



BIENESTAR
(WELL-BEING)



CULTURE OF
BELONGING



COMMUNITY
PARTNERSHIP



AGENCY + SELF-
DETERMINATION



JOY

STUDENT AND FAMILY HANDBOOK 2022 - 2023



ASPIRE
PUBLIC
SCHOOLS

Aspire Public Schools | 1001 22nd Ave. Oakland, CA 94606 | (510) 434-5000 | www.aspirepublicschools.org

Table of Contents

Table of Contents	2
Welcome from the CEO	10
Aspire Public Schools Vision, Mission and Core Values	11
Aspire Vision	11
Aspire Mission	11
Aspire Core Values	11
Aspire Public Schools' Non-Discrimination Statement	12
COVID-19 Safety Protocols	13
COVID-19 vaccines	13
On-campus prevention	13
Masking	13
Testing	13
School Operations And Attendance	15
Enrollment	15
Class Placement	15
Foreign Exchange Students	15
Parent/Family Contact Information	15
Custody Orders, Power of Attorney or Caregiver Affidavits	15
Telephones and Calls to Students	16
Dress Code and Uniform policy	16
Uniforms	17
Walking Home	17
Rideshare Guidance	17
Attendance	18
Excused Absences	18

Make-up Work	19
General Tardiness	19
Chronic Absenteeism	20
Withdrawal due to Excessive Unverified Absences (AWOL)	20
Truancy	20
Health and Welfare Policies	23
Medication and Immunization Requirements	23
Nutrition Services	24
Home Hospital Instruction	24
Emergency Medical Care	25
Student Accident	25
Illness and Contagious or Infectious Disease	25
Suicide Prevention	26
Type 2 Diabetes	26
Academics	29
Academic Integrity	30
Instructional Materials	30
Required Restitution	31
California Mathematics Placement Act	31
Testing	31
Family Life/HIV/AIDS Education	31
English Learners	32
Physical Education	37
Independent Study	37
Work Permit	37
Expanded Learning/Afterschool Programs	38
Elementary Retention	38

Secondary Academics	41
Graduation Requirements	41
Diploma Pathways for Students With Disabilities	43
High School Commencement	45
Cal Grant Program for College	45
Concurrent Enrollment	46
Granting Credit from Non-Aspire schools	46
Secondary Grading	47
Retention and Acceleration	51
Drop Class Policy	53
Special Enrollment Circumstances: Over-Age Students	54
Student Rights And Responsibilities	56
Notice for Directory Information	56
Student Fees	57
Legally Authorized Fees and Prompt Payment	58
Married, Pregnant, Or Parenting Teens	58
Response to Immigration Enforcement	59
Parental Notification of Immigration-Enforcement Actions Policy	59
Responding to the Detention or Deportation of a Student's Family Member	60
School Employee Code of Conduct with Students	60
Section 504 Plan	61
Special Education	61
Homeless Children and Youth (McKinney-Vento Reauthorization of 2002)	63
Foster Children and Youth	63
Social-Emotional School Counseling Programs	63
Extra-curricular Involvement	65
Student Behavior and Discipline	67
Notice of Regulations	67

Positive Behavior Support Systems	67
Behavior Management Cycle	68
Behavior Expectation Guidelines	68
Alternatives to Suspension	69
Behavior Contracts	70
Safety Policies	91
Closed Campus	91
Harassment and Bullying Policy	91
Response to Hate Crimes and Bullying	91
Sexual Harassment	93
Transgender Harassment	102
Gender Diverse Student Supports	103
Visitor Policy	103
School Jurisdiction: Agency and Police Interrogation	104
Prohibited items and banned substances	105
Emergency Preparedness at Aspire Public Schools	105
Child Abuse Reporting	106
Aspire Family Engagement, Rights and Responsibilities	107
School-Home communication	107
Family Engagement Activities	107
Volunteers	107
Volunteer Drivers	108
Aspire Student Data Privacy Policy	109
USDA Civil Rights Statement	111
Every Student Succeeds Act Notification	111
Public Meeting Notice	112
Know Your Rights	112
Collecting and Retaining Student Records	113

Inquiries About Social Security Numbers or Cards	114
Procedures Regarding Information Sharing	114
Annual Information Notice to Parents and Guardians General Information Policy	115
Responding to the Detention or Deportation of a Student’s Family Member	116
Parental Notification of Immigration—Enforcement Actions	116
Responding to On-Campus Immigration Enforcement	117
Directory Information Policy	119
Inquiries Regarding Immigration Status, Citizenship Status, and National Origin Information	119
Monitoring and Receiving Visitors onto Campus	120
Family Concern Process	121
Uniform Complaint Procedures (UCP) Policies and Procedures	122
Student Family Handbook Acknowledgement Form	136
Family Concern Documentation Form	137

Welcome from the CEO

Dear Aspire Families,

Welcome to the 2022-2023 school year! I hope you and your loved ones had a safe and restful summer break.

We are thrilled to have our scholars and teachers back in school. We open this school year with renewed enthusiasm and commitment to empowering our 15,300+ scholars in their academic and social development. We can't do this work without you, our Aspire families. Together, we will realize our shared vision that all scholars are prepared to succeed in college, career, and life.

We are proud to begin this academic year with an important shift in our regional leadership and teams. Our Executive Directors (learn more about Aspire's new regional Executive Directors on our website) in each region will be leading expanded local teams who will provide additional support and expertise directly to principals, teachers, and scholars. These changes represent a shift for our organization to have more dedicated resources closer to our scholars. Your school's principal and teachers will get more support in dedicated areas including social-emotional development, literacy, STEM, post-secondary support, and multi-language learner resources. Our new local Executive Directors' responsibilities are not only in overseeing schools, but in strengthening community partnerships, developing dedicated staff, ensuring continuity of our mission and vision, and engaging with our community members. We hope you will experience these shifts in meaningful ways this year as we create opportunities for you to engage directly with your local Executive Director.

As one strong Aspire community, we will remain connected across all of our schools in our Core Values including Agency & Self Determination, Sense of Belonging, and Well-being/Bienestar, and are guided by prioritizing high-quality learning experiences, our Equity Commitments, and the health and safety of our school communities.

We are grateful to you for trusting your children in our care and we have every belief in their excellence! It is an honor to be a part of your scholar's journey.

Thank you for your partnership, and let's have a fantastic year!

With gratitude,

Mala Batra
Aspire Public Schools CEO

Aspire Public Schools Vision, Mission and Core Values

Aspire Vision

Every student is prepared to earn a college degree.

Aspire Mission

To open and operate small, high-quality charter schools in low-income neighborhoods, in order to:

- Increase the academic performance of underserved students
- Develop effective educators
- Share successful practices with other forward-thinking educators, and
- Catalyze change in public schools.

Aspire Core Values



Bienestar (Well-being)

Learning, working, and playing require us to feel safe and well. Our spaces and interactions support physical, emotional, cultural, ethnic, academic, and social safety, allowing us to feel secure enough to bring our full selves each day.



Culture of Belonging

At Aspire we can be our authentic selves and be comfortable sharing all aspects of our identities. We respect and celebrate each other's differences, and approach one another with empathy and understanding - no matter one's background or cultural history. Each person is valued and has a place in this community.



Community Partnership

We are all connected and collectively responsible for the well-being of every member of our extended community. When one of us is let down, we are all let down. When one of us succeeds, we all succeed. Only in partnership and by listening deeply to one another, can we create collective movement.



Agency + Self-determination

Each person has unique dreams. At Aspire, we set a foundation for our scholars to gain knowledge, skills, and power to access and make choices for their families and post secondary lives.



