



**LA VIDA CHARTER  
SCHOOL**

**PARENT & STUDENT  
HANDBOOK**

**2020-21**







Dear Parents and Students:

In contrast to what most of the schools in the region are going through during the Covid 19 pandemic, La Vida Charter School will, at its core, be doing the same thing, the same program it always does. All La Vida students are considered one hundred percent independent study or home study with an option of on site, holistic classes.

The home study aspect is moving forward essentially unchanged. Everyone gets a comprehensive curriculum usually in book format which is designed for home study. There are several options to choose from. Reading A-Z is the new offering this year for students in K-5 using the Evan- Moore Packets. Over 2,000 printable books are offered at 29 reading levels that correspond with the DRA, or the Developmental Reading Assessment. The school will use diagnostic assessments from the same company this year.

An all in one communication app entitle Parent Square is being launched this year to make all communications easier.

Even though onsite enhancement classes are on hold, probably for the trimester, La Vida will be focusing on building community in the fall with both parent and student activities. For parents, every Monday afternoon, there will be short, teacher led, weekly Parent Institutes via Zoom on topics surrounding successful homeschooling methods, teaching Singapore math, getting your student to cooperate, and how to use child centered Waldorf or Steiner Inspired practices in the home. Parent Institutes provide a short distilled burst of content along with an opportunity for parent/ educators to discuss and solve homeschooling challenges together and build relationships with each other.

The theme this year is inspired Sun on the Water, and diving deep to explore the Octopus's Garden. Spring field trips will be on the ocean, learning and experiencing historic ships. Cody Dooley will lead the student community building activity; the fall play production entitled The Oceanography Show, A Musical. All done virtually, students will get to play with the play, learn dances, sing fun fish songs, learn to do costume, make up and props. Somehow, Master Technology Wizard, Andrew Miller, will piece it all together into a coherent and entertaining mini-movie that will bring pride and a sense of accomplishment to the participants.

Math support for Kinder through Algebra will also happen weekly via Zoom.

The La Vida High School students will build community and contribute to community simultaneously by creating solutions to real world problems. The school will participate in the iSchool Initiative, brought to Mendocino County by Superintendent Michelle Hutchins who hopes to have a think tank of adolescent problem solvers all around county. One of the projects La Vida students will be involved in is sponsored by Hearthstone Village, a local non- profit, that has been supporting an orphanage for girls in Haiti since the devastating earthquake there in 2010. <https://www.hearthstone-village.org> Younger students will have the opportunity to be pen pals. while high school students will figure out ways to support the orphanage school with music and art supplies. The girls really enjoy making music, and guitars just wear out, so there is a need for replacements.

In response to Covid 19, the Northwest Evaluation Association, NWEA, has figured out a way to do the MAP test from home. We hope this will be a positive development for families and more comfortable for the students. MAP testing is in October and March this year with some diagnostic Reading evaluations the first two weeks of school.

Welcome four new members of the La Vida faculty and staff who bring a wonderful array of experiences and expertise to the community. Looking forward to another exciting year of special learning experiences at La Vida.

With All Best Wishes,  
Ann Kelly  
Executive Director

### **LA VIDA CHARTER SCHOOL BOARD AND STAFF**

#### Board

Kevin Britton, President  
Cynthia Raiser Jeavons, Secretary  
Freyja Scott, Member

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Ann Kelly, Executive Director  
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Katie Faye Gray, School Secretary  
Andrew Miller, Information  
Technician  
Dan Miller, Maintenance

#### Faculty

Fawn Bassett  
Lynne Buske  
Edward Cannon  
Michael Charnes  
Sarah Clark  
Cody Dooley  
Isaac Hillhouse  
Jason Hodges  
Jerri Jo Idarius  
Gary Martin  
Andrew Miller  
Jazzminh Moore  
Karen Walsh  
Sara Westbrook  
Alyssa Young

## **MISSION AND GOALS OF THE SCHOOL**

**(Portions taken from the Charter Document of La Vida Charter School)**

### **MISSION**

The mission of the La Vida Charter School is to broaden the educational choices and opportunities for children and families who live in Mendocino County and surrounding areas through independent study, home schooling, and Rudolf Steiner inspired holistic teaching methods.

### **GOALS**

Our goal is to establish a school in which all children are respected and recognized for their individual gifts, and feel supported in developing these gifts. Students will be appreciated for their unique ethnic and cultural backgrounds and will be encouraged in their understanding of the individuality represented by the traditions and cultures of their peers, as well as members of the global community. Through a three-pronged approach focused on cognitive, emotional, and psychomotor skills, LVCS's students will emerge with strong potential for academic excellence, a commitment to the enhancement of their community, and the ability to succeed amidst the challenges of today's and tomorrow's world.

### **WHOM THE CHARTER SCHOOL IS ATTEMPTING TO EDUCATE**

LVCS's target population is those interested in home schooling or independent study, as well as those interested in Rudolf Steiner's holistic education. LVCS serves students from Kindergarten through twelfth grade. LVCS offers two choices of completely independent study educational programs for student enrollment:

1. A blended program using a partial on- site class-model inspired by Steiner's daily design for students grades K-12 along with home study. The on-site portion of the independent study program offers parents and children a variety of education choices, including part-time day classes and other specialty courses. Designed as an enhancement to the home study program, the on-site program is considered non-classroom based education for purposes of attendance recording. Parents and students meet with an Educational Coordinator who assists and manages the educational program.
2. Home school program for students grades K-12, where parents can choose to utilize similar holistic strengths based curriculum, or other Independent Study curriculum in which parents collaborate with an Educational Coordinator to achieve teaching goals and objectives.

### **HOW LEARNING BEST OCCURS**

LVCS believes that learning best occurs when instructional methods inspired by Steiner's holistic curriculum and balanced with the social opportunities of the on-site program and home study. LVCS also believes that learning best occurs when children are in an environment where they feel safe, happy and respected. The staff at LVCS successfully creates such an atmosphere, in combination with stimulating lessons, so the student's learning is optimized.

LVCS also emphasizes creating and maintaining a strong, cooperative and mutually supportive working relationship with the Willits Unified School District ("District"). This relationship builds

upon the mutual goals of providing the best possible educational opportunities for all children in the Mendocino County area.

