Principal or designee, The student’s grade level counselor, The student’s HOUSE teacher, and The student’s arts 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.
   a. The SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
   b. 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:
      i. Parent/guardian to attend school with the child for one day
      ii. Student retention
      iii. After school detention program
      iv. Required school counseling
      v. Loss of field trip privileges
      vi. Loss of school store privileges
      vii. Loss of school event privileges
      viii. Required remediation plan as set by the SART
      ix. Notification to the District Attorney
   c. The SART panel may discuss other school placement options.
   d. Notice of action recommended by the SART will be provided in writing to the parent/guardian.

6. If the conditions of the SART contract are not met, the student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student’s last known district of residence.

7. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent’s or guardian’s responsibility to update the Charter School with any new contact information.

8. 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 the 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 disenrolled in compliance with the Involuntary Removal Process described below. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of Student’s enrollment and attendance at another public or private school (i.e. a CALPADS report).

**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, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first five 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 the Charter School of the absence and provide documentation consistent with this policy. However, consistent with 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 the Charter School roster after following the Involuntary 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 the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third 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 day of the school year will receive a phone call reiterating the content of the letter.
4. The Charter School will send the Involuntary Removal Notice to the Parent/Guardian and follow the Involuntary Removal Process described below for any students who have not attended by the sixth day, and do not have an excused absence.
5. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of Student’s enrollment and attendance at another public or private school (i.e. a CALPADS report).
6. The Charter School 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 the Charter School and the disenrollment within thirty days of the disenrollment.

**Involuntary Removal Process**

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action (“Involuntary Removal Notice”).
The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder. The Involuntary Removal Notice shall include the charges against the pupil and an explanation of the pupil’s basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with The SAE’s expulsion procedures. If the student’s parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until The SAE issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to The SAE’s suspension and expulsion policy.

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

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

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

A hearing decision not to disenroll the student does not prevent The SAE from making a similar recommendation in the future should student truancy continue or reoccur.
Dress and Grooming Standards

The SAE believes there is a direct correlation between the quality of appearance and a sound and safe educational environment. The SAE has a business and arts theme; students will find that it is to their advantage to cultivate an awareness of appearance and behavior that will allow them to interact harmoniously among people of various demographics in different situations. Because The SAE campuses are located in the Arts Colony, SAE students must also be aware that each is an ambassador of the school to the business community.

The dress and grooming guidelines listed below are provided to ensure that each SAE student will receive the maximum benefit from his/her surroundings. Student appearance must be appropriate for the student’s daily activities on campus and the learning environment per teacher discretion.

Should student’s dress or grooming not meet these guidelines, the student may be asked to change out of the offending garment and into "loaner" clothes for the duration of the day, or parents may be called to bring their child clothes for the day.

• Students are expected to come to school clean and appropriately dressed and groomed. Clothing should be modest and neat.
• For safety reasons, state law requires that students wear shoes on campus at all times. Shoes should not be open-toe or sandals. Pajama style “slippers” are not allowed. Shoes should be appropriate for student activities.
• Skirts, shorts and shirts may not be so revealing as to be distracting. Clothing may not be see through, mesh, or any material that shows the undergarments beneath the outer clothing. **Shirts must cover a student’s midriff**—no “crop tops.” Shorts and skirts must be no more than 3 inches above the knee.
• Hair and makeup should not be so unusual as to be distracting. Hair and makeup should not disguise a student so they cannot be recognized.
• Undergarments should not show.
• Sexually explicit, racist, or obscene/vulgar clothing is not acceptable. Additionally, clothing, jewelry, slogans, or accessories promoting drugs, alcohol, tobacco, or weapons are strictly prohibited.
• No gang-related jewelry, insignia, colors, paraphernalia, materials, apparel, clothing or attire may be worn or carried on campus or at school activities. Also prohibited are notebooks, manner of grooming, or gesture, which by virtue of its color, arrangement, trademark, vandalism or any other attribute, denotes membership in such a group.
• Gang associated styles, such as knee-high tube socks and shorts, collared shirts buttoned to the collar without a tie, etc., are strictly forbidden.
• Clothing or articles of clothing including but not limited to spiked jewelry and pocket chains which are likely to provoke others to acts of violence or which are likely to cause others to be intimidated by fear of violence are strictly prohibited.
• For health and safety reasons, blankets are prohibited on students while on campus.
• Applying makeup, nail polish, hair spray, perfume, etc., in class is prohibited.
- Hats, skullies, headbands, hoods, bandanas, and sunglasses are not to be worn in the classroom. Hats may not be worn backwards or contain gang insignia.
- Any clothing that inhibits the safety of self or others is prohibited.
- Hats should not be worn inside the school campus buildings. Headcovers for religious or cultural purposes are acceptable on campus.

**Dress Code for Performing Arts Classes Policy**

The SAE requires that all student artists wear proper attire to insure focus on work and safety. All student artists should adhere to their specific arts discipline dress code expectations given by the Department. The dress code is required to be followed during all classes, rehearsals and performances. If a student artist needs financial support in fulfilling dress code requirements, the parent/guardian must contact the Department Director for assistance. It is also suggested that parents review the course syllabi for each class to get detailed information regarding performance and rehearsal dress codes. Students are not required to purchase materials for participation.

**School Dance Dress Code**

Informal dance dress code is the same as the dress code for a regular school day. For formal dances, appropriate clothing is required. Formal dresses must be mid-thigh or longer. Clothing must not reveal undergarments. Slits anywhere on the dress cannot be higher than the thumbs when hands are kept at the side. Formal attire includes formal dresses, tuxedos, suits, dress pants, and collared dress shirt with a tie. No cut-offs, shorts, or sweat suits. **Students not dressed in appropriate formal dance attire will be sent home and no refunds will be given.**

**Discipline Policy**

**Restorative Justice**

Restorative Justice (“RJ”) is a set of principles and practices employed by The SAE to build community and respond to student misconduct. The goal is to repair harm and restore relationships between those impacted. Students, families, faculty, and community members are encouraged to attend restorative circles. The RJ program works to lower suspension and expulsion rates while simultaneously fostering positive school climates. Restorative Justice research proves that it helps achieve the goal of eliminating racially disproportionate discipline practices.

**Academic, Artistic, and Social Integrity**

Integrity is a fundamental principle of scholarship. The content of assignments will reflect the results of a student’s study and research. This work is expected to clearly distinguish a student's ideas from the ideas of others. Acknowledgment must be given to the source ideas or any words not one's own. The SAE will instruct students in MLA-style citations, which is the expectation for all The SAE papers. Rewriting or printing information taken from a source without proper citation is also plagiarism. It is also vital that students do their own work in daily class and homework assignments. Copying work, projects, etc., from others including books, internet websites, or any other documented form is unacceptable behavior and will result in loss of credit for the assignment for all parties involved.
The SAE encourages students to develop and understand their identity. Therefore, students are not to pose as anyone other than who they are and/or misrepresent themselves as a teacher, staff member, another student, etc. Multiple infractions will lead to disciplinary measures that include, but are not limited to: detention and OCS. The goal of The SAE is to develop students who work independently and collaboratively with a sense of integrity and ethical standards of study.

**Dance and Performance Attendance**
If a student is suspended, for whatever reason, within 10 (ten) days of a dance or prom, they will be excluded from attending that dance. Chronic and/or excessive absenteeism may result in a student being excluded from attending any dance during the semester. Students are required to attend school on the day of all performances. Unexcused absences on the day of a performance may result in ineligibility to perform.

**Out of Class or Off-Campus without Permission**
All students out of class are required to have an official pass if they are outside of their schedule, whether on or off campus.

- If a student is not in possession of an official pass, on or off campus, during the school day, they may be cited (ticketed) by the Pomona Police Department for “daylight loitering.”
- Students out of class without an official pass may receive disciplinary consequences.

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

The SAE 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 in Education Improvement Act of 2004 (“IDEIA”). Section 504 Policies and procedures are available through the Main Campus Office.

The SAE is committed to providing a work and educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex), Title IV, VI and VII of the Civil Rights Act of 1964 (race, color, or national origin), The Age Discrimination in Employment Act of 1967, The Age Discrimination Act of 1975, the IDEIA, and Section 504 and Title II of the ADA (mental or physical disability). The SAE also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. The SAE 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 The SAE does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender.
The SAE 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 SAE Uniform Complaint Procedures (“UCP”) Compliance Officer: Jon Gundry, Executive Director, at (909) 622-0699.

**Title IX, Harassment, Intimidation, Discrimination & Bullying**

The SAE believes all students have the right to a safe and civil learning environment. 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, The SAE 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 campuses, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means, consistent with this policy.

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

To the extent possible, The SAE will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated and/or bullied, and will take action to investigate, respond, and address any reports of such behaviors in a timely manner. The SAE staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene, so long as it is safe to do so.

Moreover, The SAE will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which The SAE 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. The SAE will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

**Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator:**

Jon Gundry  
Executive Director  
(909) 622-0699
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 school because of sex, race or any other protected basis
● Retaliation for reporting or threatening to report harassment
● Deferential or preferential treatment based on any of the protected classes above

Prohibited Unlawful Harassment under Title IX

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

The SAE is committed to providing an educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

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

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

Sexual harassment may include, but is not limited to:

● Physical assaults of a sexual nature, such as:
  o Rape, sexual battery, molestation or attempts to commit these assaults and
  o 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:
  o Sexually oriented gestures, notices, remarks, jokes, or comments about a person’s sexuality or sexual experience
  o 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 to unwelcome sexual attention or conduct or intentionally making the student’s academic performance more
difficult because of the student’s sex

- Sexual or discriminatory displays or publications anywhere in the educational environment, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the educational environment
  - Reading publicly or otherwise publicizing in the educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic, and
  - Displaying signs or other materials purporting to segregate an individual by sex in an area of the 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” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which may be deemed as hate violence, sexual harassment, harassment, threats, or intimidation, or creates an intimidating and/or hostile educational environment, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises 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) or students in fear of harm to that student’s or those students’ person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable student to experience substantial interference with his or her academic performance.
4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by The SAE.

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

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

1. A message, text, sound, video or image.
2. Taking pictures and/or recordings of students, staff, or guests without their knowledge and/or permission.
3. 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.
1. 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.

Bullying and Cyberbullying Prevention Procedures

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

1. Cyberbullying Prevention Procedures

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

2. Education

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

The SAE 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 pupils based on protected characteristics.

The SAE’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.

The SAE informs The SAE 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

The SAE 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 The SAE employees who have regular interaction with pupils.

The SAE 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

The SAE also informs certificated employees about the groups of students determined by The SAE, 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.

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

**Grievance Procedures**

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

All other members of the school community, including parents/guardians, volunteers, visitors, who have witnessed such prohibited misconduct and students who have witnessed such prohibited misconduct or believe they have been subject to misconduct prohibited by this Policy are encouraged to immediately report any act that may be a violation of this policy to the Coordinator:

Jon Gundry  
Executive Director  
(909) 622-0699

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

While submission of a written report is not required, the reporting party is encouraged to use the report form available in the Main Office. However, oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on anonymous information.

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

The SAE acknowledges and respects every individual’s rights to privacy. To that end, consistent with legal requirements, all reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

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

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

**Investigation**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of The SAE, the Coordinator or designee will promptly initiate an investigation.

At the conclusion of the investigation, the Coordinator or designee will notify the complainant of the outcome of the investigation,, to the extent possible with respect to confidentiality laws. However, in no case may the Coordinator or designee reveal confidential information related to other students or employees, including the type and extent of discipline issued against such students or employees.

Complaints shall be investigated and resolved within thirty (30) school days, unless circumstances reasonably require additional time. If the Coordinator, or administrative designee determines that an investigation will take longer, he or she will inform the complainant and any other relevant parties and provide an approximate date when the investigation will be complete.

All records related to any investigation of complaints under this Policy will remain in a secure location in the Main Office of The SAE.

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

**Appeal**

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

**False Accusations/Allegations**

False accusations/allegations do not have a place at The SAE and can constitute a form of bullying and/or harassment. Students who knowingly falsely report a crime or school infraction against another student, staff member, or guest of The SAE will be subject to disciplinary action and in some cases, may be subject to legal action.

**Consequences**

Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action, up to and including suspension and/or expulsion, as outlined in the Student Discipline Policy of The SAE.
Hate Crime and Bigotry
Hate crimes are considered to be any criminal act committed against an individual or the school motivated by bigotry based on race or ethnicity, color, religion, ancestry, nationality, national origin, political affiliation, gender, sexual orientation, age or disability or association with a person or group with one or more of these actual or perceived characteristics.
Bigotry includes, but is not limited to slurs or name-calling, violence, and threats of violence based on race or ethnicity, color, religion, ancestry, nationality, national origin, political affiliation, gender, sexual orientation, age or disability or association with a person or group with one or more of these actual or perceived characteristics. Hate crimes and bigotry will be addressed by school staff and may result in disciplinary action, dismissal from The SAE, and a police report.

Public Displays of Affection
The SAE supports a warm social environment and recognizes that genuine feelings of affection may exist between two students. However, students shall refrain from all Public Displays of Affection (“PDA”) while on campus or while attending and/or participating in a school-related activity or event.

Being overly affectionate at school can be offensive and is generally in poor taste, taking the focus away from scholastic and artistic learning. The expression of feelings towards one another is a personal concern between the two individuals and thus, should not be shared with others in the general vicinity. PDA can be reported as sexual harassment in certain cases. PDA includes any physical contact that may make others in close proximity uncomfortable or serves as a distraction for themselves as well as innocent onlookers. Some specific examples of PDA include, but are not limited to:

- Kissing
- Fondling
- Lap-Sitting
- Cuddling
- Inappropriate Touching
- Rubbing/Massaging
- Caressing/Stroking/Petting
- Excessive/Extended Hugging

Students caught engaging in such practices are subject to the following consequences:

- 1st Offense – Verbal warning, possible parent contact
- 2nd Offense – Parent contact, detention with Administrator (60 minutes)
- 3rd Offense – Behavior Contract, parent conference, Administrator detention (120 minutes)
- 4th or more Offense – Parent notification of contract breach, Administrator consequences

Senior Pranks
The SAE does not approve of senior pranks, of any type. All students, regardless of their grade-level, who are involved in the carrying out of pranks, do so fully understanding the risk of disciplinary action and/or criminal charges if their actions are disruptive of instruction, destruction, malicious, or harassing, especially if they target an individual. Any theft of school property will also be prosecuted.
Sale of Outside Items
The sale of any items outside the parameters of school fundraising (such as slime, hair bows, candy, etc.) is prohibited on campus and at any school-related activity or event. All items will be confiscated from the student, and parents will be notified of the violation.