Joy

We strive to make Aspire and our communities a joyful place to learn, work, and be, together. Our work to shift outcomes is hard, yet we persist, and have gratitude and pride in the journey. Joy makes it all possible!

Aspire Public Schools Core Values

Our communities (predominantly Black and Latinx) persist in a system that does not adequately educate everyone. Aspire Public Schools aims to transform the disproportionate outcomes that are a product of that system. We believe that this set of core values can guide how we think and work together toward greater racial, social and gender equity across our schools and communities.

Aspire Public Schools’ Non-Discrimination Statement

Aspire Public Schools does not allow discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person’s actual or perceived race, color, ancestry, nationality/national origin, immigration status, ethnic group identification/ethnicity, age, religion, marital status/ pregnancy/ parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, medical information or association with a person or group with one of more of these actual or perceived characteristics. For questions or complaints, contact Title IX Officer:

Regional Director of Student Services or Designee

1001 22nd Ave

Oakland, CA 94606

510-434-5000

BA_TitleIX@aspirepublicschools.org

Regional Director of Student Services or Designee

3311 E. Morada Lane

Stockton, CA 95212

209-647-3047

CV_TitleIX@aspirepublicschools.org

Regional Director of Student Services or Designee

5901 E. Slauson Avenue

Commerce, CA 90040

323-837-9920

LA_TitleIX@aspirepublicschools.org

COVID-19 Safety Protocols

Aspire will continue to monitor COVID-19 public health data and related state guidance throughout the year, and make adjustments as appropriate. We encourage you to reach out to your child's school and visit www.aspirepublicschools.org for the most up-to-date information about COVID-19 safety protocols.

Some safety measures implemented in response to COVID-19 will remain in place. Those include:

COVID-19 vaccines

- We will continue to highly encourage all teammates and scholars over the age of 5 to be vaccinated for COVID-19 and will follow state and local public health requirements when it pertains to students' vaccinations. We will keep you informed of any updates as they become available.

On-campus prevention

- Campuses will continue to be cleaned on a regular schedule, with special attention to high traffic and frequently touched surfaces.
- Other layered prevention measures like washing hands and limiting shared items whenever possible are also still in place across our schools and facilities.

Masking

- Effective Spring 2022, masks within our schools, facilities, and offices are strongly recommended but not required until further notice.
- Individuals needing an additional layer of protection or who are exhibiting symptoms of COVID-19 or any other transmittable disease are encouraged to wear a mask regardless of vaccination status. Masks will be readily available on campuses for anyone who visits and is in need of one.

Testing

- As of Spring 2022, Aspire was also following the below safety measures in regards to in-person and campus activities. Please check with your child's school to learn if there are any updates measures in place.

In-person & campus activities that are allowed	Required Prevention & Safety Measures to follow
Parents, volunteers, visitors, vendors on campus <i>(e.g.: parent-teacher conferences, site support volunteers, media visits, donor visits)</i>	If on-campus 15 minutes or more and interacting with staff/students within 6 ft distance, the individual must follow the school's COVID testing protocol: provide a negative test result within 1 week of visit. Rapid tests are allowed.
Students meal service (<i>cafeteria</i>)	Students, staff, and visitors must follow COVID testing protocol shared above (refer to school site/region specific protocol)
Sports	Must follow sports program requirements and any local/district requirements
Field trips	Students, staff, and visitors must follow COVID testing protocol shared above
*School town halls, enrollment lotteries, open house events, graduations, promotions	Students, staff and visitors must follow COVID testing protocol shared above

For ongoing information and resources, please visit our Aspire Public Schools website at www.aspirepublicschools.org.

School Operations And Attendance

Enrollment

Parents of all admitted students will receive an Enrollment Confirmation form or Registration Packet; enrollment is not considered complete until that Enrollment Confirmation Form or Registration Packet has been completed and returned. Failure to return the Enrollment Confirmation Form or Registration Packet by the specified deadline may result in rescission of the offer of admission, and the spot being given to the next student on the waitlist.

Before new students can be admitted, current families are asked to complete a Re-Enrollment Form, indicating whether they plan to return the following school year. Current families matriculating to the next grade at a different Aspire school, must complete an application for admission to that school.

Class Placement

Class placements are carefully considered and created at Aspire Public Schools, with a goal of balancing classes based on a variety of factors. Parents are welcome to submit a letter describing their child's learning styles and interest, but parent requests for specific teachers are not accepted.

Foreign Exchange Students

Aspire Public Schools does not accept or enroll foreign exchange students.

Parent/Family Contact Information

Parents are asked to notify the office in writing as soon as any change of contact information (telephone numbers, address, etc.) occurs. This information can be updated by parents at any point in the school year via the PowerSchool Parent Portal/App. This will ensure that all communication will be received without delay or interruption. Every student must have complete and up-to-date Emergency Contact Information, properly signed and on file in the school Office. **Students may only leave campus with an adult whose name is listed on the emergency contact information in PowerSchool.**

Custody Orders, Power of Attorney or Caregiver Affidavits

We recognize that all families are unique. If you have family situations which involve specific custody or other legal documents, please let the school know so that we can support your child and family.

Telephones and Calls to Students

The office telephone is for school business only. Students using the phones inappropriately will be subject to disciplinary action.

If it becomes necessary for you to reach your child during school hours, or if it becomes necessary for your child to reach you during school hours, all communications should be relayed through the main office. **Only emergency messages will be relayed.** As appropriate, the office staff and administration will determine if a message is an emergency.

Dress Code and Uniform policy

Aspire Public Schools' Board of Directors (the "Board") believes that appropriate dress and personal grooming contribute to a safe and productive learning environment and supports Aspire's core values of Culture of Belonging and Well-being/Bienestar. At the same time, the Board recognizes that many school systems have implemented dress codes in ways that disproportionately impact students of color, and/or adopted outright discriminatory policies regarding student dress.

To ensure that Aspire schools promote scholar safety and learning, while maintaining our commitment to our equity beliefs, the Board has taken the following position on school uniform and personal grooming policies at Aspire Public Schools:

- All Aspire schools shall adopt school uniform policies requiring their scholars to wear clothing suitable for the activities in which they participate. Such policies shall prohibit scholars from wearing clothing that presents a health or safety hazard, or causes a substantial disruption to the school's educational program.
- School policies pertaining to scholar attire must be included in student handbooks, and all parents/guardians and scholars must be made aware of where to find them. Such policies may also be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.
- Scholars shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.
- Policies regarding scholar dress or grooming shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.
- Such policies shall not discriminate against students based on hair texture or protective hairstyles, including, but not limited to, braids, locs, or twists.
- When practical, scholars shall not be directed to correct a dress code violation during instructional time or in front of other students.

The principal or designee of each school is authorized to enforce this policy and shall inform any scholar who does not reasonably conform to the dress code.

Uniforms

The Board grants schools the ability to institute a school-initiated dress code requiring students at the school to wear a school uniform.

School site administrators shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Walking Home

It is of utmost importance to keep students safe when they are dismissed from school.

Guidelines for students walking home

- Any student 18 years of age or younger must have a signed parent permission form if they walk home from school.
- Any student in grades 1-5 can walk home with an older sibling or family member with a signed parent permission form.
- Students in grades 6 and higher can walk home alone with a signed parent permission form.
- The Parent Permission to Walk Home form must be signed annually.
- Students who have a current permission on file to walk home alone must sign-out daily
- *Transitional Kindergarten/Kindergarten students are not approved to walk home alone, including with an older sibling, and they must be picked up by an approved adult (all approved adults must be listed on the student's emergency card).*

Rideshare Guidance

Aspire does not recommend using rideshare services such as Lyft and Uber for student drop-off and/or pick-up. Unaccompanied minors are currently prohibited from traveling in [Lyft](#) or [Uber](#) per those companies' own policies.