In addition, LVCS finds that learning best occurs for its students when strong, collaborative relationships with professionals and other community resources are formed. An involved community of parents and teachers will actively and visibly support the children. Parents will be involved in governance; the educational program; events and activities; the establishment, beautification and maintenance of the Charter School facility; linkages with the larger community and the ongoing evaluation of the Charter School program; and students are also encouraged to have input and involvement in these areas. Periodic evaluations of student progress combining State and Steiner inspired measurements, and of the curriculum and teachers will ensure the best possible educational program. Information gleaned from the evaluations will be used for ongoing planning of the curriculum and staff development process. LVCS will employ qualified teachers who hold an appropriate California teaching credential, in addition to a combination of training and experience in Steiner methods, and/or experience which meets LVCS's Board standards.

## **STUDENT ADMISSION REQUIREMENTS**

### **The Master Agreement and Educational Coordinating Meetings**

State law regarding independent study requires a written contract between the parent, student, and the school agreeing to the goals, objectives, and mission of the school as set forth in the charter and expanded upon in this Handbook.

Upon admission to La Vida Charter School, each student and his/her parent(s) will be required to meet with a teacher and:

1. Discuss the child's program/curriculum.
2. Demonstrate a clear understanding of the La Vida Charter School philosophies.
3. (Parents) Sign a contract that will stipulate the following:
  - Parent/Guardian's availability to be the primary teacher of the student.
  - Parental involvement in academic teaching and support.
  - Mandatory parent and/or student attendance at scheduled progress meetings.
  - Agreement to take the Measures of Academic Performance Test.
4. (Students) Sign a contract committing to the following:
  - Independent Study or Home schooling.
  - Completing the required schoolwork as assigned/agreed upon.

Upon admission and prior to enrollment to LVCS program, parents will be asked to sign a Contract that will request support of the following, as well as other requirements:

- Limit of electronic media influences such as television, movies, video games, etc. especially for elementary students;
- Dress Code: for example, no advertising or violent insignias on clothes or lunch boxes;
- Commitment to provide a home environment that is nurturing and conducive to learning; and
- The willingness of the parent to gain understanding of the chosen curriculum and willingness of the parent to support and guide the education in the home in a consistent way.

Parents must read the Parent & Student Handbook. After reading the Handbook, they will submit the Parent Agreement and Enrollment Form to LVCS and participate in an orientation. Group

orientations are offered at the beginning of the school year. Individual orientations are provided by the Educational Coordinator.

Upon enrollment, an introductory get acquainted interview occurs with the administrator or designee. The purpose is to find out what the special interests and needs of the child are and additionally, if independent study is an appropriate placement.

Each student will receive a diagnostic evaluation upon entry into the school to identify the appropriate level for the student. Each student will be evaluated in the fall and spring semesters to assess skill level and growth, and the adequacy of the program in meeting the students' individual needs.

## **ATTENDANCE**

Students should work until their assignments are completed. High School students need to complete about 30 hours a week in order to be successful.

At the Educational Coordination meeting, once every twenty (20) school days for K-8 and every ten (10) school days for grades 9-12, parents and students will submit a log recording the daily educational activities. Elementary Home only students must have an additional phone check in with the EC every two weeks. The charter teacher will supply forms to assist in this recording. Students and parents may also keep a journal. Keeping a log or recording the work done at home is a crucial part of the documentation for attendance purposes. We recommend that the elementary parent home-teacher purchase a Steiner methods main lesson book and create a beautiful academic journal of the homeschool experience. This can be copied as part of the documentation pages.

Parents and students will know they are on track if they are progressing in:

- Oak Meadow- One lesson per week, for all grades.
- OdysseyWare - Five lessons per week.
- Edgenuity- Five lessons per week- note that lessons vary in length and time.
- Singapore Math- Four weeks per Unit for elementary and, 2.5 weeks per Unit in 7<sup>th</sup> and 8<sup>th</sup> grade.
- Video Text Interactive- 3 Lessons per week Pre-Algebra and 4 Lessons per week for Algebra 1
- Saxon Math- 3 lessons per week.
- Steck-Vaughn High School Wonders of Science- 25 pages per week.
- Steck- Vaughn Focus on Science- 4 pages per week
- Steck-Vaughn Core Skills ELA set -approx. 4 pages per week in each book Plus reading for interest.
- Steck- Vaughn High School World Geography – 10 pages per week.
- Story of the World – 1 lesson per week.
- “Packets Curriculum” is comprehensive, all subjects and divided into 36 weeks.
- Live Education- Kinder work 8 weeks per block. 1<sup>st</sup> 6 weeks per block integrated, 2<sup>nd</sup>- 8 weeks per block, 3<sup>rd</sup> through 8th -6 weeks per block,

## **WEEKLY CHECK-IN**

Parents and/or students must submit two (2) work samples in English and Math, every week. This can be submitted in person in the student's folder in the hall, or by email to [WeeklyCheckIn@LavidaSchool.org](mailto:WeeklyCheckIn@LavidaSchool.org). Due dates are end of day Friday for all grades K-12. This is in

addition to the once or twice monthly Educational Coordinator Meetings. Failure to check in will be treated as a missed assignment.

## EDUCATIONAL PROGRESS CHECKLIST

In an effort to help with consistency that supports students learning growth, parents and teachers have a checklist that one can track the weekly checkins, and record EC meeting dates and reschedules. Only one reschedule is allowed per year. If more than one occurs, it could go towards a strike or a warning letter. If attending the scheduled EC meeting is not possible, then the home study work still must be turned in, either by mail or electronically on the meeting due date.

## HOW STUDENTS ARE ASSESSED

The goal of LVCS, to develop compassionate and contributing members of community with skills to meet the world's challenges, will be demonstrated through several measures. Student mastery of cognitive skills, social-emotional skills, psychomotor skills and core subject knowledge will be measured through LVCS's triangulated assessment model. This model allows for the measurement of meaningful learning, as well as Common Core State Standards (CCSS) and state compliance. The authentic student centered assessment of the student's own meaningful learning will primarily be demonstrated through a student selected *portfolio and self-assessment* based on appreciative inquiry formats. The Charter School's goal is to assess each year the CCSS in Language Arts, Math and Science through the *Measures of Academic Performance ("MAP") test*, published by Northwest Evaluation Association ("NWEA"). This formative test, which includes national norm reference data, is designed to show what the student has mastered and is precisely ready to learn next. It is a tool for teachers and parents to focus instruction. LVCS uses MAP's short survey as one of the beginning of the year diagnostics. The larger content area goals test is run in the fall and spring. The *CAASPP* is the third point on the triangle as a summative test and provides additional information on CCSS achievement.

### Advancement Based on Pupil Outcomes:

In order to advance to the next grade level a student must, at a minimum;

- have completed at least 75% of the grade-level curriculum,
- have accomplish 75% of the three trimesters goals as specified on the master agreement,
- have accomplished 75% of the CCSS, with a minimum rating of "developing."