Vandalism and Tagging
Art without permission is vandalism. The SAE does not condone any type of graffiti or tagging that vandalizes, destroys, or in any way alters public or private property without the consent of the property owners. Consequences of vandalism may include possible police notification and arrest, two (2) to five (5) days of suspension, parents/legal guardian notification, due process hearing, possible dismissal from The SAE, and payment for damages. Tagging tools/implements will be confiscated.

Suspension and Expulsion
This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at The SAE. The full Policy can be found at The Main Campus Front Office.

No student shall be involuntarily removed by The SAE 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 school days before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to request a hearing to challenge the involuntary removal, before the effective date of the action. If the student’s parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until The SAE issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

Serious offenses include:

1. Defiance of or disrespect for authority putting safety and order at risk
2. Fighting/Horseplay
3. Profanity
4. Vandalism
5. Theft or cheating
6. Sexual harassment
7. Possession of any weapon, tobacco, controlled substance or explosive device.
8. Intimidation
9. Severe acts of disobedience may result in suspension or a recommendation for expulsion.

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 school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.
B. Enumerated Offenses

1) Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
   a) Caused, attempted to cause, or threatened to cause physical injury to another person.
   b) Willfully used force or violence upon the person of another, except self-defense.
   c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
   d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
   e) Committed or attempted to commit robbery or extortion.
   f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
   g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
   h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
   i) Committed an obscene act or engaged in habitual profanity or vulgarity.
   j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
   k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive.
   l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
   m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
   n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
   o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
   p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

   i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

   ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

   iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

   iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by The SAE.
2. “Electronic Act” means the creation or transmission originated on or off the
schoolsite, by means of an electronic device, including, but not limited to, a
telephone, wireless telephone, or other wireless communication device, computer, or
pager, of a communication, including, but not limited to, any of the following:
   i. A message, text, sound, video, or image.
   ii. A post on a social network Internet Web site including, but not limited to:
      (a) Posting to or creating a burn page. A “burn page” means an Internet Web
site created for the purpose of having one or more of the effects as listed
in subparagraph (1) above.
      (b) Creating a credible impersonation of another actual pupil for the purpose
of having one or more of the effects listed in subparagraph (1) above.
      “Credible impersonation” means to knowingly and without consent
impersonate a pupil for the purpose of bullying the pupil and such that
another pupil would reasonably believe, or has reasonably believed, that
the pupil was or is the pupil who was impersonated.
      (c) Creating a false profile for the purpose of having one or more of the
effects listed in subparagraph (1) above. “False profile” means a profile
of a fictitious pupil or a profile using the likeness or attributes of an
actual pupil other than the pupil who created the false profile.
   iii. An act of cyber sexual bullying.
      (a) For purposes of this clause, “cyber sexual bullying” means the
dissemination of, or the solicitation or incitement to disseminate, a
photograph or other visual recording by a pupil to another pupil or to
school personnel by means of an electronic act that has or can be
reasonably predicted to have one or more of the effects described in
subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or
other visual recording, as described above, shall include the depiction of
a nude, semi-nude, or sexually explicit photograph or other visual
recording of a minor where the minor is identifiable from the
photograph, visual recording, or other electronic act.
      (b) For purposes of this clause, “cyber sexual bullying” does not include a
depiction, portrayal, or image that has any serious literary, artistic,
educational, political, or scientific value or that involves athletic events
or school-sanctioned activities.
3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not
constitute pervasive conduct solely on the basis that it has been transmitted on the
Internet or is currently posted on the Internet.
   v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or
attempted infliction of physical injury to another person may be subject to suspension,
but not expulsion, except that a pupil who has been adjudged by a juvenile court to have
committed, as an aider and abettor, a crime of physical violence in which the victim
suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant
to subdivision (1)(a)-(b).
   w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any
object of this type, the student had obtained written permission to possess the item from a
certificated school employee, with the Executive Director or designee’s concurrence.
2) Non-Discretionary Suspension Offenses: Students must be suspended and recommended for
expulsion for any of the following acts when it is determined the pupil:
a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

b) Brandishing a knife at another person.

c) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

d) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

3) Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

a) Caused, attempted to cause, or threatened to cause physical injury to another person.

b) Willfully used force or violence upon the person of another, except self-defense.

c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

i) Committed an obscene act or engaged in habitual profanity or vulgarity.

j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.
For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

   i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

   ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

   iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by The SAE.

2. “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
   i. A message, text, sound, video, or image.
   ii. A post on a social network Internet Web site including, but not limited to:
      (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
      (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
      (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
   iii. An act of cyber sexual bullying.
      (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
      (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
   u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

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

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

b) Brandishing a knife at another person.

c) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

d) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900

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

In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

C. Suspension Procedure
Suspensions shall be initiated according to the following procedures:

1. Conference

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

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

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

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 a recommendation for expulsion, shall not exceed ten (10) consecutive school days per suspension. Upon a recommendation of expulsion by the Executive Director or Executive Director’s designee, the pupil and the pupil’s parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil’s parents, unless the pupil and the pupil’s parents fail to attend the conference.

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

D. Authority to Expel

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

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil or a member of the Charter School Board of Directors. Each entity shall be presided over by a
designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five (5) days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. 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 entity finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

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

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

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm.

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

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

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

H. Presentation of Evidence
While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the 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.

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

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

J. Disciplinary Records
The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.
K. No Right to Appeal
The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors’ decision to expel shall be final.

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

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

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

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

P. Involuntary Removal for Truancy
As charter schools are schools of choice and as a charter school pupil who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within The SAE’s Board-adopted Attendance Policy for truancy and only after The SAE follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a Parent/Guardian/Educational Rights Holder to request a hearing prior to any involuntary removal.
Q. 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 who the Charter School or SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

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

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

4. Due Process Appeals

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

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

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

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

5. Special Circumstances

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

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

a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or

c. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to 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.
Campus Search & Seizure Policy
The SAE recognizes and has determined that the occurrence of incidents, which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law, or The SAE rules and regulations, jeopardizes the health, safety, and welfare of students and The SAE employees. Incidents that jeopardize the health, safety, and welfare of students and The SAE employees may necessitate the search of students and their property, student use areas, and/or student automobiles located on school property. This search may necessitate the seizure of any illegal, unauthorized, or contraband materials in the search.

The California Constitution requires that all students and staff of public schools have the inalienable right to attend campuses that are safe, secure, and peaceful. As such, The SAE adopts this policy outlining the search of students and their property, student use areas and/or student automobiles and the seizure of illegal, unauthorized or contraband materials in the search.

Notice
Written notice of this policy shall be provided to students and their parents and/or guardians at the commencement of each school year and upon enrollment during the school year.

This policy shall also be placed in the Student Handbook and other materials, as appropriate, to be disseminated by The SAE to students, parents and/or guardians and The SAE employees. In addition, The SAE shall place signs and/or other posted notifications on campus regarding this policy, as appropriate.

Student Searches
A student's person and/or personal effects (e.g. backpack, purse, etc.) may be searched if a school official has reasonable suspicion that the student has violated or is violating either the law or The SAE rules and regulations, including, but not limited to: possession of illegal, unauthorized or contraband materials. Illegal, unauthorized, or contraband materials include those materials, which are dangerous to the health or safety of students or school personnel, are disruptive or potentially disruptive, or which have been cited as unauthorized in school rules or regulations.

Articulable facts must support a school official's reasonable suspicion that a search is justified. In no case shall a search be conducted if predicated on mere curiosity, rumor or hunch.

Any search of a student and/or their personal effects shall be conducted by a school official of the same gender as the student, and in the presence of another adult witness. The extent or scope of the search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. For example, if a school official has reasonable suspicion to believe that a student has on his or her person an item imminently dangerous to the student or others, a more intrusive search of the student's person may be conducted.

In no case shall school officials conduct a strip search. These types of searches are prohibited by law and include asking a student to remove or arrange some or all of their clothing, and/or undergo the inspection of parts of the student's underclothing or body. A search of a group of students where no particular student within the group is suspected may be conducted only if there is reasonable suspicion of conduct
imminently dangerous to students, others or school property.

**Student Use Areas**
Student use areas, including, but not limited to, instructional space and recreational space, are school property and remain at all times under the control of The SAE. However, students shall assume full responsibility for the security and condition of these areas. Periodic general inspections of school property may be conducted by school officials for any reason at any time without notice.

**Metal Detectors**
The SAE Board believes that the presence of weapons in the schools threatens the school’s ability to provide the safe and orderly learning environment to which students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

Metal detectors, such as metal detection wands or other metal detection devices, may be used to search a student's person and/or personal effects whenever a school official has reasonable suspicion to believe that the student is in possession of a weapon or in the context of a random search to maintain and protect the safety, security, and peace of students and The SAE employees. An SAE school official must conduct the search.

1) The following procedures shall be followed when using metal detectors to conduct random searches of students: Searches involving metal detectors shall be minimally intrusive and involve the use of neutral criteria for selection.
2) Before walk-through, students shall be asked to empty their pockets of metallic objects.
3) If an initial activation occurs, students shall be asked to remove other metallic objects they may be wearing (e.g., belt and jewelry) and to walk through a second time.
4) If a second activation occurs, a hand-held metal detector shall be used.
5) Metal detectors shall not touch students during the search and students will only be required to open pockets or jackets if the wand is triggered.
6) If the activation is not eliminated or explained, staff shall escort the student to a private area.
7) In the private area, an expanded search shall be conducted by a staff member of the same gender as the student, in the presence of another employee.
8) The search shall be limited to the detection of weapons.

**Canine Inspections**
School officials, including campus security or school police/resource officers, may use trained detection dogs in inspections for illegal, unauthorized or contraband materials in school facilities, grounds, and school parking lots. All dogs must be accompanied by a qualified and authorized trainer who will be responsible for the dog's actions and who can verify the reliability and accuracy in sniffing out contraband. Trained detection dogs may sniff lockers, student use areas, motor vehicles located on school property or other inanimate objects throughout school property. Such inspections are not considered searches and do not require reasonable suspicion.

An indication by the dog that illegal, unauthorized or contraband materials are present on school property shall constitute reasonable suspicion, authorizing school officials to search the locker, area, vehicle, or other inanimate object and closed containers and objects within, without securing the consent of the
student.

Dogs may not be used for random searches of students or other persons. Dogs may not be used to sniff the person of students, nor objects within their immediate control, such as backpacks, purses and outer garments, without reasonable suspicion preceding such a search.

**Lockers**

Student lockers, including P.E. lockers, are school property and remain at all times under the control of The SAE. Students shall assume full responsibility for the security of their lockers. Student lockers may not be used to store illegal, unauthorized, or contraband materials.

The acceptance and use of locker facilities on school campus by any student shall constitute consent by the student to the search of such locker facilities by authorized school personnel and/or law enforcement. Inspections of lockers may be conducted by school personnel and/or law enforcement though the use of trained dogs as described above. These inspections shall not be arbitrary, capricious, or discriminatory. Either all lockers must be inspected or the lockers to be inspected must be randomly selected.

**Vehicles**

Students are permitted to park on school premises. However, any public school ground utilized by any student contained therein or any other area that may be set aside for the personal use of the students remains under the exclusive control of The SAE. As such, student vehicles may not be used to store illegal, unauthorized, or contraband materials.

The acceptance and use of the parking facilities for privately owned vehicles on school campus by any student shall constitute consent by the student to the search of such vehicles by authorized school personnel and/or law enforcement if a school official has reasonable suspicion based on articulable facts for suspecting that the student has violated or is violating either the law or The SAE rules and regulations, including, but not limited to, possession of illegal, unauthorized or contraband materials. Students may not drive in between campuses for Walk-Over purposes.

The SAE retains the authority to patrol and inspect student parking lots and student use areas at any time through the use of trained detection dogs. Such inspections are not considered searches and do not require reasonable suspicion. These inspections shall not be arbitrary, capricious, or discriminatory. Either all vehicles will be inspected or the vehicles to be inspected must be randomly selected. An indication by the dog that illegal, unauthorized or contraband materials are present on school property shall constitute reasonable suspicion, authorizing school officials to search the area or other inanimate object and closed containers and objects within, without securing the consent of the student.

**Seizure of Illegal, Unauthorized, or Contraband Materials**

If a lawfully conducted search yields illegal, unauthorized, or contraband materials, such materials shall be turned over to the proper legal authorities for ultimate disposition.

**Discipline**

If illegal, unauthorized or contraband materials are discovered through a lawfully conducted search, including but not limited to searches conducted by school officials, trained detection dogs or metal detectors, school officials may impose discipline upon the student(s) (including suspension and/or expulsion) in accordance with The SAE's discipline policies and procedures. The SAE shall notify law enforcement authorities if any search and/or seizure results in the discovery of illegal contraband.
Commitment to Safety
The SAE includes Main Campus, DTC Campus, Middle School Campus, and any buildings used by the school in the Pomona Arts Colony. The SAE is committed to ensuring that a safe environment is maintained for all students and has a policy of aggressively responding to situations that include, but are not limited to:

- acts of violence
- transport of a weapon to or from school
- possession of a weapon on school grounds
- use or sales of drugs at school
- other crime-related issues

Students involved in any of these activities are subject to disciplinary consequences and may be referred to the Board of Directors or an Administrative Panel for possible removal from The SAE. In addition, students and perpetrators may be referred to the Pomona Police for possible criminal prosecution.

Parents/legal guardians, please take time to understand The SAE's commitment to safety and explain it to your student(s). Point out to your student(s) that a poor decision now can have a lifelong impact. Tell them that we support them and that they need not be intimidated by other students' behavior. Please inform us if you hear of activities that sound like they might lead to inappropriate behavior and/or violence. Join us in our continual effort to make the safety of our school a top priority.