Aspire does not have a relationship or program with any ridesharing services and will not screen, monitor, or otherwise review or assess the safety of any ridesharing service or any ridesharing driver or vehicle.

If you allow your child to be dropped off or picked up at school by a ridesharing service, you expressly acknowledge that the school and its employees have no responsibility for your decision and have no responsibility or liability to you or your child related to the ridesharing service.

Attendance

Aspire Public Schools (APS) believes that only through daily participation in classroom activities can students achieve success and progress in their academic and social growth.

Regular attendance is also preparation for entry into the world of employment. All students and parents are accountable for regular class attendance and daily assignments.

Daily Attendance and Participation in Activities

Students must attend school on the day of a school activity or event in order to participate. Students who do not attend school the day of a school activity or event, even if the event is in the evening, may be denied the privilege of attending school activities or events on that date.

Excused Absences

A student not present in class for any reason is considered absent. Students must be excused from compulsory attendance if they are to miss school; a student will be excused for an absence if (1) the reason for the absence is listed below **and** (2) the absence **is communicated to the school within 5 days** of the absence: [Education Code §§ 48205(a), 48205(c)]

1. Due to the pupil's illness.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats (for purposes of this section, attendance at

religious retreats shall not exceed four hours per semester), attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the student's absence has been requested in writing by the parent or guardian and approved by the principal or a designee.

8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purposes of attending the pupil's naturalization ceremony to become a US Citizen.

Make-up Work

Students who are absent from school for any of the excused reasons stated under “Excused Absences,” as well as suspension, shall be allowed to complete all assignments and tests. Upon satisfactory completion, the student shall be given full credit for completed work. Local school procedures will guide, pursuant to the regulations of APS, what assignments the student shall make-up and in what period of time the student shall complete such assignments. The tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence [Education Code § 48205].

REFERENCE: Board Policy 7013 Make-up Work

General Tardiness

Any student who arrives at school after the opening-school bell has rung or the official start of the school day, yet less than 30 minutes into the instructional school day, will be considered “tardy.” Once the school day has begun, students who are not present and actively engaged in the learning activities at the start of a class period and or when the opening class bell has rung are also considered “tardy.”

Individual schools shall create and publish procedures to govern the admission of students that are tardy to school, including, but not limited to those described in the following section.

Chronic Absenteeism

Any student who has been absent from school (excused or unexcused) for 10% or more of the total days of attendance for that school year may be required by the school principal to provide an official medical or judicial verification in order to excuse an absence [Education Code § 60901]. Students with such an excess of absences will be notified in writing of the official verification requirement.

Any teacher may change the grade of a student who has accrued 10 unexcused absences per semester to a failing grade for their courses at the marking period (grade of “F” or “NC”) [Education Code § 49067].

Students with excessive absences may be referred to the school’s Truancy Abatement Program as a way to remediate the excessive absences. The abatement program may include weekly study hall.

Withdrawal due to Excessive Unverified Absences (AWOL)¹

Students not in attendance due to unexcused absences for at least ten (10) consecutive days with no prior notice or without a response to calls, certified letters, or the truancy process may be disenrolled from the school. Aspire shall create a process for communication with families who meet the above seat abandonment criteria.

Students disenrolled for the above reason may be placed on the waiting list and readmitted on a space available basis.

Truancy

A student is considered truant when the student is:

- absent from school without a valid excuse three school days in one school year,
- tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or
- any combination thereof.

Truancy is for unexcused absences not cleared within 5 days. To avoid truancy, please always inform the office if your child’s absence or tardy is for an excusable reason as defined above.

¹ Not applicable to Foster Youth as defined by EC 48853.5 (a) and Homeless Youth as defined by Section 11434a(2) of Title 42 of the United States Code.

Notifications of Truancy

If your child is classified as truant under the California Education Code, you will receive notification from the school that includes information required by the state. The first notification will come to you once your child has accrued three truancy events. Please reach out to the school on this first notification, as it will allow the school to work with you in support of your child's attendance. You will receive additional notifications after six and then again after seven total truancy events [Education Code §§ 48260, 48261, 48262].

First Notification of Truancy or Excessive Absences

- Letter #1 sent regular and/or delivery confirmation mail when a student has accrued **three (3) truancy events**.
- Student may be assigned, with or without parent consent, to the school's truancy abatement program, including, but not limited to, Weekend Makeup School.

Second Notification of Truancy or Excessive Absences

- Letter #2 sent regular and/or delivery confirmation mail.
- A student must be notified a **second time** once they have accrued at least **six (6) truancy events**.
- Student may be assigned, with or without parent consent, to the school's truancy abatement program.

Notification of Determination of Habitual Truancy and SART

Once your child has received a third notification of truancy after accruing a seventh truancy event, the California Education Code identifies your child as a habitual truant. At this point, the school is required to hold a School Attendance Review Team (SART) meeting with you. At that meeting an attendance contract, including supports, will be discussed and signed and your child will be assigned to the school's truancy abatement program [Education Code §§ 48260, 48261, 48262].

Notification of Determination as an Habitual Truant

- Letter #3 sent regular and delivery confirmation mail. In addition, a parent may be asked to sign the letter in person.
- A student must be notified a **third time** once they have accrued a **seventh (7) truancy event**. Student is identified as a **Habitual Truant**.
 - SART meeting held with student, parent, teacher advisor, and Principal. If not already on file, an Attendance Contract must be signed at this meeting.
 - Student will be assigned, with or without parent consent, to the school's truancy abatement program.

- If the parent and/or guardian fails to respond in 10 days or does not attend the scheduled conference, the matter may be referred to the Aspire Student Attendance Review Board (SARB).

The school's SART will consist of:

- The principal;
- The student's teacher from the school in which the student is enrolled; and
- Other relevant members, such as another Aspire administrator, an Aspire Home Office representative, other teachers or staff as appropriate, counselor, etc.

Notification of Continued Truancy and Referral to Aspire SARB

Once a student reaches an 8th truancy event, you will receive notification that the student has been referred to the Aspire Student Attendance Review Board process, which is a final attempt to help resolve truancy issues before more stringent consequences are considered, including, but not limited to: referral to the District Attorney [Education Code §§ 48260, 48261, 48262].

Notification of Continued Truancy—Referral to Aspire SARB

- Letter #4 sent regular and registered delivery confirmation mail from the Regional Office. In addition, a parent may be asked to sign the letter in person.
- A student must be notified a **fourth time** once they have reached an **eightth (8) truancy event**.
- Principal refers student to Aspire SARB with required attachments.
- Student will be assigned, with or without parent consent, to the school's truancy abatement program, including, but not limited to, Weekend Makeup School.
- If the parent fails to respond within 10 days or attend the scheduled conference, the matter may be referred to the District Attorney's office and other appropriate actions.

The APS SARB will consist of:

- The school principal or their administrative designee;
- A teacher from the school in which the student is enrolled;
- The CEO's designee from the Aspire Home Office; and
- Other relevant members, such as local school district representative, District Attorney representative, special education representative, counselor, local police official, etc.