A student not meeting these requirements shall be recommended by the Educational Coordinator to the Executive Director for possible retention in accordance with Charter School policy regarding student retention.

Below is a list of ongoing pupil outcomes and assessments which help support and track student growth throughout the year in addition to the three assessments listed above.

- ***The Learning Record:*** the key document and record of assignments and attendance for independent study. It represents a maximum 20 school days for elementary students and a maximum of 10 school days for High School students. Learning Records report work completed (such as books read, field trips, classes attended and lessons accomplished in curriculum), progress toward goals, parent and teacher evaluative comments along with samples in the four core area, plus arts and electives.

- ***Goals:*** the basis for pupil outcomes, are created as a focal point of personalized academic study for



each semester. Parents are requested to follow the learning guidelines for grade-level requirements at LVCS and will be provided a copy of learning guidelines appropriate for the grade level of their student.

- **Main Lesson Books:** from site based classes or from home are created by the students and demonstrate knowledge of core content through illustrated essays, charts, maps etc.

- **Trimester Written Evaluations:** this evaluation format has been replaced by the Standards Based Report Card, but may be used in certain situations such as with Special Ed students. It is a document with written observations by the Educational Coordinator with specialty teacher and parent input for the elementary student. These evaluations include anecdotal evidence of emotional, social and cognitive development, and a record of lessons completed by the pupil. It will list the key outcomes for the semester and how well the goals were met. Statements about growth achieved and recommended areas for future focus are integrated.

**Standards Based Report Cards:** at trimester end. Achievement of grade level State Standards in Language Arts, Math, Social Studies, Science as well as Social Skills are ranked from emerging, developing to mastery. A ranking of “developing” is considered passing.

- **Progress Reports** for High School students at mid-term and trimester end **Report Cards** are issued with traditional grades, units and comments.

- **Quizzes and chapter review tests:** are incorporated as part of the curriculum. Educational Coordinators quiz the student on the periods work, either orally or written, during the regular meetings.

- **MAP:** is a California State adopted alternative standardized test for the Dashboard Alternative School Status (“DASS”) schools, which is aligned with CCSS. However, its purpose at LVCS is to help focus instruction in Reading, English Language Usage, Math and Science.

- **Benchmark Projects** are assigned mid year for grades 1-11 and the end of year Economics project happens in 12<sup>th</sup> grade. Topics are pre-determined and are listed in the charter. Students can create any type of outcome based on the topic. A teacher designed rubric with criteria are given near the beginning of the year. Students should do their best work and it is included in the portfolio. Benchmark Fairs are planned for January and March for the elementary school and high school respectively.

**Grade Level Project Benchmarks** which demonstrates the students best work and Depth of Knowledge applications.

- 1<sup>st</sup> Grade - Main Lesson Book of “Story of Letters and Math Processes”
- 2<sup>nd</sup> Grade - Animal Report
- 3<sup>rd</sup> Grade – Shelter Project
- 4<sup>th</sup> Grade – Farming Project or Food
- 5<sup>th</sup> Grade – Ancient Civilization or Early American Project
- 6<sup>th</sup> Grade – Ancient Greece or Rome Project
- 7<sup>th</sup> Grade – Renaissance
- 8<sup>th</sup> Grade – Constitution or 8<sup>th</sup> Grade Project
- 9<sup>th</sup> Grade – World History Project
  - Foreign Language Project
  - Personal Goals Project

- 10<sup>th</sup> Grade – Research Paper
- 11<sup>th</sup> Grade – Career & Technical Education Project
- 12<sup>th</sup> Grade - Economics Project

• **Portfolios:** a yearend presentation in which the student, parent, and teacher choose examples of the student's work based on certain criteria that demonstrate how and what the student has learned over the past year. A packet which includes a goal sheet, reflections, self assessments, auto biography, time lines and more are handed out in the Fall.

• **Strengths Inventories:** All students, or parents as appropriate, complete a learning profiles survey and high school students complete an additional Strengths Illuminations packet. These are integral for developing a personalized curriculum.

• **Diagnostics:** All students partake in a math and/or reading, language usage diagnostic or a grade level readiness evaluation as appropriate. Diagnostics are used to place students in appropriate level curriculum and supplements if necessary.

• **Performances and Open House:** performances in the music, drama, dance and all-school open houses are held once or twice a year, where parents and members of the community have the opportunity to observe student work. School district members, administrators, and teachers may attend these events, assessing the quality of work for themselves.

• **Surveys and questionnaires:** are completed by pupils, staff and parents providing feedback on both established and developing programs.

***California Assessment of Student Progress and Performance, CAASPP:***

The Charter School shall meet the statewide performance standards and shall conduct annual pupil assessments required pursuant to Education Code Section 60605, including the Smarter Balanced Test (part of CAASPP) and the CAST. The CAST is comprised of science tests for grades 5, 8 and once in high school. The CAASPP is taken by students in grades 3-8 and 11. Notwithstanding any other provision of law, a parent's or guardian's written request to School officials to excuse his or her child from any or all parts of the state assessments shall be granted.

Student progress is assessed by use of student work, portfolios, MAP test results and annual CAASPP scores, if applicable. Included in portfolio will be a sample of the child's main lesson books, various pieces of art, and practice papers. The Charter School acknowledges that exit outcomes and performance goals may need to be modified over time.

**LEARNING RECORDS AND DAILY ENGAGEMENT LOG**

Learning records recognize and include the student's participation in the core subjects as well as dance, music, drama, sports, field trips, family trips, and community involvement. Learning Records must be submitted to the Educational Coordinator every 20 school days for grades K-8, and at least every 10 school days for grades 9-12. The main purpose of a completed Learning Record is to:

- Document a student's school attendance
- Document a student's progress towards his/her goals and objectives.
- To recognize and commend the learning achievements of each student.

An excellent Learning Record:

1. Is complete and well organized.
2. Reflects a student's progress toward his/her goals.
3. Salutes learning achievements, breakthroughs and insights.
4. Includes evidence of learning (e.g. activities and events, beyond a list of topics).
5. Includes parent and educational-coordinator comments.

A Learning Log is a record showing daily engagement, Monday through Friday, in educational activities. It is a required form in addition to the Learning Records. It must be signed by the parent. The charter school has stock forms of the daily engagement log, or the parent and student may use their own calendar, or plan book and list the assigned educational activities that are accomplished each week day. The daily engagement log must be turned at the end of each learning period when the student's work is submitted.

Student independent study folders are kept for three years. At the end of that time we will make an attempt to return them to you first, if all fails then they will be destroyed.