Walkovers
Student Walkovers are a unique part of The SAE experience. The purpose of Walkovers is to ensure that students move safely, during the school day, from campus to campus for their learning experiences. Walkovers are not to be done by students unless supervised by The SAE Staff. If a student needs to be walked to another campus, they should go to the Main Office of their campus and request supervision, if they are not walking during supervised class changes. If a student cannot be immediately walked, they should wait in that office until supervision is available.

Leaving Campus
The SAE is situated uniquely in Downtown Pomona, as a member of its historic Arts District. Despite the shops and venues in the area, students are expected to stay on campus at all times, until they are picked up by a parent/guardian or the school day has ended. When the school day has ended, students should act as responsible members of the Downtown Pomona community. Once a student leaves campus, it is important that they remember they are an SAE Citizen. Returning to campus after leaving at the end of the school day should be avoided, unless a student has an appointment, performance, or emergency.
**Student Transportation**

Bicycles, skateboards, and scooters are not permitted on campus. If students choose to ride one of these, they must provide their own locks for them and store them at the bicycle rack on the Main Campus or Middle School Campus bike enclosures. If students bring a skateboard, they must have it locked on the skateboard rack by an SAE security officer. The school will not assume liability for the safety and security of student bicycles, skateboards, cars, and scooters. Students may not ride vehicles on campus at any time.

Students may ride bicycles/skateboards/scooters to school if they abide by the following safety rules including the California Helmet Law SB1924:

- Bicycles/skateboards/scooters are to be walked on school premises. Riding skateboards and scooters on campus is strictly prohibited (both during and after school hours).
- No riding in the parking lots.
- Bicycles/skateboards/scooters must be parked in the bike racks and locked.
- Only one person per bike/skateboard/scooter.
- Bicycle/skateboard/scooter riders must obey the same rules that apply to cars when using the street.
- Students may not drive, skateboard, scooter, or ride a bike during Walkovers.

Students who drive to school should ensure they obey all applicable traffic laws. Students are not to drive during the school day unless they have been given permission to leave campus by a parent/guardian and signed out appropriately.

Parents/Guardians should use caution and review all applicable laws and policies when using digital transportation services such as Uber, Lime, and Lyft. The SAE is not responsible for student transportation through these services, provides no warranties for these services, and has no liability for these services, but will work as a partner with parents to find resources to get students to The SAE on a daily basis.

**Emergency and Safety Procedures**

**Emergency Contact**

In the event that a parent/legal guardian needs to get in touch with a student for an emergency, she/he can **call the Main Office at (909) 622-0699, DTC at (909) 620-1196, or the Middle School at (909) 436-1005.**

Students who need to contact parents/legal guardians in the event of an emergency can use the school's phone with permission from a teacher/administration/office staff.

The SAE is committed to creating and maintaining a safe campus at all times, especially during periods of emergency. To adequately prepare our students and staff for emergencies, The SAE conducts emergency drill and safety procedure training with students and staff each year.
Emergency Drills
Emergency drills are conducted during the school year. Drills are a serious practice so that everyone will be prepared should a real emergency occur. Usually, they are earthquake drills because the evacuation procedures are the same for a fire drill. Procedures are reviewed with staff members who in turn teach them to students.

Emergency Procedures
In general, during times of emergency please follow the guidelines below. These guidelines will help us ensure your safety. The SAE will follow its Emergency/Safety Plan in times of emergency. Emergency evacuation procedures are posted in all classrooms. Students are to follow the directions of the staff or faculty at all times. Please keep in mind that there are two (2) possible emergency responses given a student's location:

Emergency Responses

Main Campus, Middle School, and Downtown Center (DTC):
• If an emergency occurs during regular school hours, students are to report to their regularly scheduled class. If an emergency occurs during break, lunch, or the end of the school day, students are to report to their House advisor.

Off Campus (Community Service, Field Trip, etc.):
• If an emergency occurs while off-campus, Students are to report to their supervising teacher/advisor/mentor. Supervising personnel will call The SAE campus and report any absences.

Severe Weather Conditions
During severe weather conditions (tornado watch, lightning, high wind, flooding, etc.), the following situations can create safety problems: fallen trees, branches, power lines, light poles, etc. The safest locations are inside a building or, if you are in a vehicle, remain in the vehicle.

Students are not to be out and about in extreme conditions. Teachers will direct students into their classrooms. Teachers will take roll and students will not be released until it has been determined that it is safe to do so. Before students are released, parents/legal guardians must sign the student out in the Main Offices.

Fire Alarm Tampering
Tampering with or falsely setting off an alarm violates the Penal Code and Education Code. Any student caught involved in such an act will be immediately suspended and required to pay any damages caused by the student’s misconduct. Local law enforcement may also apply consequences to the student involved.

Security and Safety Measures Before and After School
It is important for students to always follow good safety practices, such as:
• Have a partner or a group of friends with you when you are in the Arts Colony.
• Avoid isolated areas.
• When waiting for transportation, be in a location that is open and well populated.
• Do not walk with your cell phone visible in back pocket and/or hand. Put it in a secure location.
• If you are on the campus at night, wait for your ride in a well-lit area, preferably in a well-populated area or in a building.
• If you become concerned about your safety, immediately enter a building and/or notify a staff member.
• In the case of an unusual situation, immediately notify the closest SAE staff member.
• Report anything that seems suspicious to SAE staff.
• Remember that the best strategy for maintaining your safety, in any situation, is to be aware of your surroundings and to be prepared to remove yourself from the situation and seek immediate assistance.

**Emergency Cards**
Every student must have an updated emergency card, signed, and on file in the school office. Students may only leave campus with an adult whose name is listed on the emergency card. Identification will be required of all adults signing students out.

Parents/guardians should ensure that all of their information is correct in the school database. Parents are asked to notify the office in writing as soon as any change occurs. This will ensure that any and all mailing will be received without delay. In the case of emergency, a parent or guardian will be quickly notified.

**Comprehensive Safety Plan**
The SAE has adopted a Comprehensive School Safety Plan, which is available at: The Main Campus Office.

**Health Services**
The SAE’s health services are offered in the Main Office. Although The SAE does not have a health specialist on staff, office staff is available to provide assistance during school hours.

**Health Services Procedures:**
If a student needs health services during class time, he or she should check out of class through his or her teacher. A student must then report directly to the Main Office. Students seeking to be dismissed from school by a parent/legal guardian for illness or a doctor's appointment are requested to wait for his or her parent/legal guardian in class. Only in extreme cases will students be allowed to wait for their rides in the school lobby. If an accident occurs on campus, the office staff will notify the parent or legal guardian and will make a report of the incident.

**Medication:**
Pupils required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon, or ordered for him or her by a physician assistant practicing in compliance with Chapter 7/7 (commencing with Section 3500) of Division 2 of the Business and Professions Code, may be assisted by designated personnel or may carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication, if the school receives the appropriate written statements as follows:
1) In order for a pupil to carry and self-administer prescription auto-injectable epinephrine, the School shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine or inhaled asthma medication, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the School and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication.

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

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

4) In order for a pupil to be assisted by the school nurse or other designated school personnel in administering medication other than emergency epinephrine auto-injectors or inhaled asthma medications, The SAE shall obtain both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil indicating the desire that The SAE assist the pupil in the matters set forth in the statement of the physician and surgeon or physician assistant.

The SAE has forms for the physician and parent/legal guardian to sign when a student must take medication at school. Medication must be brought in a pharmaceutical container with the student's name, physician's name, and the name of the medication, dosage and time to be administered clearly labeled. The same directions apply for over-the-counter medication such as aspirin, Tylenol, and Midol. Students are PROHIBITED from carrying medication of any kind without a doctor's authorization for self-administration. Students may not offer their medication to another student at any time. Students who feel that they need medication must come to the Main Office where the office staff will assist them in reaching a parent or legal guardian.
Immunizations

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

Required Immunizations, Records and Reports

California law requires that an immunization record be presented to The SAE staff before a child can be unconditionally enrolled in school. Students entering 7th grade who are not exempt from the immunization requirements must show proof of the following: Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) and Varicella (two doses).

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, chickenpox and primary series for diphtheria, tetanus, and pertussis), in addition to the 7th grade requirements for Tdap and two (2) doses of Varicella.

The SAE’s verification of immunizations will be completed with written medical records from the child’s doctor or immunization clinic. Immunization records shall be part of the mandatory permanent pupil record and shall be kept in accordance with The SAE’s Student Information Policy. The SAE will file a written report on the immunization status of all new entrants to The SAE with the California Department of Public Health as required by law.

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

The SAE shall immediately admit a foster child, as defined in Education Code § 48853.5(a), and a homeless child, as defined in Section 11434a(2) of Title 42 of the United States Code, whose immunization records are not available or are missing. However, this does not alter Charter School’s obligation to obtain immunization records for foster and homeless students or to ensure the full immunization of foster and homeless students as required by law.

If The SAE discovers that an admitted student who is not exempt from the immunization requirements has not received all required immunizations and does not meet the conditional admission requirements set forth below, The SAE will notify his/her parent/guardian. If, within ten (10) school days of the notice, the child does not provide documentation of having received all required immunizations, The SAE shall exclude the student from attendance. The student shall remain excluded from The SAE until he/she is fully immunized. The student shall also be reported to the School Registrar.
Whenever there is good cause to believe that a student has been exposed to a communicable disease for which immunization is required, that student may be temporarily excluded from The SAE until the local health officer is satisfied that the person is no longer at risk of developing the disease.

Conditional Admittance
Students may be conditionally admitted in accordance with Health and Safety Code Section 120340 and Title 17, California Code of Regulations Section 6035. The Executive Director/Director or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses. The Executive Director/Director or designee shall review the immunization record of each student admitted conditionally every thirty (30) days until that student has received all the required immunizations. If a student conditionally admitted fails to fulfill the conditions of admission, the School will prohibit the student from further attendance until that student has been fully immunized as required by law.

Exemptions from Immunization Requirements:
All students must be fully immunized in accordance with the California Health and Safety Code and the California Code of Regulations with the following exceptions:

- Students who show proof of a medical exemption by a physician licensed to practice medicine in California pursuant to Health and Safety Code § 120370; If there is good cause to believe that a child has been exposed to a disease listed in subdivision (b) of Section 120335 and his or her documentary proof of immunization status does not show proof of immunization against that disease, that child may be temporarily excluded from the school or institution until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease.
- Students who are enrolled in a home-based private school or an independent study program and do not receive any classroom-based instruction.
- Students who, prior to January 1, 2016, submitted a letter or affidavit on file at a private or public elementary or secondary school in California stating beliefs opposed to immunization, and who provides said letter or affidavit to the Charter School, shall be allowed to enroll at Charter School without being fully immunized until the student enrolls in the next grade span pursuant to Health and Safety Code § 120335 (g);

“Grade span” means each of the following:
- Birth to Preschool.
- Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten.
- Grades 7 to 12, inclusive.

This Policy does not prohibit a pupil who qualifies for an individualized education program (“IEP”), pursuant to federal law and Education Code§ 56026, from accessing any special education and related services required by his or her individualized education program.

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

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.
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.

**Sexual Health Education**

The SAE 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. The SAE 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 comprehensive sexual health education and HIV prevention education in writing to the Charter School.
• Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by Charter School personnel or outside consultants. When the Charter School chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
  o The date of the instruction
  o 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 or 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 the Charter School.

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 the Charter School 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.
**No Smoking Policy**
California State Law prohibits the use of tobacco products by minors. No one, adult or student, may use tobacco on school grounds and/or within 100 feet of the campus. Use or possession of tobacco or tobacco products by a student will result in suspension. Tobacco products include products containing tobacco or nicotine, including nicotine delivery devices such as electronic cigarettes, electronic hookah and other vapor – emitting devices. Any device that mimics the use of tobacco products is prohibited.

**General Information**

**Conditions for Classroom and School Visitation and Removal Policy**
While The SAE Charter School encourages parents/guardians and interested members of the community to visit and view the educational program, The SAE also endeavors to create a safe environment for students and staff.

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

1. Visits during school hours should first be arranged with the teacher and Executive Director or designee, at least three (3) days in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three (3) days in advance. Parents seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the Executive Director or designee.

2. All visitors shall register with the front office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor is required to provide his/her name, address, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Executive Director or designee may design a visible means of identification for visitors while on school premises.

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

4. The SAE does not allow for classroom volunteers. Volunteers can inquire about opportunities to
The Principal.

5. While on campus, visitors are to enter and leave classrooms as quietly as possible, not converse with any student, teacher, or other instructional assistant unless permitted, and not interfere with any school activity. No electronic listening or recording device may be used in a classroom without the teacher’s and Executive Director’s written permission.

6. Before leaving campus, the visitor must sign out and relinquish their badge in the main office.

7. The Executive Director, or designee, may refuse to register an outsider if he or she has a reasonable basis for concluding that the visitor’s presence or acts would disrupt the school, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.

8. The Executive Director or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reasonable basis for concluding that the visitor’s presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is disrupting the school, its students, its teachers, or its other employees. If consent is withdrawn by someone other than the Executive Director, the Executive Director may reinstate consent for the visitor if the Executive Director believes that the person’s presence will not constitute a disruption or substantial and material threat to The SAE’s orderly operation. Consent can be withdrawn for up to fourteen (14) days.

9. The Executive Director or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds.

10. When a visitor is directed to leave, the Executive Director or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.

11. Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Executive Director or the Board on the propriety of the denial or revocation. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to be sent, and shall be delivered to either the Executive Director or the Board President within five (5) days after the denial or revocation. The Executive Director or Board President shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Executive Director shall be held within seven (7) days after the Executive Director receives the request. A hearing before the Board shall be held at the next regularly scheduled Board meeting after the President receives the request.

12. The Executive Director or designee shall seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.

13. At each entrance to the grounds of The SAE, signs shall be posted specifying the hours during which registration is required, stating where the office of the Executive Director or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.