Health and Welfare Policies

Medication and Immunization Requirements

Students who do not comply with the vaccination requirements shall be excluded from school, meaning, ‘No shots, no school’ [Health and Safety Code Section 120335]. State law requires that for unconditional admission to school, all students under 18 shall be fully immunized according to the requirements of the California Department of Public Health. All entering students must be up-to-date with immunizations according to Aspire policy and the schedule provided by the California Department of Public Health. As of January 1, 2016, exemptions based on personal beliefs, including religious beliefs, are no longer an option for the vaccines that are currently required for entry into school in California. Students may be exempted from this requirement for medical reasons only. As of January 2021, all medical exemptions must be issued through the California Immunization Registry- Medical Exemption (CAIR-ME) website by physicians licensed in California (SB 276 and SB 714). Schools will only accept medical exemptions issued through the CAIR-ME system. In the event of an outbreak of a disease for which the child has not been immunized, he or she will be excluded from school for the period of communicability.

Students who do not comply with the requirements shall be excluded from school. The immunization requirements do not prohibit pupils from accessing special education and related services required by their individualized education programs. If you have questions about your child’s immunization record and/or admission status, please contact your child’s school.

Medication

If your child needs to take any prescription medications, you must have:

1. a doctor’s written and signed note (Parent/Physician Statement) detailing the method, amount, and time schedules for such medication, **and**
2. a written and signed note (Parent/Physician Statement) from the parent indicating his/her desire that the school assist the student as set forth by the physician in his/her statement.

COVID Vaccine

We strongly recommend and encourage students to get the COVID-19 vaccine as it becomes available to their age group.

For safety reasons, children are not allowed to have medicine in their classrooms, lunchboxes, or in their pockets. All medication must be dispensed through the office. You may also come and administer medication to your child, if needed. From time to time some parents request that their child be able to take Tylenol or Advil at school. This is permissible

only with written parent and doctor permission (Parent/Physician Statement) and the medication must be in its original container [Education Code § 49423].

REFERENCE: Board Policy 6006 Administering Medications and Monitoring Health Conditions

Nutrition Services

Aspire Public Schools participates in the School Breakfast Program (SBO) and National School Lunch Program (NSLP). In addition, many of our schools participate in the Child & Adult Care Food Program (CACFP), which provides snack and supper meals to students enrolled in after school programming.

Universal Meals Program

Beginning in the 22-23 school year, all Aspire schools will provide two meals free of charge (breakfast and lunch) during each school day to students requesting a meal, regardless of their free or reduced-price meal eligibility. For LCFF funding purposes, families will be asked to complete a lunch application or alternative income form. The completion of these forms may bring significant additional funding for the school, and qualify students for individual benefits such as college application waivers, AP testing fee waivers and Pandemic-Electronic Benefits (P-EBT) benefits.

Dietary modifications can be made for students who meet the criteria and have a completed medical statement submitted for evaluation. Should your child require a special diet, please request a Medical Statement to Request Special Diet form at the school's main office.

Student Wellness Policy: All stakeholders are able to participate in the development, review, update and implementation of the local School Wellness Policy. A copy of our Student Wellness Policy may be found on the Aspire Public Schools website at www.aspirepublicschools.org

REFERENCE: Board Policy 5001 Free and Reduced Price Meals

Home Hospital Instruction

The purpose of Home and Hospital Instruction (HHI) is to provide instruction to a student with a *temporary* disability in the student's home or in a hospital or other residential health facility, excluding state hospitals. The temporary disability must make attendance at Aspire impossible or inadvisable. Home & Hospital Instruction for a student with a temporary disability and/or illness is also available through the district of residence where the student is hospitalized or in the home recuperating and should the student choose that option that they may remain dually enrolled in Aspire during that time to maintain their enrollment with Aspire. Please reach out to your school's main office if you would like to discuss HHI for your student.

Emergency Medical Care

All students must have an emergency information card filled out and signed by the parent or guardian at the beginning of each school year. This card delineates what care the parent desires for their child in the event of an emergency, along with noting the current medical and emergency information.

Student Accident

Aspire is committed to the safety of all students while they are in school. However, student accidents may occur during the school day. These situations are unfortunate and we try our best to support the student and family when these accidents occur.

Student accidents are documented and reported to our insurance. The school will also provide families with a claim form for accidents that are considered “severe”. If your child has an accident at school that you consider severe and would like to submit a claim, please contact your school’s Business Manager as soon as possible.

All required documentation must be submitted in order to process a claim.

Steps to submit a student accident claim:

1. School fills out top portion of claim form and gives to parent
2. Parent fill out and completes claim form
3. Parent provides documentation that is requested on the claim form:
 - a. Itemized bill
 - b. Explanation of Benefits from your insurance
 - c. or Statement of No Insurance
4. Parent submit completed claim form along with supporting documents to insurance (school can assist if needed/requested)

Illness and Contagious or Infectious Disease

For the safety and protection of all, students should not attend school with any of the symptoms below and may be sent home if they display these symptoms at school:

1. Fever of 100°F or higher
2. Diarrhea, vomiting or nausea
3. Severe sore throat

4. Eyes that are red, swollen, crusting or draining (conjunctivitis)
5. Untreated, draining ears or earache

Students who have been ill with a fever need to be fever-free, without the use of medication, for 24 hours before returning to school. Students experiencing diarrhea or severe nausea and/or vomiting must be kept at home for 48 hours after they no longer have symptoms. Protocols for illness and outbreaks are based on the directions from the Public Health Department and Centers for Disease Control and Prevention. A student suspected of having a communicable disease will be sent home and parents will be asked to consult a physician and provide a written note from the physician indicating that the student may return to school.

Suicide Prevention

Aspire recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, Aspire has developed prevention strategies and intervention procedures, which are outlined in Aspire Public Schools' Suicide Prevention Policy [Education Code § 215].

If you are aware of someone who is struggling with, or considering suicide, please immediately contact your local community resources such as a local hospital, law enforcement, or community based organizations. Additionally, you can call the National Suicide Prevention Lifeline at 1-800-273-8255.

REFERENCE: Board Policy 8022 Suicide Prevention

Type 2 Diabetes

Pursuant to California Education Code § 49452.7, the below type 2 diabetes information is required to be shared to parents and guardians of incoming seventh grade students:

Type 2 diabetes is the most common form of diabetes in adults.

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

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

- The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.

- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
- Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
- Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

Risk Factors Associated with Type 2 Diabetes

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

Risk Factors

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

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

Warning Signs and Symptoms Associated with Type 2 Diabetes

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

- Increased hunger, even after eating
- Unexplained weight loss

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

Type 2 Diabetes Prevention Methods and Treatments

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

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

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

Types of Diabetes Screening Tests That Are Available

- Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
- Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.

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

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

Academics

Academic Integrity

Aspire Public Schools believes in academic integrity. Students are expected to do their own homework, to test without external resources, and to submit original work for all assignments. Aspire students are expected to deny all requests to copy from their own work.

Consequences for Violating Academic Integrity

1. All test papers, quizzes, or assignments will be taken from the student(s) violating the policy.
2. A student found cheating may receive, at the discretion of the teacher, a grade of “F” or a zero for the test, quiz, or assignment. This may lower a quarter or semester grade substantially.
3. Parents will be notified and a parent conference will be arranged if the teacher deems it necessary.
4. The Principal will be notified.
5. An incident of cheating and or plagiarism will result in removal from the Honor Roll for that quarter.
6. Repeated violations or a single serious violation may lead to more serious disciplinary actions.

REFERENCE: Board Policy 8043: Academic Integrity Policy

Instructional Materials

All instructional materials, including teacher’s manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable (instructional) program shall be available for inspection by the parents or guardians of students [20 USC 1232h(a)].