## **NON-COMPLIANCE**

### **Missing Work and Missed Meetings**

When a student fails to turn in the assigned or agreed upon work, they are out of compliance with the Independent Study Contract. Two (2) missed assignments will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study. After three (3) missed assignments, an evaluation shall be conducted to determine whether it is in the best interests of the pupil to remain in independent study. The formal steps of this procedure are listed on the master agreement and the acknowledgement of responsibilities and set forth in the La Vida Charter School Missed Assignment Policy.

It is extremely important that students and parents attend the scheduled Educational Coordination meeting. If circumstances interfere so that the student or parent/guardian cannot be present, then the student's work should be mailed to the teacher and the meeting be re-scheduled.

The Educational Progress Check list discussed on page 9 will help everyone keep track of the education protocols.

**Important Note:** If the student or parent depending on whose responsibility it is, fails to **give twenty-four hour notice** to the teacher about a meeting cancellation three (3) times throughout the year, then the student may be dis-enrolled.

There are very strict state laws governing independent study with which LVCS is required to comply.

## **MISSED DAYS OF REQUIRED TUTORING**

Students who receive a referral for required short or long term tutoring are obligated to participate. Failure to participate in a required tutoring session will be treated as missed assignments and be subject to the process described in the section above. Three (3) missed appointments could result in dis-enrollment from LVCS.

## **FINANCIAL INFORMATION**

### **Curriculum and Materials & Supplies**

La Vida Charter School is a free public school, and no tuition is charged. Each student, by his or her daily engagement on school days generates funds from the state of California that are appropriated for educational purposes. A portion of these funds is allocated to each student to be used for educational expenses.

**Curriculum:** Every student will receive curriculum. LVCS students will use the curriculum offerings provided by LVCS in general and special education. If parents wish to use an alternative comprehensive curriculum, it must first be approved by LVCS administration. Oak Meadow, Live Education, and Story of the World , Packets, Odysseyware and Edgenuity are the curriculum choices. Alternate curriculum may be given to Special Education Students as required or as appropriate.

For Math, the charter school uses Singapore Math and Video Text Interactive for Pre-Algebra, and Algebra 1 & 2. Other secondary math curricula are currently being explored. High School students are expected to have a plan to receive online access to curriculum at home when applicable.

LVCS also offers supplemental standards based curriculum such as Explode the Code, Common Core Standards Curriculum, Read For Real, Keyboarding without Tears, Handwriting texts and others. High Needs students have access to math manipulatives and other supports. LVCS may explore other curriculum to assess if it is something that parents or faculty want to offer.

**Parents select the La Vida curriculum of their choice and they must use it consistently.** Students fail to thrive if different curricula are tried in fits and starts. If a parent wishes to use a non La Vida approved curriculum for their home study program, approval of the Executive Director or designee must be acquired first.

**Students taking on-site classes:** get curriculum and a choice of one supplemental texts. Complimentary Main Lesson books are provided at orientation **Home school only students:** With La Vida curriculum, students will also have a small stipend of \$60 per trimester for added curriculum. **This Year**, because onsite classes will not happen until it is safe to return, onsite students will also get a \$60 supply budget for the Fall Trimester, that must be spent by November 19.

**Home school only students** who use an alternative curriculum not offered by LVCS and have received approval from the Executive Director to use such curriculum will have a small budget of \$85 each trimester.

Budgets are to be spent by November 19<sup>st</sup> for the Fall and Winter trimester and by March 19 for the Spring trimester.

Under no circumstances may a parent be reimbursed for non-required materials that the parent purchased voluntarily without approval from the Executive Director. All instructional materials must be purchased from an approved vendor by authorized purchase order through your Educational Coordinator or authorized LVCS personnel. All non-consumable materials purchased by LVCS by law belong to the State and must be returned at the end of the school year, or when they are no longer being used by the family in the education of an enrolled student. You will be expected to treat the non-consumable materials as you would library books on loan.

You will be expected to replace or fully reimburse LVCS for any willfully damaged or lost non-consumable items that are loaned to you by LVCS.

Curriculum is expensive. La Vida pays on the average between \$600 to \$1500 per student for a curriculum package. Book covers will preserve the life of the book and make it convenient to write their name clearly on the outside. We encourage you to cover your books right away as part of your independent study program. We will provide you with book covers as long as the supply lasts.

La Vida tote bags are provided to students, supply permitting, to help keep students' curriculum together and in good condition.

## **MATERIALS RESTRICTIONS**

### **Nature of Materials: Charter Schools and Religious Instruction**

The following are guidelines for LVCS instructional programs to operate lawfully and maintain a maximum respect for individual rights.

1. The parent/guardian acting as a co-facilitator, or in any other manner assisting in the instruction of their child, is NOT considered an agent of the State of California and, therefore, is not bound by those laws that guide the teachers who are paid by the State of California. The parent/guardian, as provided by the constitution of the United States, is provided the right to freedom of expression of religion and may at any time use religious content in the instruction, guidance, and care of their child.
2. The State of California and LVCS are not permitted to purchase or otherwise provide materials containing religious content for students or for any other purpose.
3. A Charter School may not require or maintain any student achievement records, including transcripts, report cards, portfolios, or any other documentation regarding the student that contains religious content.
4. An LVCS Educational Coordinator/Teacher may not, during the course of instruction, use materials or expressions deemed to contain religious content.
5. LVCS Small Group Instructors are considered an agent of the State during their course of instruction and, therefore, may not teach using materials or expressions deemed to contain religious content.

## **CLASSROOM BEHAVIOR**

In order to provide a school environment that fosters cooperation, responsibility, and respect, children will be expected to follow several basic rules:

- Students should come to school with an attitude of readiness and willingness to participate. La Vida's on-site classes are optional, therefore only students who want to attend on-site classes should be enrolled in on-site classes. If a student refuses to cooperate with the group and is disrupting the learning environment at LVCS, then the student's parent/guardian will be called to pick up the student.
- Courtesy is always expected towards other children, teachers, LVCS staff and parents. Pushing, hitting, kicking, fighting, teasing, profanity, talking back, spitting, and biting are prohibited.
- Students are expected to participate in classroom activities in a respectful manner. Students are not allowed to bring inappropriate objects to school. This includes but is not limited to video games, toys that promote violence, candy, illegal substances, or any other material deemed detrimental by the teacher.
- Students may be required to surrender their cell phone until the end of the day.

- Activities that are damaging or hurtful to the property of the school or others will not be allowed.
- Students may be required to surrender their cell phone until the end of the day.