14. All Volunteers must have prior approval and go through The SAE’s Volunteer Identification Process (VIP). This includes TB records on file, fingerprint/live scan on file and ancillary application.
15. No electronic listening or recording device may be used by students or visitors in a classroom without the teacher’s and Executive Director's written permission.

**Penalties**

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to $500.00 or imprisonment in the County jail for a period of up to six (6) months or both.

2. Under California Education Code section 44811, disruption by a parent, guardian or other person at a school or school sponsored activity is punishable, upon the first conviction, by a fine of no less than $500.00 and no more than $1,000.00 or by imprisonment in a County jail for no more than one (1) year, or both, the fine and imprisonment.

3. Further conduct of this nature by the visitor may lead to the School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending School activities for any purpose for a period of (3) three years.

**Closed Campus**

The SAE is a closed campus and non-SAE students are restricted from the campus at all times unless previous permission is granted through the Administration Office. Visitors must sign in at the Main Office and obtain a visitor's badge that must be worn for the duration of their stay on campus. Visitors must also sign out and relinquish their badge before leaving campus. Any visitor without a badge will be asked to leave immediately. Students are also prohibited from loitering in any gallery or hallway that is shared with the general public at the DTC Campus (downstairs backdoor lobby, gallery, etc.). All visitors must comply with the Conditions for Classroom and School Visitation and Removal Policy noted above.

**Advanced Placement Program**

The Advanced Placement (“AP”) Program consists of classes that are equivalent to first year college courses. The academic rigor of these classes prepares students for college level studies. Students demonstrate mastery of the curriculum by taking AP Exams in May administered by the College Board. Most colleges give credit and/or advanced placement to students whose grades are considered passing. Please check with the high school counselor for fee and collection dates.

**Mathematics Placement Policy**

This policy of The SAE Board of Directors has been adopted to establish a fair, objective, and transparent protocol for placement in mathematics courses for students entering 9th grade, in order to ensure the success of every student and to meet the Legislative intent of the California Mathematics Placement Act of 2015.

In determining the mathematics course placement for entering 9th grade students, the Charter School systematically takes multiple objective academic measures of student performance into consideration, including:

a. Eighth grade mathematics classroom assignment;

b. Final grade in mathematics on the student’s official, end of the year 8th grade report card;
c. Statewide mathematics assessments, including interim and summative assessments through the California Assessment of Student Performance and Progress (“CAASPP”);
d. Placement tests that are aligned to state-adopted content standards in mathematics;
   i. A remedial test to determine if entering 9th grade students require a support class to be taken concurrently with Integrated Math I.
   ii. The Integrated Math I final exam to determine if entering 9th grade students are ready for acceleration into Integrated Math II.
e. Recommendation, if available, of each student’s 8th grade mathematics teacher based on classroom assignment and grades;
f. Recommendation, if any, of each student’s 9th grade mathematics teacher based on classroom assignments and grades provided at the beginning of the school year;
g. Results from all placement checkpoints, including at least one (1) placement checkpoint within the first month of the school year as described below.

The Charter School will provide at least one (1) placement checkpoint within the first month of the school year to ensure accurate placement and permit reevaluation of individual student progress. All mathematics teachers responsible for teaching 9th grade students will assess the mathematics placements for each 9th grade student assigned to the teacher’s mathematics class. The teacher’s assessment will take into consideration factors which may include, but are not limited to, the student’s classroom assignments, quizzes, tests, exams, and grades, classroom participation, and any comments provided by the student, the student’s parent/legal guardian, and/or the student’s other teachers regarding the student’s mathematics placement. Based on the assessment, the teacher will then recommend that the student remain in the current mathematics placement or be transferred to another mathematics placement, in which case the teacher shall specify the mathematics course or level recommended for the student.

The Charter School Executive Director, or his or her designee, shall examine aggregate student placement data annually to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures included above in this policy are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. The Charter School shall annually report the aggregate results of this examination to the Charter School Board.

The Charter School offers clear and timely recourse for each student and his or her parent or legal guardian who questions the student’s placement, as follows:

A parent/legal guardian of any 9th grade student may submit a written request to the Charter School Executive Director, or his or her designee, that:
   i. Requests information regarding how the student’s mathematics placement was determined. Within five (5) days of receipt, the Charter School Executive Director or designee shall respond in writing to the parent/legal guardian’s request by providing the information, including the objective academic measures that the Charter School relied upon in determining the student’s mathematics placement.
   ii. Requests that the student retake the placement test, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
   iii. Requests that the student retake the 8th grade end of course final mathematics assessment, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
Requests reconsideration of the student’s mathematics placement based on objective academic measures. Within five (5) school days of receipt, the Charter School Executive Director or designee shall respond in writing to the parent/legal guardian’s request. The Executive Director or designee and the student’s mathematics teacher must assess the objective academic measures provided by the parent in conjunction with the objective academic measures identified above. Based on this assessment, the Executive Director or designee must determine whether the most appropriate mathematics placement for the student is the student’s current placement or another placement, in which case the Executive Director shall specify the mathematics course or level recommended for the student. The Executive Director’s or designee’s response must provide the determination as well as the objective academic measures that the Executive Director or designee relied upon in making that determination.

Notwithstanding the foregoing, if the Executive Director or designee requires additional time to respond to a parent/legal guardian’s request, the Executive Director or designee will provide a written response indicating that additional time is needed. In no event shall the Executive Director’s or designee’s response time exceed one (1) month.

If, after reconsideration of the student’s mathematics placement by the Executive Director or designee, the parent/legal guardian is dissatisfied with the student’s mathematics placement, the parent/legal guardian may choose to sign a voluntary waiver requesting that the student be placed in another mathematics course against the professional recommendation of the Executive Director or designee, acknowledging and accepting responsibility for this placement.

The SAE must ensure that this mathematics placement policy is posted on its website.

This policy is adopted pursuant to the Mathematics Placement Act of 2015, enacted as Education Code Section 51224.7.

**Student Artist Academic Participation Criteria and Rehearsal Policy**

**Student Artist Academic Participation Criteria**

All SAE student artists are expected to uphold a strong academic presence at the school. Students will be required to maintain a 2.0 academic grade point average in all SAE courses. Failure to meet a 2.0 GPA at the end of a semester will require the student to be placed on Academic Intervention. Students on Academic Intervention may be excluded from participation in any non-graded art department performance or activity at the discretion of the Department Director. A student artist on Academic Intervention will also be excluded from any extracurricular field trips or activities. A second continuous semester on Academic Intervention will result in the student being placed on Artistic Probation. Any student on Artistic Probation will not be allowed to participate in any SAE art program (i.e performances, auditions, gallery exhibitions et al.), and enrolled in a required 8th Block Academic Intervention course. Any student at The SAE High School receiving an F in their Art Major course may be placed on Artistic Probation after a parent meeting with the SAE Principal and Artistic Director (or appropriate staff designee) to discuss appropriate next steps. Any student on Academic Intervention or Artistic Probation will need 1 continuous semester of a GPA over 2.0 or a non F in their Art Major Courses (SAE High School Only) to be reinstated with no further restrictions.
Rehearsal Policy
Performing Arts students at The SAE will be expected and required to attend all after school rehearsals and performances as deemed necessary by the department and the school. Failure to attend may result in a negative effect to a student’s course grade and multiple absences may affect student’s participation in productions. Please note that consequences for excessive tardies will follow The SAE’s Attendance policy and may result in eventual removal from the course. Failure to participate in required productions will also negatively impact course grades. Specific requirements for production participation are outlined on course syllabi as needed.

All rehearsal schedules will be posted on Google Classroom, Department websites, or will be released to students by The Department Director or instructor. Rehearsal schedules should be considered fluid, and may change based on the needs of the production. It is the responsibility of the student artists and parents to be aware of all current rehearsal schedules and attendance requirements. Please check specific requirements in each Department’s course syllabi.

Production Casting
The SAE is committed to diverse, inclusive casting for every role, while honoring a playwright’s expressed intentions and adherence to licensing agreements. All casting decisions are at the sole discretion of The SAE Faculty. The SAE students understand that once a casting decision has been made, it is final. The faculty will not offer explanations for, entertain complaints about, or discuss in any way the decisions that have been made, with anyone. Faculty will not discuss specific casting decisions or the student’s audition with the student’s parent(s) at any time. General Departmental feedback will consistently be provided to improve student learning and schoolwide expectations.

Student Drop Off & Pick Up For Rehearsals and Performances
Student artists are required to be on time for all rehearsals and picked up promptly at the designated completion time. Please contact the specific Department Director for further information.

Visual and Performing Arts Equipment Policy
Visual and Performing Arts equipment at The SAE is provided for the purpose of supporting the mission and vision of The SAE. The goal in loaning equipment to students is to promote educational excellence by facilitating resource sharing, innovation, creativity, and increased productivity.

The SAE’s unique focus on the integration of arts and academics is considered in this policy and works as a safeguard for student use of equipment. Use of The SAE equipment is a privilege that carries responsibility and behavioral expectations consistent with all school rules and policies, including, but not limited to those stated in The SAE Student-Parent Handbook. It is understood that members of our SAE community will use all types of loaned equipment in a responsible, ethical, and legal manner at all times.

The SAE retains sole right of ownership of all equipment loaned to students. The SAE retains the right to collect and/or inspect the equipment at any time.
Equipment
Visual and Performing Arts equipment within the school's inventory is available for registered student use depending on availability. The rental inventory includes items such as musical instruments, costumes, and film equipment for use in Visual and Performing Arts classes and special performances. The equipment is administered by the student’s Arts Instructor or Artistic Director. Students who do not wish to borrow school equipment will be able to use equipment on The SAE’s campus during school hours.

Check Out Procedures
Checkout forms are available upon request from either the student’s Art Instructor or the Artistic Director. Please complete the checkout form(s) including authorizing signatures from parents/guardians, student, and instructor/director. This process must be completed before equipment will be checked out. This process must be repeated each academic semester that equipment is issued. For further questions or concerns contact your art teacher.

Dates and Deadlines
Equipment cannot be checked out for an entire year. All school equipment must be checked out each semester. Please see The SAE’s Student Computing Devices/Equipment Policy and Acceptable Use Policy for additional information regarding use of school equipment and materials.

Complaint Procedure
The SAE employees are committed to parental, family, and community involvement in the educational process. Parents, families, and community members are active partners in educating children and assume a vital role in ensuring success in school. There will be times when a parent, guardian, or custodian may need to make an inquiry of school system employees to address a concern. This document outlines the steps for responding to parental school-based concerns so that inquiries or problems are resolved as quickly and as satisfactorily as possible. We encourage parents to resolve problems collaboratively. Teamwork and resolving conflicts in a timely manner are very important to your child's education.

When issues arise, we encourage parents to informally direct their concerns to the persons most closely involved. However, when the informal process fails to provide resolution, a parent may file a formal complaint and seek review at a higher administrative level. In both processes, the intent is to protect the confidentiality and preserve the dignity of everyone involved. The SAE has both informal and formal processes for responding to parental inquiries, concerns and complaints. Exceptions to these procedures are noted for issues where an alternative process is specifically provided by statute or other regulations. The procedures outlined here are not to be used for resolving complaints that are specifically governed by other existing state or local regulations, such as student suspensions, expulsions, or special education appeals.

Informal Process
1. The first level in resolving concerns and issues is to address them with the school-based staff member who is most closely and directly involved. Through a process of cooperative agreement, the affected individuals can usually meet a mutually effective resolution. Staff will document this informally. If the issue cannot be resolved at this level, the parent should be referred to the school administrative
2. The second level in resolving the concerns is to contact a member of the school's administrative team (the Counselor or Director). The administrator will take into consideration the needs of all parties as well as all applicable SAE policies and procedures.
   a. The administrator will confirm that the parent has attempted to resolve the issue or concern with the classroom teacher or other school-based staff member, when appropriate.
   b. If the concern has not been resolved through the informal process, the parent may submit a written request for a formal meeting with the Director.

**Formal Process**

**A. Level 1**

1. The first level in the formal process is to request a meeting with the school administration in writing, outlining specific concerns and desired solutions on Part I of the Parent Concern Form, which can be found on our website or in the Main Office.
   a. The Director or designee will contact the parent within three (3) school days to arrange a mutually agreed upon meeting date and time. The Director or designee will furnish the parent with a copy of this document that explains the formal process.
   b. The Director will formally document any agreements that are made at the meeting. The Director will follow up the meeting by completing Part II of the Parent Concern form, summarizing the outcome of the meeting, identifying areas of agreement, and laying out steps to address any issues still unresolved.
   c. This response will be sent within ten (10) school days from the date of the meeting. If a concern cannot be reasonably resolved within the ten (10) school days, the Director may extend the time for not more than ten (10) additional school days. The parent will be informed of the extension in writing.
   d. The parent will sign and return the Parent Concern Form.
   e. If the issue is not resolved satisfactorily, or the concern directly involves the Director, the parent will be referred to The Governing Board of The SAE. The Director will forward copies of all applicable documentation to The Board including the Parent Concern Form. Parents may also submit applicable documentation.

**B. Level 2**

2. The second level in the formal process is a review by The Board President or designee. Upon receipt of the referral. The Board President or designee will:
   a. Contact the parent.
   b. Confer with the parent, Director, and other appropriate staff members regarding the concern.
   c. Complete the Parent Concern Form, documenting any decisions or agreements made and forward copies of the final response to the Director and parent within ten (10) school days of receipt of the request.
The decision of the Board will be final.

**General Requirements**

1. **Confidentiality:** All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

2. **Non-Retaliation:** All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

3. **Resolution:** The Board, Executive Director, or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

**Uniform Complaint Policy**

**Scope**

The SAE has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs. The SAE shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by our Governing Board. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs, which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

1. Complaints of unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, immigration status/citizenship, mental disability, physical disability, ethnic group identification, gender expression, gender identity, gender, genetic information, medical condition, marital status, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and

2. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Consolidated Categorical Aid Programs, Child Nutrition Programs, Foster and Homeless Youth Services, ESSA/No Child Left Behind Act (2001) Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, and Programs, Special Education Programs, Accommodations for Pregnant and Parenting Pupils, Migratory Pupils, and Pupils from Military Families.

3. A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
   a. “Educational activity” means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and
extracurricular activities.

b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in Hartzell v. Connell (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

   i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.

   ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.

   iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

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

d. If the Charter School finds merit in a pupil fees complaint the Charter School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

e. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

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

(5) Complaints of noncompliance with the requirements of Education Code Section 222 regarding the rights of lactating pupils on a school campus.

(6) Complaints of noncompliance with the requirements of Education Code Section 48645.7 regarding the rights of juvenile court school pupils when they become entitled to a diploma.

(7) Complaints of noncompliance with the Charter School’s School Safety Plan.

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

The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Director or
designee on a case-by-case basis.

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

**Compliance Officers**

Complaints of noncompliance with laws relating to pupil fees are filed with the Executive Director of the Charter School. A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees. Complaints other than complaints relating to pupil fees must be filed in writing with the following compliance officer:

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

*Jon Gundry, Executive Director*

*The School of Arts and Enterprise*

*295 N. Garey Ave*

*Pomona, CA 91767*

*909 622 0699*

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

Should a complaint be filed against the above-named compliance officer for that case shall be the President of the Charter School Board of Directors.

**Notifications**

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

The annual notice shall be in English. Pursuant to Education Code Section 48985, if fifteen (15) percent or more of the pupils enrolled in the Charter School speak a single primary language other than English, this annual notice will also be provided to the parent or guardian of any such pupils in their primary language.

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

The annual notice shall include the following:

(a) A statement that the Charter School is primarily responsible for compliance with federal and state laws and regulations.

(b) A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
(c) A statement identifying the responsible staff member, position, or unit designated to receive complaints.

(d) A statement that the complainant has a right to appeal the Charter School’s decision to the California Department of Education (“CDE”) by filing a written appeal within 15 days of receiving the Charter School’s Decision.

(e) A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code § 262.3.

(f) A statement that copies of the local educational agency complaint procedures shall be available free of charge.

Procedures

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

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

- **Step 1: Filing of Complaint**
  
  Any individual, public agency or organization may file a written complaint of alleged noncompliance by the Charter School.

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

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

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

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

- **Step 2: Mediation**
  
  Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

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

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

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

● Step 3: Investigation of Complaint

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

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

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

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

● Step 4: Response

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

● Step 5: Final Written Decision

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

The decision shall include:

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

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

Appeals to the California Department of Education

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

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

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

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

Civil Law Remedies

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

Technology resources at The SAE are provided for the purpose of supporting the mission and vision of The SAE. The goal in providing these devices is to promote educational excellence by facilitating resource sharing, innovation, research, creativity, communication, increased productivity, and mobile learning.

The SAE’s unique focus on the integration of arts and academics is considered in this policy and works as a safeguard for student use of technology and equipment.

Use of these technologies is a privilege that carries responsibility and behavioral expectations consistent with all school rules and policies, including, but not limited to those stated in The SAE Parent-Student Handbook. It is understood that members of our SAE community will use all types of computing devices and the school’s network in a responsible, ethical, and legal manner at all times.

The SAE retains sole right of ownership of computing devices and related equipment. The SAE retains the right to collect and/or inspect the computing device at any time, and to alter, add, or delete installed software or hardware.

Computing Devices and Equipment
Receiving Your Computing Device or Equipment
Parents/guardians and students must sign and return the Acceptable Use Policy and Handbook Acknowledgement documents before their child is allowed to use The SAE-issued technology and equipment, including but not limited to: labs, recording equipment, and classroom laptops.

Students, who transfer, withdraw, are suspended or expelled from The SAE during the school year, must surrender any device or equipment upon termination of enrollment.

Device/Equipment Return Fines
Failure to return the device or equipment may result in a theft report being filed by The SAE with the local police department. If a student fails to return the device or equipment upon termination of enrollment at The SAE, that student and/or parent/guardian will be subject to criminal prosecution or civil liability. The student and/or the student’s parent/guardians must also pay all damages incurred by The SAE as a result of a student’s willful damage to or loss of The SAE’s property, in an amount not to exceed $10,000, adjusted annually for inflation.

Maintenance of Devices and Equipment
Students are responsible for the general care of the device or equipment they have been issued by the school. Devices and/or Equipment that are broken or fail to work properly must be taken to The SAE’s Information Technology (IT) Department for an evaluation of the equipment.

General Precautions
Devices and Equipment are school property and all users will follow this policy and The SAE’s Acceptable Use Policy for technology;

● Cords and cables must be handled carefully to prevent damage;
Laptops must be returned in their original working condition to the appropriate laptop cart and plugged in correctly;
Devices and Equipment must remain free of any writing, drawing, stickers, or labels that are not the property of The SAE;
Devices must never be left in an unsupervised area, including but not limited to: unlocked cars, and campus common areas;
Students may not use “skins” or stickers to “personalize” devices and equipment. Devices and Equipment are for all authorized students and personnel of The SAE.

Carrying Devices
The guidelines below should be followed:
- Carry laptops with both hands.
- Avoid placing too much pressure and/or weight (such as folders and workbooks) on the tablet screen or laptop.

Screen Care
Device screens can be damaged if subjected to rough treatment. The screens are particularly sensitive to damage from excessive pressure on the screen.
- Do not lean on the top of the device.
- Do not place anything near the device that could put pressure on the screen.
- Do not place anything that will press against the cover. Clean the screen with a soft, dry cloth, microfiber or anti-static cloth. No harsh cleaners that can damage the surface of the device can be used.
- Do not “bump” the device against walls, car doors, floors, etc. as it will eventually break the screen.

Passwords
Devices will be password protected. Students are prohibited from sharing their password with anyone else except their parents/guardians for their own protection. Students who use an account that is not their own may be subject to disciplinary consequences.

Screensavers/Background Photos
A standard screensaver or background will be preset on laptops and tablets. Backgrounds that are considered, but not limited to, inappropriate, abusive, hateful, harassing, or sexually explicit in nature cannot be used as a screensaver or background photo. Students that violate this policy may be subject to consequences based on the nature of the modified screensaver/background.

Photos/Music
Photo/image storage on the devices will be for school projects only. Storage of students’ personal music, games, programs, photos or downloaded images is not allowed.
- Students may not download music from iTunes or any other music-sharing site unless directed by or with the permission of a teacher.
- Music is only allowed on the device if provided by the teacher for educational use.
- Sound must be muted at all times unless permission is obtained from the teacher for instructional purposes.
- Non-educational games or applications are not allowed on the tablets.
Managing Your Files and Saving Your Work

Saving Work to Google Docs, iCloud or The SAE Approved Data Storage Solution

It is the student’s responsibility to ensure that work is not lost due to mechanical failure or accidental deletion. Tablet and Laptop malfunctions are not an acceptable excuse for not submitting work; therefore, students should back up all work.

Software on Devices

Originally Installed Software

The SAE will synchronize the device to contain the necessary programs for schoolwork. The software/apps originally installed by The SAE must remain on the tablet in usable condition and be easily accessible at all times.

Procedure for Reloading Software

If technical difficulties occur or illegal software (non SAE-approved) is discovered, devices will be restored from backup. The school does not accept responsibility for the loss of any software or documents deleted due to a reformat or reimage. In this event, the student can lose the privilege of device use.

Acceptable Use Policy

The SAE’s technology resources that are provided by the school are not transferable or extendible by students to people or groups outside the school and terminates when a student is no longer enrolled in the school.

This policy is provided to make all users aware of the responsibilities associated with efficient, ethical, and lawful use of technology resources. If a person violates any of the User Terms and Conditions named in this policy, privileges may be terminated, access to the school’s technology resources may be denied, and the appropriate disciplinary action shall be applied. The Acceptable Use Policy (“AUP”) shall be applied to student infractions.

Violations may result in disciplinary action up to and including suspension/expulsion for students. When applicable, law enforcement agencies may be involved.

Parent/Guardian Responsibilities

Parents/guardians are to talk to their children about values and the standards that they should follow that pertain to the use of the appropriate internet and all other digital media resources.

The SAE Responsibilities

- Provide internet and email access to students, including an SAE-issued email address.
- Provide data storage areas through Google Drive. The SAE reserves the right to review, monitor and restrict information stored on or transmitted via school-owned equipment and to investigate inappropriate use of resources.
- Provide staff guidance to aid students in doing research and help assure student compliance of the Acceptable Use Policy.

Students Responsibilities

- Use computers/tablets in a responsible and ethical manner. Comply with general school rules concerning behavior and communication that apply to tablets/computer use.
• Use all technology resources in an appropriate manner so as to not damage school equipment. Damages include, but are not limited to, the loss of data resulting from delays, non-deliveries, or service interruptions caused by the student’s own negligence, errors or omissions.
• Help The SAE protect their computer system/device by contacting an administrator or teacher about any security problems encountered.
• Monitor all activity on their account(s).
• Turn off and secure devices after use to protect work and information.
• Return devices to their source after use or as directed by The SAE personnel. In the event that the student is unsure of its source for any reason, the device should be returned to their teacher, an administrator, or the campus main office.
• Do not post personal identifiable information, including, but not limited to: name, address, or social security number.

Strictly Prohibited Student Activities
• Illegal installation or transmission of copyrighted materials.
• Any action that violates existing school policy or law.
• Sending, accessing, uploading, downloading, or distributing offensive, profane, threatening, pornographic, obscene, or sexually explicit materials.
• Use of chat rooms, sites selling term papers, book reports and other forms of student work.
• Use of any messaging services (e.g., Google Chat, MSN Messenger, ICQ, AIM, IMO, iMessage).
• Non-educational games or games not approved by a teacher.
• Use of social media outside of approved educational purposes (e.g. Facebook, Instagram, Snapchat). Please see “Social Media” section of this policy.
• Use of outside data disks or external attachments without prior approval from the administration or teacher.
• Changing or removing device settings or The SAE’s loaded device management profiles (exceptions include personal settings such as font size, brightness, etc.).
• “Jailbreaking” a tablet/device or loading software that bypasses the system’s original security measures or normal mode of operation.
• Spamming or sending mass or inappropriate emails.
• Gaining access to other students’ accounts, files, and/or data.
• Use of the school’s internet/email accounts for financial or commercial gain or for any illegal activity.
• Use of anonymous and/or false communications such as, but not limited to, MSN Messenger, Yahoo Messenger, email, etc.
• Participation in credit card fraud, electronic forgery or other forms of illegal behavior.
• Vandalism of school equipment (any malicious attempt to harm or destroy hardware, software or data, including, but not limited to, the uploading or creation of computer viruses or computer programs that can infiltrate computer systems and/or damage software components).
• Transmitting or accessing materials that are obscene, offensive, threatening or otherwise intended to harass or demean recipients.
• Bypassing The SAE’s school web filter through a web proxy.
• Creating, sending, accessing or downloading material, which is abusive, hateful, harassing, or sexually explicit (e.g., engaging in inappropriate activity, such as but not limited to, sending threatening messages on social media or other forms of cyber-bullying).
**Social Media**

Students of The SAE are expected to set and maintain high ethical standards in their use of social networking. Since social media reaches audiences far beyond the community, students must use social sites responsibly and be accountable for their actions. If a student sees anything of concern on a fellow SAE student's social networking page or account, he/she should immediately contact the school’s administration, teachers, or another adult within the school.

- “*Think before you post.*” The SAE asks students to use discretion when posting information onto the internet.
- The SAE reserves the right to request school-related images or content posted without permission to be removed.
- Do not misrepresent statements or information by using someone else's identity.
- Social media venues are public and information can be shared beyond a student’s control. “*Be conscious of what you post online as you will leave a long-lasting impression on many different audiences.*”
- Do not post or link anything (photos, videos, web pages, audio files, forums, groups, fan pages, etc.) to a social networking sites that you would not want friends, peers, parents, teachers, college admissions officers, or future employers to access. Any digital content that is created and/or posted will create a personal digital footprint that cannot be erased.
- When responding to others, remember to be respectful and avoid comments that may be hurtful. Do not use profane, obscene, or threatening language.
- Only accept invitations to share information from people you know. Utilize privacy settings to control access to the network, web pages, profile, posts, blogs, wikis, podcasts, digital media, forums, groups, fan pages, etc.
- Online stalkers and identity thieves are a real threat. Never share personal information, including, but not limited to, Social Security numbers, phone numbers, addresses, exact birth dates, and pictures with unknown parties or on unsecure sites.
- Users should keep passwords secure and never share passwords with others. “*If someone tampers with your blog, email, or social networking account without you knowing about it, you could be held accountable.*”
- Cyber-bullying is considered an act of harassment and is considered unlawful.

**Tablet and Laptop Care**

Students will be held responsible for maintaining school devices and keeping them in good working order. Batteries must be charged and ready by following the check-in/out policy at the school.

Devices that malfunction or are damaged must be reported to the teacher, administrator, or the campus main office. The school will be responsible for repairing devices that malfunction or are accidentally damaged. A device that is willfully damaged by the student will be repaired and the insurance deductible cost will be borne by the student. Repairs may take between 7 to 10 days to complete.

A device that is stolen must be reported immediately to a teacher, administrator, or the campus office.

**Legal Propriety**

Comply with trademark and copyright laws and all license agreements. Ignorance of the law is not immunity. If a student is unsure, ask a teacher, administrator, or parent.
Plagiarism is a Violation of the School’s Code of Conduct
Give credit to all sources used, whether quoted or summarized. This includes all forms of media on the internet, such as graphics, movies, music, and text.

Use or possession of hacking software is strictly prohibited and violators will be subject to disciplinary action. Violation of applicable state or federal law may result in criminal prosecution.

Student Discipline
If a student violates any part of the above policy, he/she may be subject to disciplinary action in accordance with The Handbook and Suspension and Expulsion policies and procedures outlined for discipline. Student discipline may vary based on the infraction.

Protecting and Storing the Device
Storing the Device
When students are not using devices, they should be stored in a tablet or laptop storage unit in the classroom or designated charging cart.

Devices Left in Unsupervised Areas
Under no circumstances should devices be left in unsupervised areas. Unsupervised areas include the school grounds and campus, eating areas, technology labs, unlocked classrooms, and hallways. Any device left in these areas is in danger of being stolen. If a device is found in an unsupervised area, it will be taken to the school main office.