Textbooks and Materials

Students are responsible for all books and school materials issued to them. All textbooks are to be protected with sturdy book covers, no contact (adhesive) or other permanent book covers allowed. Students will be fined for unusual wear or damage to books. Students will be charged a replacement fee for all lost books, technology or other school materials issued to them, including library books [Education Code § 48904].

Required Restitution

Student grades, diplomas, and transcripts may be withheld from students and parents or guardians when a student has damaged, destroyed, or not returned loaned property of the school and restitution has not been made. The records are withheld from the student and parent and/or guardian, but will not be withheld from a requesting school [Education Code § 48904(b)].

California Mathematics Placement Act

In accordance with the California Mathematics Placement Act of 2015 [Education Code § 51224.7], Aspire Public School has adopted the “Enhanced Pathway” in the *California Mathematics Framework, 2013* as it allows students to develop a solid foundation on key middle school mathematical concepts, and also gives students time to make key choices on their mathematics pathway. For additional information, please visit www.aspirepublicschools.org.

REFERENCE: Board Policy 7010 Mathematics Placement Policy

Testing

California students are required by state law to take multiple assessments to measure their progress and mastery of the CA adopted Common Core standards [Education Code §§ 60640-60649 C]. These include, but are not limited to, the:

- Smarter Balanced Achievement Consortium Tests in grades 3-8 and 11
- CA English Language Proficiency Assessment (ELPAC) for English Learners in K-12
- California Science Test (CAST) in 5, 8, and at least one high school grade
- California Alternative Assessment (CAA) for students who qualify based on disability
- Alternate English Language Proficiency Assessment (ELPAC) for English Learners in K-12 who qualify based on disability
- Physical Fitness Test in grades 5, 7, and 9
- Additional benchmark and interim tests are administered for internal Aspire purposes including an internal reading diagnostic assessment
- Other federal, state and local tests as required

Family Life/HIV/AIDS Education

In accordance with AB-2601 and the California Healthy Youth Act (CHYA), the Family Life Education program is designed to help students understand the biological, psychological,

social, moral, and ethical aspects of human sexuality. The program provides information on human growth and development, physical and emotional changes that occur during adolescence, and responsibility. Each school district shall ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education from instructors trained in the appropriate courses. Each pupil shall receive this instruction at least once in junior high or middle school and at least once in high school [Education Code § 51934].

The Family Life Education Program includes age appropriate instruction about Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV). The course will include information on AIDS and its effects on the human body, HIV transmission and prevention, community resources, decision-making and refusal skills, and public health issues. The Family Life and HIV/AIDS instruction programs follow the guidelines set forth by the California Education Code. Parents and/or guardians may contact the Principal if they would like to preview the classroom materials.

REFERENCE: Board Policy 7014 Sexual Health and HIV/AIDS Prevention Instruction

English Learners

State and federal laws require that all students whose primary language is other than English be assessed for English language proficiency. The English Language Proficiency Assessments for California (ELPAC) is California's designated test of English language proficiency. It is administered each year as an initial assessment (IA) to newly enrolled students whose primary language is not English, as indicated on a home language survey, and as an annual assessment (AA) to students who have been identified previously as English learners.

State law [Education Code §§ 313, 60810] and federal law (Title III of the Elementary and Secondary Education Act (ESEA)) require that schools administer a state test of English language proficiency to: (1) newly enrolled students whose primary language is not English as an IA, and (2) students who are English learners as an AA. For California's public school students, this test is the ELPAC. The ELPAC has three purposes:

1. To identify students who are limited English proficient (LEP)
2. To determine the level of English language proficiency of LEP students
3. To assess the progress of LEP students in acquiring the skills of listening, speaking, reading, and writing in English

At the time of initial enrollment, a home language survey is used to determine the student's primary language. [5 CCR 11307] Within 30 calendar days of initial enrollment, each student whose home language is other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test, shall

be assessed for English-language proficiency using the state-designated instrument English Language Proficiency Assessments for California (ELPAC). [5 CCR 11511]

All students shall have sufficient time to complete the ELPAC as provided in the directions for test administration. [5 CCR 11516]

Any student with a disability shall take the ELPAC with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student’s individualized instruction plan (IEP) or Section 504 plan that are appropriate and necessary to address the student’s individual needs. [5 CCR 11516.5]

Reclassifying and Initially Classifying English Learners

The ELPAC assesses student performance in the following areas: Listening, Speaking, Reading and Writing. In order to be reclassified as fluent English proficient, as indicated in the following chart, students must: (1) meet an ELPAC minimum score; (2) meet a minimum Lexile range; (3) receive a grade of a C or better in ELA or a teacher recommendation; and (4) obtain parent approval:

Policy for Reclassifying and Initially Classifying English Learners:

The policy for reclassifying and initially classifying students is divided into four parts:

- 1. Reclassifying general education students
- 2. Reclassifying students with mild to moderate disabilities
- 3. Reclassifying students with moderate to severe disabilities (i.e., students who are on an alternative curriculum).
- 4. Initially classifying all students

Table 1: Aspire’s RFEP Policy for General Education Students

Criteria 1: Assessment of English Language Proficiency
<ul style="list-style-type: none">● Overall score of Level 4 on Summative ELPAC
Criteria 2: Teacher Evaluation
<p>K-5/6</p> <p>For EL students in Grades K-5/6 to meet the teacher evaluation criterion for reclassification, the students must receive ELA progress report card composite scores of 2 or above.</p> <p>Grades 6-12</p> <p>For EL students in Grades 6-12 to meet the teacher evaluation criterion for reclassification, the students must receive grades of C or better in English or a course for Long-Term English Learners (LTEs). The following courses qualify for reclassification:</p>

- Grade-level English
- Academic ELD (UC approved)
- ELD Course Offerings
- A credit recovery or Adult school English Course
- LTEL course grade of C or better
- (B credit courses only)

If an EL student has met the ELPAC and grade-level skills criteria for reclassification and not the ELA progress mark/grades, the student must be referred to the Student Support Team (SST) for a possible reclassification recommendation.

Criteria 3: Parent Opinion and Consultation

- Parent agrees that student should be reclassified (Parent consultation must be documented)

Criteria 4: Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

TK-5

- Benchmark or Above Benchmark on (BOY), Middle of Year (MOY) or End of Year (EOY) mCLASS (K-2)
- Nearly Met (Level 2) on i-Ready ELA (3-5)
- Nearly Met level (Level 2) or higher on the ELA SBAC (3-5)

6-12

- Nearly Met level (Level 2) or higher on the ELA SBAC (6, 8, 11)
- Nearly Met (Level 2) on i-Ready ELA (6-8)
- Nearly Met on (Level 2) on MAP ELA (9-11)

Table 2: Aspire’s Redesignated Fluent English Proficient Policy for Students with Disabilities (Students on the Common Core Curriculum—i.e, students who would still take SBAC)

Criteria 1: Assessment of English Language Proficiency

- The IEP team must meet, in the context of an in-person IEP meeting, to discuss the individualized criteria and write the chosen criteria into the student’s IEP, keeping in mind that the student’s performance in basic skills may be impacted by his/her/their disability. If a student has in his/her/their IEP that he/she/they do not need to take a section of the ELPAC, then the IEP teams should consider only the sections the student did take in reclassification.

Criteria 2: Teacher Evaluation

- Case Manager and ELA/ELD coordinator agrees the student should be reclassified based on classroom evidence of academic performance
- Case Managers need to schedule designated time with the ELD coordinator, in advance of the RFEP window, to discuss any students that may be eligible for reclassification. IEP meetings need to be scheduled in advance of the RFEP window in collaboration with the ELD coordinator.