Teachers will communicate further expectations to their students. Teachers and Administration will determine appropriate consequences if a student disregards these expectations. See the LVCS Negative Behavior & Consequences policy at the end of this Handbook and the Suspension and Expulsion Procedures Policy in the Appendix for more information.

## **PUNCTUALITY & ATTENDANCE FOR ON-SITE CLASSES**

When a student signs up for an on-site class or program, students and parents are making a commitment to attend a class **which means agreeing to arrive on time and on a regular basis**. Entering during the middle of a class session interrupts the flow of the class and is detrimental to the individuals and the group.

Attendance for both of the two day classes is expected. Although if space is permitting, it may be possible to set up a one day attendance schedule, however it is discouraged.

Of course, excused absences due to illness and certain unavoidable circumstances may occur from time to time.

If a student misses three (3) on-site classes in a trimester without a valid excuse, he/she may lose his/her privilege to attend on site classes to make room for a student waiting to attend the on-site class. A vacation is not a valid excuse for a student's absence from an on-site class and should be considered prior to registration for an on-site class.

Two (2) tardies count as one absence. Anyone arriving after 9:10 am will be considered tardy. If space is available in the on-site class at the change of trimesters, a student who has lost his/her on-site class privilege may re-enter the on-site class at that time. Families are encouraged to arrive 10 to 15 minutes before 9:00 am, so that students can get settled and start at the beginning of the day on time.

Picking up children before the class is over is very disruptive and often causes students to miss important activities or information. Unless there is an emergency requiring you to pick up your child early, LVCS asks that you wait until students are dismissed to pick up your child. All students who leave before dismissal must be signed out in the office.

## **RIDGEWOOD RANCH**

La Vida Charter School leases the school building at Ridgewood Ranch, south of Willits, in Mendocino County. Ridgewood Ranch is owned and operated by a Christian Community, Christ Church of the Golden Rule. While it is legal for a public school to lease facilities from a church, LVCS is required to maintain separation from it and any other church. Please be aware that a violation of the separation of church and state requirement can be extremely costly. Accordingly, all students and staff must comply with LVCS's guidelines regarding religious activities/expressions on campus, which are available upon request. Please feel free to discuss any concerns that you have regarding this issue with the Administrator or the Board.

Ridgewood Ranch is a quiet community with many elderly residents. It was a great gift of generosity and openness to allow La Vida a place on the ranch. Please be aware that the school's traffic has a major impact on the ranch. All students, parents/guardians, staff and visitors must obey traffic signs, drive slowly and with caution; 20 miles per hour down from the highway and 5 miles per hour in the parking lot. Please carpool whenever possible.

There is no smoking on the ranch and no alcohol consumption allowed. Please do not play music loudly on the ranch.

**Parking:** LVCS has fifteen designated parking spaces across the front and up the Seabiscuit statue side. LVCS's parking spaces do not include the side facing the road under the tree. Children are never allowed to run in the parking lot. Please be very cautious at drop off and pick up times.

**Kindergarten Parking:** Parents must park in the main school building lot, not at the kinderhaus. This applies to both drop off and pick up. No exceptions. Honor and respect our host community by showing courtesy, and hopefully La Vida will enjoy a long-term relationship and home on the precious piece of land called Ridgewood Ranch.

## DRESS CODE

Students are expected to wear clothes suitable for an active day of study and play. Safety, simplicity, and appropriateness should be considered. These guidelines may not cover all situations and teachers may need to address particular attire. Please feel free to contact your teacher if you have any questions about specific articles of clothing.

To ensure a safe environment for our children,

1. Leave dangling jewelry and earrings at home;
2. Come appropriately dressed for the weather;
3. Come wearing comfortable, practical, flat-soled shoes that are firmly attached to the feet. These shoes are required for hikes during science classes; and
4. Bring an extra pair of "house" shoes to leave at the school for indoor wear.

To create a wholesome and appropriate environment,

1. Outer wear should be simple, modest, and not distracting;
2. Children should use clothing, backpacks, lunchboxes, etc. that are free of references to drugs, alcohol, violence, or any media, sports, or cartoon images or slogans;
3. Makeup is discouraged; and
4. Clothes should cover the body, with no midriff showing and no underwear visible.

**Cleanliness:** Dressing appropriately and being ready for school includes **personal hygiene**. Students should be physically clean with clean clothing appropriate for the day. Underwear should be changed daily. Creating a rhythm of personal care helps students in numerous ways. A personal care regime is healthy and prepares one mentally and physically for the day ahead, and students benefit socially from a personal care regime as well. Students who do not maintain adequate hygiene may be teased and rejected by peers, which can influence one's self esteem for life. Students who are not sufficiently neat and clean may be presented with clothing options from the closet and/or required to clean themselves prior to returning to class.

**Shoes:** Students must wear appropriate shoes at all times while on campus. Only students with appropriate shoes covering their feet will be allowed on walks and hikes on the ranch.

## **LUNCH AND SNACKS**

Please make sure your child has an adequate breakfast at home with something warm to eat or drink. All students, including high school students, need to bring a mid-morning snack and lunch. Learning does not occur while a student is hungry. Lunches and snacks should be nutritious and well balanced foods, avoiding gum, candy, and sugary foods or drinks. **No sodas or high caffeine drinks.** Teachers are happy to supply lists of healthy snacks ideas.

Pack lunches appropriately with ice packs in the hot weather. Yogurt and string cheese can spoil in the course of a morning. Students are not permitted to use the tiny school refrigerator and can only use the microwave in emergency situations.

Due to the loss of silverware, the school will not be providing it for daily use. Students should bring their own utensils. Each classroom will be provided with some plastic utensils at the beginning of the year and if that supply is depleted then students will be able to purchase plastic utensils from the office.

Prepare lunches with health and nutrition in mind.

We ask that all students bring a water bottle labeled with their name.

## **MEDIA AND YOUR CHILD**

The Steiner holistic educational philosophy of the La Vida Charter School is based upon a deep understanding of child development. The school is committed to nurturing each child's unique qualities so that their cognitive, social/emotional, and psychomotor skills may flourish. To that end, we request that our families put forth a conscious effort to significantly reduce or even eliminate the use of media (television, videos, video games, computer games, and feature movies) especially for young children's entertainment and education.

This educational philosophy is reinforced by the brain studies that have been done on the effects of radiant light on the brain. Radiant light is the term to describe the light emitted from television and computer screens. Reflected light is more easily used by the brain, such as the light from movie screens and overhead projectors. However, the best and deepest long term learning takes place through physical experience with active mental involvement. Joseph Chilton Pearce has been publishing information on the brain for thirty years and is a wonderful resource for parents.