Damage Responsibility
Parent(s) will be held responsible for ALL willful damage to a device, including, but not limited to: broken screens, damaged metal casing, cracked plastic pieces, in-operability, etc. In addition to civil liability under Civil Code section 1714.1, the parent or guardian of any student who willfully cuts, defaces, or otherwise injures any real or personal property of The SAE or the personal property of its employees, or fails to return same upon demand of The SAE, are liable for all damages caused by the student’s misconduct not to exceed ten thousand dollars ($10,000), adjusted annually for inflation. After notifying the student’s parent or guardian in writing of the student’s alleged misconduct and affording the student due process, The SAE may withhold the student’s grades, transcripts, and diploma until the damages have been paid. If the student and the student’s parent/guardian are unable to pay for the damages or to return the property, The SAE 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.

Students should report any damage or loss to the immediate teacher for further evaluation. Responsibility will be determined after the device is sent for repair/replacement.

Technology and Internet Safety

Internet Safety
In compliance with the Children's Internet Protection Act ("CIPA"), The SAE will implement filtering and/or blocking software to restrict access to Internet sites containing child pornography, obscene depictions, or other materials harmful to minors under 18 years of age. The software will work by scanning for objectionable words or concepts, as determined by The SAE.
While The SAE is able exercise reasonable control over content created and purchased by The SAE, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither The SAE nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. Students and their parent/guardian shall agree not to hold The SAE or any of The SAE’s staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless The SAE and The SAE personnel for any damages or costs incurred.

A user who accidentally connects to such a site must immediately disconnect from the site and notify a teacher or administrator. If a user sees another user is accessing inappropriate sites, he/she should notify a teacher or administrator immediately.

To reinforce these measures, the Executive Director or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. The SAE will implement a mechanism to monitor all minors' online activities, including website browsing, email use, chat room participation and other forms of electronic communications. Staff shall monitor students while they are using online services and may have teacher aides, student aides, and volunteers assist in this monitoring. Such a mechanism may lead to discovery a user has violated or may be violating this policy, the appropriate disciplinary code or the law. Monitoring is aimed to protect minors from accessing inappropriate matter, as well as help enforce this policy, on the internet. The SAE reserves the right to monitor other users' online activities, and to access review, copy, store or delete any electronic communications or files and disclose them to others as it deems necessary.

The Executive Director or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

The Executive Director or designees shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, maintaining the student’s online reputation and ensuring their personal safety by keeping their personal information private, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying. Students are expected to follow safe practices when using The SAE’s technology.

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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, directed toward one or more pupils that has or can be reasonably predicted to have one or more of the following effects:
- Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupil’s person or property.
- Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- Causing a reasonable pupil to experience 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 the school.

As used in connection with “bullying,” an “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:
If a student under the age of 18 accesses his/her SAE school account or the internet outside of school, a parent/guardian must supervise the student's use of the account or Internet at all times and is completely responsible for monitoring the use. Filtering and/or blocking software may or may not be employed to screen home access to the internet when using SAE property. Parents/guardians should inquire at the school if they desire more detailed information about the software.

Student information shall not be posted unless it is necessary to receive information for instructional purposes, and only if the student's teacher and parent or guardian has granted permission.

Users shall not reveal on the Internet private photos or personal information about themselves or about other persons. For example, users should not reveal their full names, home addresses, telephone numbers, school addresses, or parents' names on the Internet.

Users shall not meet in person anyone they have met on the Internet in a secluded place or a private setting. Users who are under the age of 18 shall not meet in person anyone they have met on the Internet without their parent's permission.

In compliance with the Children's Online Privacy Protection Act ("COPPA"), The SAE strictly follows the rules and regulations set forth by the Federal Trade Commission and for this reason, The SAE emails provided to students under the age of 13 are prohibited from sending and receiving emails outside of The SAE domain.

Students shall not use the Internet to perform any illegal act or to help others perform illegal acts. Illegal acts include, but are not limited to, any activities in violation of local, state, and federal law and/or accessing information designed to further criminal or dangerous activities. Such information includes, but is not limited to, information that if acted upon could cause damage, present a danger, or cause disruption to The SAE, other students, or the community. Damaging, debilitating or disabling computers, computer networks or systems through the intentional or overuse of electronic distribution or the spreading of computer viruses or other harmful programs shall be prohibited. Any unauthorized online access to other

○ 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” (i.e., an Internet Web site created for the purpose of bullying).
  ■ Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects of bullying. To create a “credible impersonation” means to (knowingly and without consent) impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  ■ Creating a false profile for the purpose of having one or more of the effects of bullying. A “false profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
○ An act of cyber sexual bullying. The term “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 of bullying. 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. The term “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.
computers by means of hacking into other computers, downloading hacker tools such as port scanners and password crackers designed to evade restrictions shall also be strictly prohibited.

All users will abide by The SAE’s security policies.

**Privacy Policy**
The SAE System Administrator has the authority to monitor all accounts, including e-mail and other materials transmitted or received via the accounts. All such materials are the property of The SAE. Account users do not have any right to or expectation of privacy regarding such materials.

**Penalties for Improper Use of The SAE Accounts**
The use of the account is a privilege, not a right, and inappropriate use will result in the restriction or cancellation of the account. Inappropriate use may lead to any disciplinary and/or legal action, including but not limited to suspension or expulsion, or criminal prosecution by government authorities. The SAE will attempt to tailor any disciplinary action to meet the specific concerns related to each violation.

**Computer and Internet Policies**
Computers are available for students’ academic use in classrooms and in the Main Campus computer lab, Middle School computer lab, and the DTC Campus computer lab.

While The SAE attempts to provide complete computer and internet access to its students, computer facilities are limited. The SAE upholds community standards of decency in computer use and students will lose computer privileges should they engage in any conduct that the school finds inappropriate. Such conduct includes, but may not be limited to, accessing pornography or violent or disturbing images, playing games without express consent, engaging in plagiarism, or accessing prohibited sites. Students are not allowed to put any software on any computers.

Computers in classrooms are managed by the classroom teachers and cannot be used without their permission.

The computer labs are available to students during regular school hours when classroom teachers have arranged for its use and/or if classroom teachers have made specific arrangements with the Digital Media Faculty.

Before and after school, as well as during lunch, use of the computer lab is a privilege that can be given or taken away at the discretion of school faculty and staff.

**Electronic/Digital Device Policy**
Personal electronic/digital devices, including but not limited to phones, tablets, portable game players, bluetooth devices, CD players, and iPods are brought to school at your own risk. The SAE is neither liable, nor responsible, for these personal items.

The SAE will not replace an item if it is lost, stolen, or damaged during school hours or at any school-sponsored event or function. The SAE is not responsible for providing secured and locked places to store these items even when confiscated. This includes when students are in PE classes or during an emergency drill.
Phones, which include mobile phones and school telephones, are not to be used during school hours, except at break times and lunch. Students may use the telephone, which includes mobile phones and school phones, before and after school (before 8:05 am and after 3:30 pm) and during break and lunch ONLY. This includes using the mobile phone's text messaging, games or camera features.

1. Cell phones may not be on seen or heard on campus during class unless it is a part of teacher’s curriculum.

2. First and second violations of the cell phone policy will result in phones being confiscated and stored by teacher until the end of the school day. Should a third violation occur, the student’s phone will need to be turned in to the assistant Executive Director office and retrieved by a parent.

Mobile phones are to be left IN THE STUDENT’S BACKPACK and TURNED OFF. Mobile phones which are on, go on ring, send or receive messages, or that disrupts class or are used during class time will be confiscated and will be returned only to the parent/legal guardian. Students may not use office telephones except for school business approved by the administration.

Personal speakers and/or noise-emitting devices should not be used and are not permitted at any time. Music or any other media may not be played without personal headphones. This must not infringe on another person’s noise space. Earphones are allowed during passing periods and lunch only. Earphones should be removed before entering class. Any visible earphones (inside the classroom) will be confiscated. Teachers may determine if students are allowed to use them during certain instructional activities. Camera functions on a phone or any other device may not be used at any time except under Teacher/Administration supervision and permission.

Cameras can be used for cheating and taking pictures of people secretly, so the use of them needs to be monitored by school personnel. Students are not permitted to voice record, take pictures of, video record, or keep electronic record of other student, staff, or guests of The SAE without permission. Students are also not permitted to post pictures or recordings of other students, staff, or guests of The SAE to social media in any form without permission. This can constitute harassment and/or bullying and may lead to disciplinary consequences based on the infraction.

Notwithstanding the above, a student will not be prohibited from possessing or using a smartphone under any of the following circumstances:

1. In the case of an emergency, or in response to a perceived threat of danger.
2. When a teacher or administrator of The SAE grants permission to a pupil to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator.
3. When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the pupil.
4. When the possession or use of a smartphone is required in a pupil’s individualized education program.

**Community Involvement and Volunteering**

To promote respect for the property of the community, students will be given the opportunity to serve on graffiti removal and mural teams during regularly scheduled community work days. The SAE is also committed to inviting guest speakers to educate students on legal and safety issues involved with tagging and graffiti.
**Field Trips and School Activities**
Educational study trips are available to students at The SAE. These include walking trips, trips by private and school vehicles, buses or other public transportation. All trips require the written permission of the parent/legal guardian (waiver forms are available from each teacher). The student must also inform all of their teachers prior to participation and make up all work missed as a result of the trip. (See Performance Criteria)

**Gallery Access and Use**
The SAE shares the Downtown Center (DTC Campus) with the art gallery located downstairs. The art that is displayed in that gallery is delicate and expensive. If a student damages gallery property or any art in the gallery, accidentally or through intentional design, the student and the student's family will be responsible to the art gallery for all damages caused. By signing and returning the Handbook Acknowledgment Form, you state that you understand this responsibility and accept the terms for student use of the gallery.

**Identification Cards**
Each student at The SAE will be issued a photo ID card. ID cards serve as proof of enrollment. Students are required to carry/display their ID at all times, and must be able to produce their ID if so requested by The SAE staff. IDs are required at all school sponsored events or functions. I.D. cards are used for the lunch program and seniors must carry their I.D. cards when off campus at lunch. Damaged, lost or stolen IDs should be immediately reported to the Main Campus Office; students and their parents/guardians will be responsible for all damages caused by the student’s willful damage to or loss of the student’s ID card. Students will be given a lanyard and are encouraged to wear the ID on the lanyard during school and school events.

**Lost and Found**
Lost and found articles must be turned in to the Main Office on each campus. Items will be held for one (1) months. After such time period, items will be discarded or given to charity.

**Work Permits**
Students must be 15 years of age and maintain a 2.0 grade point average with no grade less than “C”, and satisfactory attendance in order to qualify for and retain a work permit. The SAE does not issue Entertainment permits, they must be acquired from the granting entertainment company. The Executive Director/designee shall revoke a student’s work permit whenever he/she determines that employment is impairing the student’s health or education. Therefore, The SAE will maintain the following policy:

a. Students whose total block absences exceed 50 blocks in any given semester, or 90 blocks per school year, will lose their right to a work permit and the Executive Director/designee will revoke the work permit.

b. In order for a work permit to be re-issued, students must meet the following criteria: No more than 3 unexcused blocks absences during the following grading period. Students must also maintain a 2.5 grade point average with no grade less than “C”.

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The SAE Student-Parent Handbook 2019-2020
School Breakfast and Lunch Program

Lunch Break and Breakfast
Lunch Break is approximately 30 minutes. Free and reduced lunch applications are available during registration or they may be picked up in the front offices. They must be completed and returned by the due date and a new application must be completed each year. The SAE requires all student(s)/parent(s) to fill out the lunch form even if they are not eligible for free or reduced lunch. If a student fails to complete an application or is found to not be eligible, he/she may be charged the full price for a school lunch. The SAE will provide each student who meets federal eligibility criteria for free or reduced-price meals with at least one free or reduced-price, nutritionally adequate meal per school day. Menus are posted in the office and The SAE website each month. Students may bring lunch or purchase lunch. Students may receive breakfast during break or prior to school. Check with the Main Office for current breakfast serving times. Students are NOT allowed to leave campus during break, unless they are a senior and have followed all applicable guidelines for off-campus lunch. Lunch break times may vary according to flex scheduling or special events. Free and reduced lunch forms for eligible students are available in the Main Office.

The SAE also maintains a School Wellness Policy pursuant to state and federal requirements. A copy of the complete Policy is available on the School’s website.

Unpaid Meal Charge Policy
Every student has an account set up for accepting prepaid deposits for the meal program. The SAE encourages payment in advance for full and reduced pay meals, which enables the school to achieve the above goals.

When a student does not have enough money in his/her meal program account to cover the cost of a meal, he/she will be permitted to charge meals up to a maximum of the dollar equivalent of:

- Full Pay $100.00
- Reduced Pay $8.40

Unpaid charges place a financial strain on the school. The SAE requests that charges be repaid the following school day.

NOTIFICATION OF LOW/NEGATIVE CASH BALANCES

- The point of sale device (PowerSchool) sends a message to the cashier when the student’s balance is low. The cashier will notify the student that they need to deposit money into their meal account.
- **Negative Balance Notices** will be given to ALL students (6-12th grades) to take home for their parent/guardian as a reminder to replenish the student meal account with money owed and for any future meals. A copy of the letter will also be mailed home.
- When the student’s account has reached the maximum limit of allowable charges, the household will be notified by email and telephone to cover the balance.
Should you have any questions, please contact the school’s Meal Program Director.

**Meals**
All students are provided both breakfast and lunch during the school day. Breakfast will be served five days a week and is 20 minutes long. Lunch is served every day and is 30 minutes long. Students in the lunch line are identified using a student ID scanner.

Students are required to return promptly to their class or activity at the end of nutrition break and lunch. Activities such as using the phone, the restroom, etc. should occur at breaks, and before or after school. Students unable or unwilling to follow the break and lunch schedules may be subject to disciplinary policies.