Criteria 3: Parent Opinion and Consultation

- Parent has the opportunity to provide input and agreement or disagreement regarding reclassification in the IEP meeting when reclassification is discussed

Criteria 4: Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

The IEP team must discuss the individualized criteria and write the chosen criteria into the student's IEP, keeping in mind that the student's performance in basic skills may be impacted by their disability. The range of criteria offered below aims to give students with disabilities several options for demonstrating ability.

1. Has the student made progress on the ELA SBAC (Level 2) or higher?
2. Did the student score in the average range on the STAR Ren like that of an English Only student with a similar disability?
3. For grades TK-2, did the student score Benchmark or Above Benchmark on (BOY), Middle of Year (MOY) or End of Year (EOY) DIBELS 8?
4. Is there current assessment data (within a year or less) that compares the basic skills of students with disabilities to native speakers of English with similar disabilities of the same grade or age level to determine sufficient mastery of the basic skills for reclassification (ex: WJ, KTEA, WIAT-III)?
5. Has the student been given some sort of receptive/expressive Picture Vocabulary Measure?

Utilize the IEP File Review for RFEP Student to assist with decision making

Table 3: Aspire's Redesignated Fluent English Proficient Policy for Students with Disabilities (Students on an Alternative Curriculum—i.e, students who would take CAA instead of SBAC)

Criteria 1: Assessment of English Language Proficiency

Alternative ELPAC:

The purpose of the Alternate ELPAC is twofold:

- The Initial Alternate ELPAC provides information to determine a student's initial classification as an EL or as initial fluent English proficient. The annual testing

window for the Initial Alternate ELPAC will be from July 1 through June 30 beginning in 2022.

- The Summative Alternate ELPAC provides information on annual student progress toward ELP and supports decisions on student reclassification as fluent English proficient. The annual testing window for the Summative Alternate ELPAC will be from February 1 through May 31 following the operational field test window.

Criteria 2: Teacher Evaluation

- Education Specialist agrees the student should be reclassified based on evidence of academic performance.

Criteria 3: Parent Opinion and Consultation

- Parent receives notice of reclassification eligibility and is given an opportunity to indicate if they disagree that the student be reclassified

Criteria 4: Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

- The IEP team must discuss the individualized criteria and write the chosen criteria into the student's IEP, keeping in mind that the student's performance in basic skills may be impacted by their disability.
- ELA CAA Scores
- Basic Skills assessment used in IEP testing (ie., OWLs, WJ or WIAT)
- Language dominance test
- Picture Vocabulary Acquisition Test

Structured English Immersion (SEI) Program

Aspire Public Schools offers a Structured English Immersion Program. The Structured Immersion Program is a language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for pupils who are learning English. At minimum, students are offered ELD and access to grade level academic subject matter content.

Although schools have an obligation to serve all EL students, parents or guardians of English learners have a right to decline or opt their children out of a school's EL program or out of particular EL services within an EL program. If parents or guardians opt their children out of a school's EL program or specific EL services, the children retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Education Opportunity Act of 1974 to provide EL students access to its educational programs [20 U.S.C. sections 1703[f], 6312[e][3][A][viii]].

REFERENCE: Board Policy 7012.3 Aspire English Learner Reclassification Criteria

Physical Education

The school's physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks and content standards [Education Code § 51222]. Nutrition education shall be provided as part of the health education program in grades 6-12 and, as appropriate, shall be integrated into other academic subjects in the regular educational program [Education Code §§ 49500-49505, 49510-49520].

Opportunities for physical activity shall be provided through physical education, athletic programs, and other structured and unstructured activities.

REFERENCE: Board Policy 8004 Wellness Policy

Independent Study

Independent Study is an instructional strategy that responds to a student's individual needs. It is an alternative to classroom instruction consistent with Aspire's course of study and is not an alternative curriculum.

Acceptable reasons for requesting Independent Study include excused or warranted absence from school for five (5) or more consecutive school days. Written requests for independent study should be directed to the principal at least two weeks before the anticipated departure.

Permission to grant Independent Study is up to the discretion of the principal, though no student may be placed in Independent Study without the parent/guardian's written consent. If a student does not meet the expectations of the Independent Study program, including the conditions outlined in the student's Independent Study Agreement, the Principal or his or her designee may conduct an evaluation to determine whether it is in the best interest of the pupil to remain in independent study. If the student has been on Independent Study before and has not completed the work as assigned, it is up to the Administrator Principal as to whether the student should be allowed to participate in the program again. The maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be (5) school days, unless otherwise extended by the supervising teacher. No student with an Individualized Education Program (IEP) may participate in Independent Study unless the IEP specifically provides for participation.

REFERENCE: Board Policy 7004 Independent Study

Work Permit

Upon obtaining an offer of employment and prior to accepting employment, minor students shall obtain work permits from the Principal or designated school administrator in accordance with law, regardless of whether the employment will occur when school is in session and/or not in session [Education Code §§ 49110-49119]. The request for a work permit shall be submitted to the Principal or designated school administrator on a form approved by the CDE. Students granted work permits must demonstrate and maintain a 2.0 GPA and satisfactory school attendance.

Expanded Learning/Afterschool Programs

Aspire Public Schools' expanded learning program during afterschool hours provides our students with additional academic supports and access to enrichment activities such as music, art, sports, and other club extracurricular activities [Education Code §§ 35179, 48930-48938]. Academic supports focus on English Language Arts and Math intervention for students performing below grade level, as well as daily homework assistance and college readiness supports for older students. Enrichment activities are designed to foster creativity, teamwork and physical activity, while reinforcing key academic skills and giving students opportunities to explore their interests and talents—and have fun. If you have questions about your school's afterschool program, please contact the school office.

Elementary Retention

Retention

As early as possible in the school year, the Superintendent of Equitable Instruction Superintendent or designee shall identify students who should be retained and who are at risk of being retained in accordance with law, Board policy, administrative regulation, and the practice below.

Students shall be identified on the basis of the assessment results on the state's Standardized Testing and Reporting Program and the minimum levels of proficiency recommended by the State Board of Education and, in addition, local assessments and grades.

Retention, according to the state of California and Aspire Public Schools, is intended to be an intervention that further supports the students academic growth and career to ensure college and career access and success. Making the decision to retain a student (holding a student back to repeat a grade) is an important decision that will not be taken lightly.

A school and parent/guardian can determine if the student is showing lack of progress as early as 6 weeks into the school year if the student had previously attended that school the year before and as early as 12 weeks if the student is new to the school. The school must assemble a team to look at data and communicate progress or lack thereof to the

parent/guardian at least 4 times throughout the year. The school must communicate an intervention plan and resources/support to parents. If progress has not been made after consistent intervention and support and consistent attendance from students, then the school team will communicate to parents at least 6 weeks before the end of the school year. The decision must be made in the best interest of the student's academic and social-emotional development, with the approval of the parent/guardian.