For the oldest students, La Vida may include a class on how to use the computer. The dominant thought here is that the computer is a tool much like a paint brush is a tool for a painter. Computer projects will come from an imagination base with the student actively researching, creating and problem solving to produce a unique product. Nonetheless, limiting the time in front of a video terminal is recommended even for high school students.



## **TOYS**

We believe that children's toys should leave them free to create their own imaginary worlds. We recommend choosing products that are free of media heroes (e.g., Power Rangers, Ninjas, Barbie's, and Disney princesses). Toys that allow children to play, explore, build, create, and imagine can be the most fun and satisfying of all.

Toys are not to come to school unless arrangements have been made with the teacher. Often toys from home cause too much distraction and stress if they are lost. Students are not allowed to bring inappropriate objects to school. This includes hand held video games, toys that promote violence, candy, illegal substances, and any other material deemed detrimental by the teacher.

**CD Players: MP3 Players, Cell Phones, iPads/tablets:** During school hours, plus 15 minutes before and 15 minutes after school, playing music devices shall not be permitted. Cell phones will be collected at the beginning of the day in High School. They will be kept safely in the office and can be collected at the end of the day. Cell phones and ring tones must be turned off during school hours, this includes texting. Students may make necessary phone calls at lunch break and may use the office phone for necessary calls. Tablets can be used with teacher permission for research in class. However, they are not to be played with at recess or on the playground. Violations of school policy will result in confiscation of the device for the day.

## **RHYTHMS**

Another way that families can enhance the educational experience is by understanding the rhythms of the day. Children of all ages flourish in environments that are not only loving but also orderly and predictable. With external senses of order and routine, children feel comfortable living in the moment. Just knowing what is expected at different intervals in the day can help children feel secure in the world. As an example, a bedtime ritual can help to calm and soothe children and prepare them for restful sleep. Once this routine is established, the ritual may become parents' most treasured time with their children.

## **PARENT INVOLVEMENT**

La Vida is a Parent participation school.

Parents considering La Vida Charter School need to understand that the success of the school is based in large part on a strong parent body dedicated to helping the school meet its objectives in all areas.

Parents placing a child in La Vida have responsibilities not necessarily associated with other public schools. First and foremost is a commitment to being your child's primary teacher. Parents who embrace and support the educational philosophy at home enhance the student's experience.

Parent Institutes are offered many times during the year. Web based informational trainings may also be provided. Attendance at any of the trainings can be recorded as parent participation hours by filling out a short survey at the end of the training and submitting the completed survey to LVCS.

Parents are asked to volunteer two (2) hours per month or twenty (20) hours per school year. Hours should be noted in the volunteer binder on the counter in the office. However, no child will be excluded from La Vida or any school activities due to the failure of his or her parent or legal guardian to fulfill the encouraged hours of participation.

Numerous opportunities to be involved with La Vida are listed on the following pages. Parent Committees, helping in the classroom, providing snack, office work, etc. are all valued contributions to La Vida.

# La Vida Charter School

## Volunteer Sign Up

La Vida offers a rich program that depends on parent involvement. We ask each family to volunteer 20 hours per year, or 2 hours per month. Keep track of your time in the volunteer binder in the kitchen. Contributing food and snack is also considered volunteer time. Please Sign up by **checking off the jobs and events** that interest you for upcoming school year. Thank You.

Parent Name: \_\_\_\_\_ Student Name \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Date: \_\_\_\_\_

**Office Assistant**

- Phone Calls
- Mail Prep
- Photocopying
- Book Check in

- Programming
- Computer Word Processing
- Legal
- Gardening
- Sprinkler Systems
- Games/Puppetry
- Foreign Languages
- Hamm Radio
- Other

**General Help:**

- Playground Supervision
- Flowers for Special Events
- Food for Special Events
- Classroom snack
- Volunteer for Special Events
- Volunteer Co Coordinator
- Volunteer Binder Coordinator
- Library/ Resource Help
- Newsletter Assistance
- School Scrapbook
- Class Parent
- Grounds Clean Up
- Maintenance Projects
- Maintain First Aid Kits
- Update MSDS Binder
- Gather Emergency Supplies

**La Vida Events:**

- Field Trips
- Peace Day- Ice Cream Social (Sept)
- Scarecrow City (Sept)
- Thankfulness Feast & Performance (Nov)
- Scholastic Book Fair (Feb)
- Parent Workshop Help
- Smarter Balanced Test Snack Coordinator
- Science Fair
- Open House
- Graduation (June)
- Golden Rule Appreciation (May)
- Parking Attendant for events

— **General Skills:**

- Sewing
- Handwork
- Costuming
- Stage Props
- Carpentry
- Photography
- Medical
- Electrical
- Mechanical
- Computer Graphics
- Computer Repair/

- Class Parent

## **ENROLLMENT PROCEDURES**

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of students admitted to or attending the Charter School;
2. Children of Charter Board members;
3. Children of Charter School employees;
4. Students who reside in the District;
5. All other applicants.

The Charter School and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(d)(2)(B)(i)-(iv).

The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order by the designated lottery official (appointed by the Executive Director). Separate lotteries may be conducted for each grade in which there are fewer vacancies than pupils interested in attending. However, LVCS primarily uses an all school lottery. All lotteries shall take place on the same day in a single location. Grade Level Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above. The all school lottery will be conducted in the same way as a grade level lottery in order of the preference groups.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform parents of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

The Charter School will conduct the lottery in the spring around May 1st for enrollment in fall of that year.

It is possible that there will be an opening in La Vida for a student, but the appropriate on-site classes are full. In this instance the student will be given the option of registering for a full home study program and may go on the waiting list for on-site classes.

## **PARENTS IN CLASSROOMS**

La Vida would benefit to have parent volunteers at the school each day. However, please understand that La Vida cannot accommodate all of the parents on campus each day. The classrooms are small and have an occupancy limit, so scheduling with the teacher is very important. There are many activities that parents can help with every day. Some ideas are: class aides, campus hosts, playground supervision, setting up snack, housekeeping, gardening, office work, poster making, organizing etc. La Vida will have a schedule for parents to sign up for the tasks in which they are interested.

**Observations:** Parents/Guardians who wish to observe must get permission through the Executive Director who will consult the teacher to schedule the observation. Those who wish to observe should be prepared to articulate why they wish to observe the class and also have a follow up session with the teacher and administrator or designee.