**Meal Applications**
Applications for free and reduced-price meals must be completed each school year and returned by the due date. Applications will be made available July 1st prior to the start of the school year, and will be sent home to families or may be picked up from the school’s main office. Failure to complete an application will result in the student(s) being charged the full price for school meals (e.g., lunch, breakfast). To prevent overt identification of the students’ statuses, no payments will be accepted in the lunch line. Students may prepay by submitting deposits to the school’s main office. Students with outstanding balances will receive bi-weekly or monthly balance statement mailed directly to their homes. Parents/guardians are expected to pay the indicated amount promptly.

**On-Campus lunch is located at The SAE Main and Middle School Campuses.**
All students are to return to and remain on The SAE Main Campus for lunch. Students found off campus without school and parent/legal guardian permission are subject to disciplinary action. Some 12th graders may receive special privileges to go off campus for lunch.

**Dropping Off Lunch/Mobile Lunch Delivery**
Parents may provide their child with food that may be eaten during nutrition and/or lunch and may only drop food off for their student. **Glass bottles and glass containers are not permitted on school campus.** Parents may not bring food for any students other than their own (i.e., a whole pizza to share with class). The sale of any outside food items is prohibited on campus. If a student is having lunch dropped off at the Main Campus, please bring it to the Main Office. Middle School lunch drop-off is handled in the Middle School front office.

Digital services, such as Postmates and UberEats, must be called in for approval by the parent before the food is delivered. Parent(s)/Guardian(s) should call the main office of their student’s campus and inform the office staff that food is going to be delivered by a service, specifically for their student. Students may not authorize or order food delivery. Food will be held at the front office and student may pick the food up when lunch begins. Students will not be permitted to eat in the classroom.

**Messages and Deliveries to Students**
The office staff is not able to deliver messages to students in classrooms unless there is a case of serious medical emergency or circumstances of similar urgency. Students are not to be pulled out of class for messages. **Please do not text or call students on cell phones while classes are in session.**
**McKinney Vento Homeless Act**

As required by Federal law (McKinney-Vento), The SAE ensures that homeless children and youth are provided equal access to the same free, appropriate public education as provided to other children and youth.

For additional information concerning services for homeless children and youth, please contact the High School Counselor.

**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 11434a):

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; 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) & (e)(3)(C)(i)(IV).):

Elena Fuentes (High School Counselor)  
295 N. Garey Ave.  
Pomona CA  91767  
909 622 0699

The School Liaison shall ensure that (42 USC 11432(g)):

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies.
2. Homeless students enroll in and have a full and equal opportunity to succeed at The SAE.
3. Homeless students and families receive educational services for which they are eligible, including Head Start and Early Start programs under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by The SAE, 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 where children receive services, such as schools, shelters, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, The SAE and Board policy.
7. Parents/guardians 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.

For any homeless student who enrolls at the School, a copy of the School’s complete policy shall be provided at the time of enrollment.

Graduation Requirements

A homeless student who transfers between schools any time after the completion of the student’s second year of high school shall be exempt from any Charter School graduation requirements in excess of the California minimum graduation requirements specified in Education Code section 51225.3 unless the Charter School makes a finding that the student is reasonably able to complete the Charter School’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 homeless student who may qualify for exemption under the above requirements transfers into the Charter School, the Charter School shall notify the student, the parent/guardian or educational rights holder for the student, and the School Liaison for homeless students of the availability of the exemption and whether the student qualifies for an exemption.

The Charter School shall notify a homeless student who is exempted from the Charter School’s local graduation requirements and the student’s parent/guardian or educational rights holder 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.

The Charter School shall not require any student who would otherwise be entitled to remain in attendance at the Charter School to accept the exemption from the Charter School’s local graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The Charter School 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 the Charter School local graduation
requirements will continue to apply while the student is enrolled in the Charter School or if the student transfers to another school even after the student no longer meets the definition of homeless child or youth.

The Charter School and the School Liaison 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 the School Liaison request a transfer solely to qualify for an exemption from the Charter School’s local graduation requirements.

If a student who is exempted from the Charter School’s local 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 the Charter School, the Charter School shall not require or request that the student graduate before the end of the student’s fourth year of high school.

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

1. Inform the student of the student’s option to remain in school for a fifth year to complete the Charter School’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 the Charter School’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 in school for a fifth year to complete the Charter School’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

Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, nonpublic, nonsectarian school or agency by a homeless student.

Charter School will provide homeless students credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be enrolled in the same or an equivalent course, if applicable, so that the student may continue and complete the entire course. Homeless students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.
Students with Disabilities
If you believe your child may qualify for services or accommodations as a student with disability, please contact The Chief Accountability and Data Officer, Paul Treesuwan, at (909) 622-0699.

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

Pursuant to the IDEA and relevant state law, The SAE is responsible for identifying, locating, and evaluating children enrolled at The SAE with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or foster youth. The SAE shall not deny nor discourage any student from enrollment solely due to a disability.

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

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

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

The School’s administrative team is in charge of student records. Pupil records maintained by the School consist of any item of information directly related to an identifiable pupil, including but not limited to subjects taken, grades received, standardized test results, attendance record, and health record. Pupil records are maintained at each school where the pupil is attending. The Executive Director or designee is responsible for maintaining each type of pupil record and the information contained therein. Additional records, such as psychological and special education reports, are maintained at those respective offices. Except for directory information, pupil records are accessible only to parents or legal guardians, a pupil 18 years or older (“eligible students”) or having completed the 10th grade, the personnel, including independent contractors, for the School who have a legitimate educational interest in the pupil and other specified persons under certain circumstances prescribed by law. When a student moves to a new school/school district, records will be forwarded upon request of the new district within 10 school days.

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

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

Parents/Guardians/Eligible Students have the right to request that The SAE not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental/guardian/eligible student consent.

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

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests.

A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. In addition, the School forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to
enroll.

The SAE may also disclose without obtaining prior written consent of the parent or the eligible student in the following instances:

1. 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, The SAE 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 pupil intends to enroll. The SAE will make a reasonable attempt to notify the parent or eligible student of the request for records at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, The SAE 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. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4)).
5. Organizations conducting certain studies for The SAE in accordance with 20 U.S.C. § 1232g(b)(1)(F).
6. To accrediting organizations to carry out their accrediting functions (§§99.31(a)(7)).
7. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8)).
8. To comply with judicial order or lawfully issued subpoena. (§99.31(a)(9)).
9. To appropriate officials in connection with health or safety emergency, subject to §99.36. (§99.31(a)(10)).
10. Information the School has designated as “directory information” under §99.37. (§99.31(a)(11)).
11. State and local authorities, within a juvenile justice system, pursuant to specific State law.
12. 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/or a caregiver (regardless of whether the caregiver has been appointed as the pupil’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 nonrelated 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 The SAE for student and parents, and any individualized education program (“IEP”) or Section 504 plan that may have been developed or maintained by The SAE.
13. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by The SAE with respect to that alleged crime or offense. The SAE may disclose the final results of the disciplinary proceeding, regardless of whether The SAE concluded a violation was committed.
**Directory Information:** The Family Educational Rights and Privacy Act ("FERPA"), a Federal law, affords parents and students who are 18 years of age or older certain rights with respect to the student’s education records. FERPA requires that the School, with certain exceptions, obtain a parent/guardian or eligible student written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School may disclose appropriately designated "directory information" without written consent, unless a parent/guardian or eligible student has advised the School to the contrary in accordance with this policy.

“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. The School has designated the following information as directory information:

- Student's name
- Student’s address
- Parent/guardian’s address
- Telephone listing
- Student’s electronic mail address
- Parent/guardian’s electronic mail address
- Photograph
- Date of birth
- Dates of attendance
- Grade level
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- 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 SSN, in whole or in part, cannot be used for this purpose.)

If you do not want the School to disclose directory information from your child's education records without your prior written consent, you must notify The SAE in writing at the time of enrollment or re-enrollment. Please notify the School Executive Director at:

The School of Arts and Enterprise  
295 N. Garey Ave.  
Pomona, CA   91767

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

**Pupil Record Challenges Policy**

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

1) Inaccurate
2) An unsubstantiated personal conclusion or inference
3) A conclusion or inference outside of the observer’s area of competence
4) Not based on the personal observation of a named person with the time and place of the observation noted
5) Misleading
6) In violation of the privacy or other rights of the pupil

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

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

Within 30 days of receipt of a written request from a parent, the Executive Director or the Executive Director’s designee must meet with the parent or eligible student and the certificated employee who recorded the information in question, if any. The Executive Director must then sustain or deny the parent or eligible student’s request and provide a written statement of the decision to the parent or eligible student.

If the Executive Director sustains any or all of the allegations, he or she must order the correction or the removal and destruction of the information. The Executive Director or Executive Director’s designee must then inform the parent or eligible student of the amendment in writing.

However, the Executive Director shall not order a pupil’s grade to be changed, unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade.

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

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

Within thirty (30) days after the conclusion of the hearing, the SAE’s decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision. The Board of Directors’ decision will be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. If the Board of Directors sustains any or all of the allegations, it must order the correction or the removal and destruction of the information. However, the Board of Directors shall not order a pupil’s grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing or both the reasons for which the grade was given and is, to the extent practicable included in all discussions relating to the changing of the grade.

The decision of the Board of Directors shall be final.

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

1) The Executive Director of a public school other than the public school at which the record is on file
2) A certificated employee
3) A parent appointed by the Executive Director or by the Board of Directors, depending upon who convenes the panel.

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

**School Sponsored Events and Regulations**

Dress for most school sponsored events and functions, including dances, will be regular school attire. Any special attire will be announced prior to the event, function, or dance. Students who are not dressed appropriately will not be allowed into the event, function, or dance.

Students will be asked to present their SAE ID card to enter any school sponsored events and functions. Students need to bring their ID cards to all dances. Students must remain inside or within specified areas once they have arrived. Once a student leaves the event, function, or dance, the student cannot return. The SAE’s discipline policy and dress code policy applies.

Students are expected to follow school rules and the Code of Conduct at all school sponsored events and functions (including dances).

Rules about smoking and drinking apply at all times, including those events or functions held off campus. Serious behavior violations and all substance-use violations will be referred to the police.
Guest Passes
Students may obtain special permission to escort a Guest to school sponsored events or functions. Students must complete the Guest Pass form at least one (1) week prior to the event or function. Guests must accompany the identified student at all times during the event or function; must be a student 18 years of age or younger; and must present ID to staff or faculty members upon entering the event or function. The SAE Code of Conduct and other school rules and regulations apply. The SAE reserves the right to refuse service to guests.

Publication/Freedom of Expression Policy
The SAE respect students’ rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, their writing, their clothing, and the printed materials, including the right of expression in official publications, and/or the wearing of buttons, badges and other insignia, they choose to post or distribute.

On-Campus Expression
Student free speech rights include, but are not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school or by use of school facilities. Student expression on the Charter School website and online media shall generally be afforded the same protections as print media within the Policy.

Student freedom of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community. Unprotected Expression includes the following:

1. **Obscenity:** when the (1) average person applying current community standards finds the work as a whole appeals to the prurient interest, (2) the work is patently offensive, and (3) the work lacks serious literary, artistic, political, or scientific value. Examples include pornography or sexually explicit material. A committee may be formed that includes The Artistic Director, an arts teacher, an administrator, a student, a counselor, and a HOUSE teacher, to make a determination of obscenity.

2. **Defamation:** Libel (written defamation) and Slander (oral defamation), which includes but is not limited to inaccurately attributing a statement to another, either on purpose for public officials (which includes Charter School staff) or by mistake for private officials, that mischaracterizes the statement.

3. **Discriminatory Material:** material that demeans a person or group because of the person/group’s disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation that has the purpose of humiliating, offending, or provoking a person/group.

4. **Harassment** (including sexual harassment), Intimidation and/or Bullying: 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
distribution of circulars, newspapers, and other printed matter

Free inquiry and exchange of ideas are essential parts of a democratic education. Students shall be allowed to distribute circulars, leaflets, newspapers, and pictorial or other printed matter, and to circulate petitions, subject to the following specific limitations:

1. Leaflets, pictorial and other printed matter to be distributed shall be submitted to the SAE schoolsite executive director or designee at least one school day prior to distribution. The SAE schoolsite executive director or designee shall review material submitted in a reasonable amount of time and shall allow the approved material to be distributed according to the time and manner established by this policy. Any student may appeal the decision of the SAE schoolsite executive director or designee to the Board who shall render a decision within a reasonable period of time after receipt of the appeal. The appeal by the student must be made within five school days from the time the unsatisfactory decision was rendered.

2. Distribution, free or for a fee, may take place before school, after school, and/or during lunch provided there is no substantial disruption in the school programs (as determined by the SAE schoolsite executive director). Distribution may not occur during instructional time and should not occur in locations that disrupt the normal flow of traffic within the school or at school entrances.

3. The manner of distribution shall be such that coercion is not used to induce students to accept the printed matter or to sign petitions.

4. The solicitation of signatures must not take place in instructional classes or school offices, nor be substantially disruptive to the school program (as determined by the SAE schoolsite executive director).

Official School Publications

Pupil editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this section. However, it shall be the responsibility of the adviser or advisers of pupil publications to supervise the production of
the pupil staff, to maintain professional standards of English and journalism, and to maintain the provisions of this Policy. The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication.

There shall be no prior restraint of material prepared for official school publications except insofar as it violates this policy. The SAE officials shall have the burden of showing justification without undue delay prior to a limitation of pupil expression under this Policy. If the journalism staff adviser(s) consider material submitted for publication to violate this Policy, he or she will notify the student without undue delay and give specific reasons why the submitted material may not be published. The student should be given the opportunity to modify the material or appeal the decision of the journalism staff adviser to the Charter School Executive Director.

**Buttons, Badges, and Other Insignia of Symbolic Expression**

Students shall be permitted to wear buttons, badges, armbands, and other insignia as a form of expression, subject to the prohibitions enumerated in this Policy.

**Posted Materials**

Students will be provided with bulletin boards, upon request and subject to availability, for use in posting student materials on campus locations convenient to student use. Where feasible, the location and quantity of such bulletin boards shall be by mutual agreement of student government representatives and The SAE administration. Posted material must be in compliance with other sections of this Policy, particularly regarding the distribution of materials and prohibited speech. Students may not post or distribute materials regarding the meetings of non-curricular student-initiated groups.