Below is the practice Aspire Public Schools will adhere to when implementing the potential retention of a student:

- The pupil's grades have been consistently below grade level throughout the academic year on grade-level assignments and assessments compared to their peers and academic standard of that grade level AND
- The student's reading proficiency is far below grade level as measured by academic assessments, including mCLASS (K-2 ELA), iReady (K-8 Math & 3-8 ELA), and MAP (9-11 ELA & Math).
- The student's math proficiency is far below grade level as measured by a school's standardized mathematics assessment AND
- The pupil had access to a fully credentialed permanent teacher(s) throughout the year AND
- The school has a designated team that met regularly to identify the student, provide supports and collaborated and communicated with the parent at least 4 times throughout the year, at least 6 weeks apart AND
- The site team consisted of child's classroom teacher(s), administrator, school counselor, education specialist or intervention teacher and the child's parent/guardian, AND
- The school team has record of the meetings, data presented and interventions/supports implemented AND
- The school implemented at least 2 documented SST's with supports for the student with at least two cycles of revisiting, revising and continuing to implement the plan with fidelity AND
- If the student has an IEP, that team must convene (and there should be no SST meeting held for those students as it is duplicative) to discuss what adjustments may be required for the student's IEP to ensure appropriate progress based on their disability. If retention is being considered, the IEP team must discuss and make a recommendation to the appropriate administrator for final determination. The decision to retain is not considered an IEP placement decision, final determination is made by a school administrator in consultation with the parent(s). If the school

determines retention appropriate, a follow-up IEP meeting may be necessary to discuss progress towards grade level goals and any additional supports and services that could be necessarily associated with the change in grade level.

- The parent/guardian has received 35 day notice that the school team has made the recommendation to retain and give parent/guardian the option to meet with the team to consult AND
- Superintendent approval once parent/guardian signs and approves

If the school meets all of the above criteria, they must also provide:

- The school must send a written notice to the family and schedule a call with parent/guardian to confirm receipt of notice
- The school must communicate the parent/guardians right to appeal and timeline
- The parent/guardian has the right to appeal verbally or in writing to the team the decision to retain within 7 school days of the date of written notice
- If parent/guardian appeals, then the school must provide a meeting and hearing for parent/guardian to publicly appeal with the classroom teacher, an administrator and a regional support teammate
- For kindergarten students, retention is only an option if the above criteria are met AND both parent/guardian and the school must agree that the student may continue in kindergarten no more than one additional school year. Additionally, the school must complete a [Kindergarten Continuance Form](#). We do not offer retention within our TK program and all students completing TK will move into kindergarten the following year.

*If the parent/guardian requests retention of the student, then the school team must meet with the parent/guardian and present and evaluate the data requested above.

Secondary Academics

Graduation Requirements

California Education Code § 51225.3 specifies that students must pass a minimum set of requirements to graduate from high school. Students wishing to earn a high school diploma from an Aspire school shall successfully complete course work within a course of study in alignment with the UC/CSU a-g program and earn the designated number of a-g credits outlined below with a D- or above; to be eligible for UC and CSU admissions, all a-g credits must be passed with a C- or higher. In some cases such as UC validation, college credits, etc., Aspire graduation requirements exceed the UC/CSU a-g program so that students are competitive for private college admissions and scholarships.

Subject	Credits	Requirement
History/Social Sciences	20	1 year of World History, 1 year of US History, and 1 semester of Ethnic Studies
English	40	Emphasis in Literature & Composition.
Mathematics	30	Courses must be taken in grades 9-12 Recommended sequence: Integrated Math 1, Integrated Math 2, and Integrated Math 3. UC validation rules are in effect but 30 credits must still be earned. 4 years recommended.
Laboratory Science	20	In at least two areas: physical, environmental and biological/life sciences; biology/life sciences is required. 3 years recommended.
World Languages	20	Courses must be taken in grades 9-12. Twenty credits must be earned in the same language. UC validation rules are in effect but 20 credits must still be earned.
Visual & Performing Art	10	The 10 credits must be in the same UC a-g art discipline (music, dance, theater, visual art, interdisciplinary art)
Electives	40	Courses can be additional credits in any of the UC a-f courses listed above, or in courses approved for the UC/g elective category.

US Government and Economics	10	1 semester each of US Government & Economics. US Government and Economics are CA State requirements and do not need to be UC a-g approved courses.
Advisory	20	Students must enroll in and pass advisory every semester, every year. Schools will vary in offering half or full courses; credits taken beyond the required credits will count for electives. Advisory credit can be earned for such courses as College Success Seminar and Senior Mentorship and Leadership taught by an Aspire teacher.
Total	210	All students must earn a D- or better for credit. Credit is earned for grades of D- or higher only. Courses that offer credit in multiple areas (i.e., tech and UC elective) do not count more than once toward the 210 credit requirement.

Students must be enrolled in a minimum of 240 instructional minutes per school day [Education Code §§ 46144, 46146]. 11/12th graders concurrently enrolled in a UC/CSU/CC have a lower daily minute requirement of 180 minutes per day [Education Code § 46146].

The a-g requirements are the minimum requirements for admission into the California State University (“CSU”) or University of California (“UC”) system.

Students wishing to earn a high school diploma from an Aspire school, in addition to the prescribed course of study as detailed above, must also complete the following:

Exhibitions	Students must successfully complete an exhibition in each grade level: 9, 10, 11 and 12. 12th Grade Exhibition must be a Post-Secondary Success Plan (PSSP).
College Units	Students must take at least 3 college courses, for a total of at least 9 college Units, which translates to at least 30 high school credits with a passing grade of D- or better.
College Entrance Exams	Students must apply for and take at least one of the prescribed college entrance examinations.
College Applications	Students who are UC- or CSU-eligible must apply to three 4-year colleges. Students who are not UC- or CSU-eligible must apply to one 4-year college to learn the application process.
College Financial Aid	Students must apply to at least one (1) scholarship and/or complete the FAFSA or California Dream Act application.
Grade Point Average	Students must maintain a cumulative weighted grade-point average of 2.0 or higher.

Ethnic Studies

Students must take a one-semester Ethnic Studies course in 9th or 10th grade [AB1460; AB2016].

Exempting Homeless, Foster, Adjudicated, Military, Migrant, Immigrant, and Newcomer Students from Coursework

Aspire Public Schools shall exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools after the second year of high school, or a student participating in a newcomer program for newly immigrant students in grades 11-12, from any graduation requirements established by the charter school that exceed state requirements, unless the school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school [Education Code §§ 51225.1, 51225.2].

Graduation Waiver

Graduation requirements are established with the expectation that all students will complete them as listed. It is recognized, however, that in special cases individual students may have reason to request a waiver of one or more requirements in order to accomplish specific academic goals not possible within the required program [Education Code §§ 60851, 60859].

Early Graduation

Aspire Public Schools handles early graduation case-by-case, and must be brought to school administration in the Fall of 11th grade. In the situation where a student's early graduation case is accepted, the 11th grade SBAC assessment must still be administered.

Retroactive Diplomas

The governing board of Aspire Public Schools has the authorization to retroactively grant a high school diploma to a pupil who has departed California against his/her/their will, and, at the time of their departure, was enrolled in grade 12 and in good academic standing at the time of his/her/their departure [Education Code § 51430].

Diploma Pathways for Students With Disabilities

The IEP team makes the determination about the student's graduation requirements for a diploma based on the student's individualized needs, consideration of Aspire graduation requirements, and a baseline of California state requirements [Education Code §§ 56390-56392].

Federal Special Education law (IDEA) states that Individual Transition Plan development must begin for students no later than age 15. At Aspire, the expectation based on best practice is that the ITP development begins for every student in 9th grade, even if they are not yet 15.

(Note that for Aspire Public School schools in LAUSD, the district requires transition plans to be developed no later than age 14.) Aspire IEP teams will include discussion, decisions and documentation in Individual Transition plans that describe the student's requirements to obtain a diploma starting in 9th grade, and at every IEP meeting, at least annually.

The requirements will be reviewed and updated as needed each year which will include a review of the student's graduation progress, their individual needs and area of impact of their disability. The team may consider whether it is appropriate and necessary to eliminate/alter an Aspire graduation requirement if it is an area that is directly impacted by the student's disability. California state requirements for obtaining a diploma cannot be eliminated.