**Parent observers and volunteers must sign in each and every day in the office.**

## **PLAYGROUND RULES & ETIQUETTE**

- All children are included in games. Inclusion not Exclusion.
- Any play that is potentially dangerous to one-self or others is prohibited. Some examples are: aerodynamic stunts off the swings, sitting or standing on top of the lateral bars, tying ropes on the bars, climbing trees, throwing sand or sticks, throwing things over the power wires and on or over the roof.
- Playground boundaries in the west field are the big tree in the middle dubbed “the boundary tree” across to the south telephone pole. Back yard is off limits unless there is a teacher supervisor.
- The Seabiscuit Statue can be viewed and not climbed.
- The parking lot is off limits except for the area in front of the basketball hoop within the orange cones.
- Students may go outside during recess when it is raining only if they have appropriate outerwear that will keep their clothes and bodies dry.
- Students beyond the courtyard must be supervised at all times.

## **FIRE DRILLS**

Fire drills are conducted monthly, earthquake drills happen twice a year. Shelter in Place drills happen once a year. Staff reviews major disaster procedures twice a year. Fire extinguishers and smoke alarms are tested monthly.

## **PANDEMIC FLU**

In recent years, there is great concern about the spread of H1N1, Covid19, and other flus. It affects children more than other flus and comes on fast. Mendocino County Public Health Agents have directed all parents and staff to stay home if fever is over 100 degrees and exhibits one other symptom, such as sore throat. Stay home until there is no fever for 24 hours without the aid of fever reducing medication. Up to date information about responding to the flu can be found at [www.mcoe.us](http://www.mcoe.us).

## **VACCINATIONS**

All enrolled students who receive classroom-based instruction will be required to provide records documenting immunizations as is required at public schools pursuant to state law. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster. Non-vaccinated students who receive no classroom-based instruction may enroll in homeschool only if space is available. More detailed information can be found on the County schools website, [www.mcoe.us](http://www.mcoe.us), or [www.shotsforschool.org](http://www.shotsforschool.org) The immunization status of all students will be reviewed periodically. 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 La Vida.

# La Vida Charter School

## Negative Behavior & Consequences

\*Be Safe

\*Be Respectful

\*Be Responsible

\*Do Your Best

### **Type A Offenses include but are not limited to:**

1. Disrupting Class / wasting class time
2. Inconsiderate / disrespectful to others
3. Throwing dangerous / objectionable items
4. Provoking behavior /cutting remarks
5. Vulgar language
6. Failure to clean up after yourself
7. In unauthorized areas on school grounds.
8. Tardy to class
9. Not prepared for class

### **Consequences:**

Individual/Group

First Time = warning

Second time = take a “timeout”

Third time = stay in at break / lunch

Fourth time = call parent(s)

\*Three calls home initiates a parent / teacher / administrator conference (next day if applicable)

### **Type B Offenses include but are not limited to:**

1. Willful Defiance (refusing to do what is asked by school personnel)
2. Verbal or Physical threat or assault on others
3. Fighting or intimidation, including sexual harassment
4. Malicious vandalism of school property
5. Extortion or stealing
6. Possession of illegal drugs, alcohol, tobacco, knives, weapons, or dangerous objects
7. Lewd/obscene conduct
8. Off school grounds without permission

### **Consequences:**

Student will be sent home immediately. There will be a parent / teacher / administrator conference, and depending on the offense, possible suspension / expulsion from the on-campus program or possibly the independent study program. Students could lose the privilege of attending the on-site program. Please see the Appendix for a copy of the full LVCS Suspension and Expulsion Policy.

**LA VIDA CHARTER SCHOOL  
PARENT HANDBOOK AGREEMENTS**

Parent Copy

Families of La Vida Charter School students are expected to be active participants in their children's education and in the life of the school community. To that end, I am aware of the following:

1. I understand that this is a school of choice. I have chosen to enroll my child in La Vida Charter School. I am encouraged to contribute time, two hours per month, to ensure the continued well-being of the school and participate in Parent Education Seminars sponsored by the school to support my child's education.
2. I have received and read the La Vida Charter School Parent and Student Handbook and understand LVCS's philosophy and policies.
3. I understand the importance of participating, when possible, in scheduled orientations, school meetings, parent-teacher conferences, extra-curricular school education events, festivals and activities.
4. I am aware of LVCS's recommendation of limiting the viewing of television, videos, computer games, and movies by my child.
5. I will ensure that my child will abide by all LVCS rules.
6. I will ensure regular and punctual attendance of my child(ren) at those optional on-site classes we have agreed to attend. I understand that it is best that children arrive about 10 minutes before class begins, and that they are picked up promptly at dismissal time. I understand that my child can be bumped from optional on-campus classes if he/she misses three (3) on-site classes in a trimester without a valid excuse.
7. I understand that toys should stay at home unless special arrangements have been made with the teacher and that cell phones are to be turned off during school hours.
8. I understand that canceling three (3) educational coordination meetings without twenty-four hours' notice can result in my student being dis-enrolled.
9. I agree that my child will take the CAASPP test and/or the La Vida Alternative Assessment. (MAP test) as well as the beginning of the year diagnostic.
10. I understand that tutoring may be required for my student's growth and agree to make sure they attend.

I have read the Parent and Student Handbook and the Parent Information Sheet.

**Signature of Responsible Parent/Guardian**

**NAME** \_\_\_\_\_ **DATE** \_\_\_\_\_

*Please sign and return one copy to the office. Keep one copy for your records.*

***Note Sign the School Copy on the last page of this Handbook and turn in to the School Secretary.***



## APPENDIX

### Availability of Prospectus

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

### Cal Grant Program Notice

The Charter School is required by state law to submit the 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.

### Child Find

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

### Vision and Hearing

Students will be screened for vision and hearing. The Charter School will adhere to Education Code Section 49450 et seq. as applicable to the grade levels served by the Charter School. This provision is to be applied to the same extent as it would be at non-charter public school.

La Vida contracts with a retired school nurse to provide the screening and reports. She also helps with the proper notifications to parents regarding all health issues. Vision and Hearing screenings are provided to the Kinders, 2nd, 5th and 8th graders.

A parent or guardian may file annually with Executive Director a written, signed statement indicating that he or she will not consent to a physical examination of his or her 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, he or she shall be sent home and shall not be permitted to return until LVCS is satisfied that any contagious or infectious disease does not exist.

### 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:

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

diabetes.

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

### Homeless Students

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

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

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

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

Ann Kelly  
Executive Director  
PO Box 1461, Ukiah, CA 95482  
707-459-6344

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

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies.
2. Homeless students enroll in, and have a full and equal opportunity to succeed at La Vida Charter School (“Charter School”).
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by the Charter School, if any, and referrals to health care services, dental services, mental health services and substance abuse services, housing services, and other appropriate services.