**Organized Demonstrations**

Students have the right to lawful organized on-campus demonstrations, subject to the provisions of this Policy and applicable law. Demonstrations that incite pupils to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or demonstrations that substantially disrupt the orderly operation of the school are prohibited.

No organized demonstrations by school groups may take place during school hours off the school campus unless sanctioned by school authorities and supervised by a designated school authority. No individual student may demonstrate in the name of the school or as an official school group at any time unless authorized by the school to participate in the activity.

Missing school to attend an organized demonstration is not an excused absence. The Charter School will follow its Attendance Policy when determining consequences for students which may include but are not limited to detention, a low grade for a missed test, or receiving a truancy letter. The Charter School will follow its Suspension and Expulsion Policy when determining consequences for students if Charter School policy is violated.

**Off-Campus Expression**

Off-campus student expression, including but not limited to student expression on off-campus internet web sites, is generally constitutionally protected but shall be subject to discipline when such expression

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2 “Official school publications” refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.
poses a threat to the safety of other students, staff, or school property, or substantially disrupts the educational program. The Charter School Executive Director or designee shall document the impact the expression had or could be expected to have on the educational program.

**Enforcement**

1. The SAE schoolsite administrator shall work with student government representatives in the development of these procedures. Student responsibilities shall be emphasized.

2. Students who are considering actions in the areas covered by this Policy should be informed of the possible consequences of their action under each specific circumstance. The Charter School Executive Director shall ensure that due process is followed when resolving disputes regarding student freedom of expression.

3. This Policy does not prohibit or prevent The SAE Governing Board from adopting otherwise valid rules and regulations relating to oral communications by pupils upon the premises of each The SAE school.

4. No SAE employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a pupil engaged in the conduct authorized under this Policy, or refusing to infringe upon conduct that is authorized under this Policy, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.

5. The SAE shall not make or enforce a rule subjecting a student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

**Complaints**

A student who feels his/her freedom of expression was unconstitutionally limited and/or limited on the basis of discrimination may file a complaint with The SAE through following the Charter School’s complaint procedures.

**Parking tips**

Parents/legal guardians and other visitors to The SAE are subject to the parking procedures and restrictions that apply to the facility that they are visiting. If visiting The SAE Main Campus, there is free street parking on the streets surrounding the school, most notably on Thomas and Commercial Streets, but also on Monterey and Main Streets. If visiting The Downtown Center, visitors must purchase a parking pass (subject to change) at the pay box on the corner of 3rd and Main Streets. Cars may be subject to ticketing and towing by Pomona PD if the parking pass is not displayed. Middle School parking is on Main and Third Streets as directed by city regulations. In addition, two (2) hours of free parking is available on the streets surrounding the school and in the Downtown Center parking lot in the marked spaces only.
**Student Parking**
Students are not allowed to drive from campus to campus during the school day. They are required to walk under teacher/staff supervision, unless released with approved lunch permit, during lunch break. Students who choose to drive and park at the DTC must purchase a parking pass. Main campus student parking is available in the west lot of AMOCA. This is a privilege to use our neighbor’s parking lot.

**Student Drop-off and Pick-up**
Each campus has its own procedures to follow to ensure the safety of students. Please refer to the illustrated maps on the following pages relevant to the building your student is attending. Please also remember to follow the instructions of staff and faculty when dropping off or picking up your student. Parents should drop-off their student(s) no later than 8:00 a.m. prior to school opening and pick up no later than 3:45 p.m. unless scheduled tutoring/practice/rehearsal.

**Animal Dissections**
Students at The SAE may perform animal dissections as part of the science curriculum. Any pupil who provides his or her teacher with a written statement, signed by his or her parent/guardian, specifying the pupil’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 pupil. It shall not, as a means of penalizing the pupil, be more arduous than the original education project.

The pupil shall not be discriminated against based upon his or her moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof.

**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

The SAE shall not discriminate against a pupil who does not have health care coverage or use any information relating to a pupil’s health care coverage or interest in learning about health care coverage in any manner that would bring harm to the pupil or the pupil’s family.
Education of Foster Children and Highly 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 his/her home pursuant to Section 309 of the Welfare and Institutions Code and/or is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code. 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 the Charter School.

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 has moved with a parent, guardian or other person having custody, from another Local Educational Agency to another, either within the State of California or from another state, within the 12-month-period immediately preceding his or her identification as a migratory child, in order that the child, a parent, guardian, or other member of his or her 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.

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.

Foster Youth Liaison: The Board of Directors designates the following staff person as the Liaison for Foster Youth:

Elena Fuentes (High School Counselor)
295 N. Garey Ave.
Pomona CA  91767
909 622 0699

The Foster Youth Liaison will do both of the following:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children.

2. Assist foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.

School Stability

Charter School will work with foster youth and their parents/guardians/educational rights holders 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, including juvenile court youth, and children of military families have the right to remain in their school of origin if it is their best interest. Charter School will immediately enroll a foster youth or child of a military family seeking re-enrollment in Charter School as his/her school of origin (subject to the Charter School’s capacity and pursuant to the procedures stated in the Charter School’s charter and Board policy), 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). If a dispute arises regarding the youth’s school of origin or best interests, Charter School will enroll the student and the student will have the right to remain in the school pending the resolution of the dispute. Charter School will also immediately enroll any foster youth seeking to transfer to Charter School (subject to the Charter School’s capacity and pursuant to the procedures stated in the Charter School’s charter and Board policy).

Foster youth 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 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 youth including juvenile court youth, former juvenile court pupils, children of military families, and currently migratory children who transfer between schools 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 Charter School graduation requirements in excess of the California minimum graduation requirements specified in Education Code section 51225.3 unless the Charter School makes a finding that the student is reasonably able to complete the Charter School’s graduation requirements by the end of the student’s fourth year of high school.

To determine whether a foster youth, a former juvenile court school pupil, children of a military family, or a currently migratory child 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 his or her 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 the Charter School, the Charter School shall notify the student, the parent/guardian or educational rights holder for the student, 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.

The Charter School shall notify students who are exempted from the Charter School’s local graduation requirements and the student’s parent/guardian or educational rights holder 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.

The Charter School shall not require any student who would otherwise be entitled to remain in attendance at the Charter School to accept the exemption from the Charter School’s local graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The Charter School 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 the Charter School local graduation requirements will continue to apply while the student is enrolled in the Charter School 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.

The Charter School 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 the Charter School’s local graduation requirements.

If a student who is exempted from the Charter School’s local 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 the Charter School, the Charter School shall not require or request that the student graduate before the end of the student’s fourth year of high school.

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

1. Inform the student of the student’s option to remain in school for a fifth year to complete the Charter School’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 the Charter School’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 in school for a fifth year to complete the Charter School’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**

Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, nonpublic, nonsectarian school or agency by a foster youth, former juvenile court youth, children of military families, currently migratory children and pupils participating in a newcomer program.
Charter School will provide foster youth, former juvenile court youth, children of military families, currently migratory children and pupils participating in a newcomer program 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, or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the foster youth, the former juvenile court school pupil, the pupil who is a child of a military family, the currently migratory child, or the pupil participating in a newcomer program shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

Student Records

When the Charter School receives a transfer request and/or student records request for a foster youth from a new LEA, Charter School shall provide the student’s records to the new LEA within two (2) business days. Charter School shall compile the complete educational record of the pupil, including but not limited to a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the pupil’s IEP or 504 plan. All requests for student records will be shared with the Foster Youth Liaison.

The Charter School shall not lower a foster youth’s grades as a result of the foster youth’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 the Charter School.

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

Discipline Determinations

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

If the Charter School intends to suspend for more than ten consecutive school days or expel a student with a disability who is also a foster youth or juvenile court youth, the Charter School will invite the student’s attorney and an appropriate representative from the relevant county agency to participate in the Manifestation Determination IEP meeting.

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

**Availability of Complete Policy**

For any foster youth, juvenile court youth, child of a military family, currently migratory child or student participating in a newcomer program who enrolls at the Charter School, a copy of the Charter School’s complete foster youth policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.

**English Learners**

The SAE is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for English language learning. The SAE will meet all applicable legal requirements for English Learners as they pertain to annual notification to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The SAE will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

**Human Trafficking Prevention**

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. The SAE 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 medial and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, The SAE 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 instruction on prevention of human trafficking. An opt-out form is available at the main 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 The SAE’s website for your review.

**Mental Health Services**

The SAE recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and/or violence. Access to mental health services at The SAE 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 available to your child:

**Available on Campus:**
• **School-based counseling services** – your child is encouraged to directly contact a SAE counselor by coming into the counseling office during school hours and making an appointment to speak with a counselor. The high school counseling office can also be reached at (909) 622-0699 and The Middle School counselor can be reached at (909) 436-1005. Our SAE counselors support students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by The SAE or by an outside provider listed in this letter, are voluntary.

• **Special education services** – if you believe your child may have a disability, you are encouraged to directly contact Paul Treesuwan at (909) 622-0699 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 Jessica Delariva at (909) 622-0699.

**Available in the Community:**

- Tri-City Mental Health Center (909) 623-6131
- Project Sister Family Services (909) 623-1619

**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/](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](https://www.bbbs.org) or by calling (813) 720-8778.

**Parent and Family Engagement Policy**

The SAE aims to provide all students in our school significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act (“ESEA”). The SAE staff recognizes a partnership with families is essential to meet this goal. Our Title I Parent Involvement Policy leverages and promotes active involvement of all families as partners with schools to ensure student success. A copy of The SAE’s complete Policy is available on our website.

**Physical Examinations and Right to Refuse**

All pupils are to have completed a health screening examination on or before the 90th day after the pupil’s entrance into first grade or such pupils 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 pupils enrolled in kindergarten. If your child’s medical status changes, please provide the teacher with a physician’s written verification of the medical issue, especially if it impacts in any way your child’s ability to perform schoolwork.

A parent/guardian having control or charge of any child enrolled in The SAE may file annually with the
Executive Director of the school in which the child is enrolled a written and signed statement stating that he or she 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.

**Pregnant and Parenting Students**

The SAE recognizes that pregnant and parenting pupils 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 pupil is entitled to eight (8) weeks of parental leave, or more if deemed medically necessary by the pupil’s physician, which the pupil may take before the birth of the pupil’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 pupil who gives or expects to give birth and the infant, and to allow the pregnant or parenting pupil to care for and bond with the infant. The SAE will ensure that absences from the pupil’s regular school program are excused until the pupil is able to return to the regular school program.

Upon return to school after taking parental leave, a pregnant or parenting pupil will be able to make up work missed during his or her leave, including, but not limited to, makeup work plans and re-enrollment in courses. Notwithstanding any other law, a pregnant or parenting pupil may remain enrolled for a fifth year of instruction in The SAE if it is necessary in order for the pupil to be able to complete any graduation requirements, unless the Charter School determines that the pupil is reasonably able to complete the graduation requirements in time to graduate from high school by the end of the pupil’s fourth year of high school.

Complaints of noncompliance with laws relating to pregnant or parenting pupils may be filed under the Uniform Complaint Procedures (“UCP”) of The SAE. The complaint may be filed in writing with the compliance officer:

*Jon Gundry, Executive Director*
*The School of Arts and Enterprise*
*295 N. Garey Ave*
*Pomona, CA  91767*
*909 622 0699*

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.

**Surveys About Personal Beliefs**

Unless you give written permission, your child will not be given any test, questionnaire, survey, or examination containing any questions about your child’s, or his/her parents’ or guardians’ personal beliefs or practices in sex, family life, morality, or religion.
Professional Boundaries: Staff/Student Interaction Policy

The SAE recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

Corporal Punishment

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 property.

For clarification purposes, the following examples are offered for direction and guidance of School personnel:

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior
This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member’s obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, “Would I be engaged in this conduct if my family or colleagues were standing next to me?”

For the purposes of this policy, the term “boundaries” is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member’s perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

**Duty to Report Suspected Misconduct**

When any employee reasonably suspects or believes that another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a school administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

**Examples of Specific Behaviors**

The following examples are not an exhaustive list:

**Unacceptable Staff/Student Behaviors (Violations of this Policy)**

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
(d) Intentionally being alone with a student away from the school.
(e) Making or participating in sexually inappropriate comments.
(f) Sexual jokes.
(g) Seeking emotional involvement with a student for your benefit.
(h) Listening to or telling stories that are sexually oriented.
(i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
(j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

(These behaviors should only be exercised when a staff member has parent and supervisor permission.)

(a) Giving students a ride to/from school or school activities.
(b) Being alone in a room with a student at school with the door closed.
(c) Allowing students in your home.

Cautionary Staff/Student Behaviors

(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)

(a) Remarks about the physical attributes or development of anyone.
(b) Excessive attention toward a particular student.
(c) Sending emails, text messages or letters to students if the content is not about school activities.

Acceptable and Recommended Staff/Student Behaviors

(a) Getting parents’ written consent for any after-school activity.
(b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
(c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
(d) Keeping the door open when alone with a student.
(e) Keeping reasonable space between you and your students.
(f) Stopping and correcting students if they cross your own personal boundaries.
(g) Keeping parents informed when a significant issue develops about a student.
(h) Keeping after-class discussions with a student professional and brief.
(i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
(j) Involving your supervisor if conflict arises with the student.
(k) Informing the Executive Director or designee about situations that have the potential to become more severe.
(l) Making detailed notes about an incident that could evolve into a more serious situation later.
(m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
(n) Asking another staff member to be present if you will be alone with any type of special needs student.
(o) Asking another staff member to be present when you must be alone with a student after regular school hours.
(p) Giving students praise and recognition without touching them.
(q) Pats on the back, high fives and handshakes are acceptable.
(r) Keeping your professional conduct a high priority.
(s) Asking yourself if your actions are worth your job and career.
SECOND STREET

DTC
DROP OFF AND PICK UP

S. GORDON STREET

DTC PARKING LOT
**SENIORS ARE ADVISED TO PARK HERE FOR SAFETY. A DAILY PARKING PASS MUST BE PURCHASED. NOT HAVING A PARKING PASS WILL RESULT IN A PARKING TICKET ISSUED BY THE CITY.**

MAIN STREET

THIRD STREET