4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, LVCS charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. Charter School personnel providing services receive professional development and other support.
9. The School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

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

#### Nondiscrimination Statement

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

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

The Charter School is committed to providing a work and educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination in Employment Act of 1967; The Age Discrimination Act of 1975; the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability). Charter School also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or

ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. Charter School does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which Charter School does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. Charter School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the Charter School Uniform Complaint Procedures (“UCP”) Compliance Officer:

Ann Kelly  
Executive Director  
PO Box 1461, Ukiah, CA 95482  
707-459-6344

### Oral Health Assessment

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

### Pupil Records, including Challenges and Directory Information

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

1. The right to inspect and review the student's education records within 5 business days after the day the La Vida Charter School (“Charter School”) receives a request for access. Parents or eligible students should submit to the Charter School principal or designee a written request that identifies the records they wish to inspect.

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

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

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

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

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

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

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

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

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

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

1. To other Charter School officials, including teachers, within the educational agency or institution whom the Charter School has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1)).
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34.

(§99.31(a)(2)).

3. To authorize representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35).
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4)).
5. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7)).
6. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8)).
7. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9)).
8. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10)).
9. Information the Charter School has designated as "directory information" under §99.37. (§99.31(a)(11)).

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

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

If you do not want the Charter School to disclose directory information from your child's education records without your prior written consent, you must notify the Charter School in writing at the time of enrollment or re-enrollment. Please notify the Executive Director at: 707-459-6344.

#### Section 504

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

#### Uniform Complaint Procedure

La Vida Charter School ("Charter School" or "LVCS") 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, including the charging of unlawful pupil fees, non-compliance with the Local Control Funding Formula, and non-compliance with reasonable accommodations for lactating pupils.

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

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Consolidated Categorical Aid Programs
- Career Technical and Technical Education and Training Programs
- Child Care and Developmental Programs
- Child Nutrition Programs
- Foster and Homeless Youth Services
- Every Student Succeeds Act / No Child Left Behind Act Programs
- Special Education Programs
- Lactating Pupils
- Local Control Funding Formula/Local Control and Accountability Plan
- Juvenile Court School Pupils

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

- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.
- A pupil fee complaint shall not be filed later than one (1) year from the date the alleged violation occurred.

Complaints of 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:

Ann Kelly  
Executive Director  
PO Box 1461, Ukiah, CA 95482  
707-459-6344

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

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The compliance officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with the LVCS's procedures.

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

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of LVCS's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

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



## **Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy**

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

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

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

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

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

Ann Kelly  
Executive Director  
PO Box 1461, Ukiah, CA 95482  
707-459-6344

## **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 LVCS.

LVCS 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 him/her or against another individual.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults and
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
  - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct
  - Subjecting or threats of subjecting 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** is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student group or group of students that may constitute as sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

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

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

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
  - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated

- c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of “Cyber sexual bullying” including, but not limited to:
  - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

## **Grievance Procedures**

### **1. Reporting**

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

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

Ann Kelly  
Executive Director  
PO Box 1461, Ukiah, CA 95482  
707-459-6344

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

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

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

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

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

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

## **2. Investigation**

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

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

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

## **3. Consequences**

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

## **4. Uniform Complaint Procedures**

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

## **5. Right of Appeal**

Should the Complainant find the Coordinator's resolution unsatisfactory, he/she may, within five (5) school days, 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 decision

LA VIDA CHARTER SCHOOL

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

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

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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

**To be completed by LVCS:**

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

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

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

## **Suspension and Expulsion Policy and Procedure Policy**

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

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

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

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is

being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

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

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

### **B. Enumerated Offenses**

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



- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) 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 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.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - i. A message, text, sound, video, or image.
    - ii. A post on a social network Internet Web site including, but not limited to:
      - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
      - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
    - iii. An act of cyber sexual bullying.
      - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
      - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
  - 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
  - w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the 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 Health and Safety Code Section 11053, *et seq.*
  - d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) 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 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.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video, or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(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.
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 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 Health and Safety Code Section 11053, et seq.
  - d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, 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 five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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



## **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 nor 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**

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 days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

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

### **G. Record of Hearing**

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

### **H. Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the 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 parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

#### **O. Notice to Teachers**

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

#### **P. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities**

### 1. Notification of the District

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

### 2. Services During Suspension

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

### 3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

#### 4. Due Process Appeals

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

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

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

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

#### 5. Special Circumstances

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

The 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 IDEA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory 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 IDEA-eligible children with disabilities, including the right to stay-put.

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

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

See **Appendix P** in the La Vida Charter Renewal Petition for Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities.





**LA VIDA CHARTER SCHOOL  
PARENT HANDBOOK AGREEMENTS**

**School Copy**

Families of La Vida Charter School students are expected to be active participants in their children's education and in the life of the school community. To that end, I am aware of the following:

1. I understand that this is a school of choice. I have chosen to enroll my child in La Vida Charter School. I am encouraged to contribute time, two hours per month, to ensure the continued well-being of the school and participate in Parent Education Seminars sponsored by the school to support my child's education.
2. I have received and read the La Vida Charter School Parent and Student Handbook and understand LVCS's philosophy and policies.
3. I understand the importance of participating, when possible, in scheduled orientations, school meetings, parent-teacher conferences, extra-curricular school education events, festivals and activities.
4. I am aware of LVCS's recommendation of limiting the viewing of television, videos, computer games, and movies by my child.
5. I will ensure that my child will abide by all LVCS rules.
6. I will ensure regular and punctual attendance of my child(ren) at those optional on-site classes we have agreed to attend. I understand that it is best that children arrive about 10 minutes before class begins, and that they are picked up promptly at dismissal time. I understand that my child can be bumped from optional on-campus classes if he/she misses three (3) on-site classes in a trimester without a valid excuse.
7. I understand that toys should stay at home unless special arrangements have been made with the teacher and that cell phones are to be turned off during school hours.
8. I understand that canceling three (3) educational coordination meetings without twenty-four hours' notice can result in my student being dis-enrolled.
9. I agree that my child will take the CAASPP test and/or the La Vida Alternative Assessment. (MAP test) as well as the beginning of the year diagnostic.
10. I understand that tutoring may be required for my student's growth and agree to make sure they attend.

I have read the Parent and Student Handbook and the Parent Information Sheet.

**Signature of Responsible Parent/Guardian**

**NAME** \_\_\_\_\_ **DATE** \_\_\_\_\_

*Please sign and return one copy to the office. Keep one copy for your records.*





*Charles Howard on Seabiscuit  
on Ridgewood Ranch*