Administrative Regulation 6145.4 describes the process that the team must follow for preparation, discussion and documentation. Please note: Driven by the guidelines of the Least Restrictive Environment as well as equity and access for students with disabilities; the alteration or elimination of graduation requirements should be used with high discretion and in rare circumstances.

Certificate of Completion

There may be cases where a student completes high school with a Certificate of Completion (this is determined by their IEP team and potentially applicable to a range of disabilities) [Education Code §§ 56390-56392]. Students with disabilities are eligible to continue to receive IDEA services in a high school program until age 22 or until they receive a diploma—whichever comes first. A team may decide to grant a student a Certificate at any point from the time they complete senior year—through age 22.

There are many reasons this may happen:

- To honor a student's "completion" with their same aged peers—have them participate in graduation activities, including receiving a Certificate. They still have the option to continue with us a 5th year and beyond until age 22.
- A student may opt to leave us with a Certificate at age 18 and matriculate into a post-secondary program. (they do not have to stay in high school until age 22, and they can enroll in many post-secondary programs with a COC, including 2 year colleges, some specialized programs at 4 years, job training, etc).

These paths are individualized based on the student's transition plan and what is best for them.

High School Commencement

Earning a Diploma

A student can only earn a diploma from an Aspire school once he or she has done the following:

- Completed all graduation requirements with regard to classes and credits.

Any student who has not met all credit requirements by the date of graduation must complete all units by August 15th of his/her graduation year in order to earn a diploma from an Aspire school. Otherwise, the student must either earn the diploma the following year or take alternate routes to receiving a diploma from a non-Aspire school.

Commencement Ceremony Participation Requirements

A student may participate in his/her school's commencement ceremony if one of the following is true:

1. The student has met or is on track to meet all of the school's graduation requirements with regards to classes and credits, and met all of the school's commencement ceremony requirements [Education Code § 51228];
2. The student is deficient 10 or less credits, has met all of the school's commencement ceremony requirements), and has signed up to make up the credits the summer immediately following graduation; and/or
3. A student may be prohibited from participating in the commencement ceremony for academic, behavioral, or other reasons at the school Principal's discretion and with the approval of the Regional Superintendent of Equitable Instruction or designee [Education Code § 48904].

Per Education Code § 35183.1, Aspire students may wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment, as defined, at school graduation ceremonies.

Cal Grant Program for College

A Cal Grant is money for college that does not have to be paid back [Education Code § 69432.9]. To qualify, a student must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent/private and career colleges or technical schools in California also take Cal Grants.

In order to assist students apply for financial aid, all grade 12 students are automatically considered a Cal Grant applicant and each grade 12 student's GPA will be submitted to the

California Student Aid Commission (“CSAC”) electronically by a school or school district official. A student, or the parent/guardian of a student under 18 years of age, may complete a form to indicate that he/she does not wish for the school to electronically send CASC the student’s GPA.

Until a student turns 18 years of age, only the parent/guardian may opt out the student. Once a student turns 18 years of age, only the student may opt himself/herself out, and can opt in if the parent/guardian had previously decided to opt out the student.

Senior Regional Managers of Post Secondary Support will prepare all Cal Grant GPA spreadsheets and deliver to their site teams by October 1st. Site teammates (typically counselors) should upload these spreadsheets to Webgrants by November 1st.

Concurrent Enrollment

Aspire offers high school students the opportunity to obtain dual credit (high school/college) during the regular school day for selected high school courses [Education Code § 48800]. Students are dually enrolled at the college and Aspire, thereby earning both high school and college credits. A list of approved Concurrent Enrollment courses is provided at individual school sites.

At the school site’s discretion, students who enroll in a college class for the purpose of dual enrollment and fail the class without notifying the school of any difficulty in the class may not be afforded the opportunity to repeat the college class at the school’s cost. Similarly, students that are removed from the college class due to behavioral issues may not be allowed to repeat the college class during the school day and/or at the school’s cost. In these cases, a regular high school class will be offered as a means of meeting the graduation requirement. The student may choose to repeat the college class at their own expense.

Granting Credit from Non-Aspire schools

Aspire will transfer any credits received at another high school [Education Code § 48645.5], however, no credit will be awarded for grades below D- from an external school. If a student transferring to an Aspire school has earned below a D- in a UC/CSU a-g course required for graduation, the student will be required to enroll in additional coursework (i.e., Extended Day, Intersession and or Summer School) in order to recover credits.

Students entering an Aspire school more than 3 weeks into the grading period of a semester must make-up all missed work for each class in order to earn a semester grade or have progress grades that are a D- or higher in each course.

When transferring credits from a school using a different credit system, Aspire will evaluate the course and transfer the courses and credits into the appropriate format. (i.e., quarter to semester, trimester to semester).

Secondary Grading

Grading Vision

Aspire Public Schools supports scholars to fully actuate their potential. We believe that it is our responsibility to create the most optimal learning conditions for scholars to arrive at that unique genius. We understand that we live in a society laden with inequities and we are consciously working at interrupting those inequities in order to create transformative experiences for our young people. Our Aspire value statement of *agency and self determination specifies that each person has unique dreams. At Aspire, we set a foundation for our scholars to gain knowledge, skills and power to access and make choices for their families and post secondary lives.* Our secondary grading policy and practices strive to embody these tenants in alignment with our values, mission and vision. Aspire has set forth the guiding principles for grading below, adapted from Grading for Equity (Feldman, 2019):

- Grades should be accurate: grade calculations should be mathematically accurate and sound, easy to understand, and made based on clear descriptions of a student's level of academic performance.
- Grades should be bias-resistant: There are multiple opportunities to provide feedback to students, and grades are but one of them. Grades should be representations of an individual student's progress towards mastery or how effectively they have met the standards for academic performance. Grades should not be punitive or incorporate potentially biased, situational and/or culturally-influenced perceptions of behaviors (such as timeliness of assignment submission, how quickly students master a topic, effort, personality, participation, etc.).
- Grades should be motivational: Grading should allow multiple attempts at mastery and, therefore, represent where the student is at the time of grading, using the most recent data as an indicator. Teachers will consider how to balance providing time for mastery with the time constraints of the course.

Aspire-wide Expectation

All Aspire secondary schools will adhere to the following grading scale for academic courses. Teachers should provide opportunities for students to demonstrate “exceeding the grade-level standards”.

Grading Scale		
Grade	Percent*	Descriptors
A+	93.4-100	Exceeding the grade-level standards
A	86.8-93.3	
A-	80.1-86.7	
B+	73.4-80	Meeting the grade-level standards
B	66.8-73.3	
B-	60.1-66.7	
C+	53.4-60	Approaching the grade-level standards (Student has key gaps in their understanding of the standard)
C	46.7-53.3	
C-	40.1-46.7	
D+	33.4-40	Not yet met the standards (Student is unable to demonstrate B or C levels without assistance)
D	26.8-33.3	
D-	20.1-26.7	
F	0-20	Insufficient evidence

Gradebook Entries

Aspire-wide Expectations

Aspire teachers will only record standards-aligned assignments in the gradebook. Assignments aligned to high priority standards will be entered into the gradebook for formative and summative grades. Life skills and daily homework assignments will not be entered into the gradebook as an academic grade.

School Site Discretion

Aspire Teachers shall determine which non high priority standards should be entered into the gradebook. Students should have multiple at-bats to demonstrate mastery of the standards. Teachers should determine the appropriate time to allow for the at-bats.

Aspire site leaders should determine school site expectations on minimum number of gradebook entries, weighting of assignments, and replacing previous grades with more current grades on the same content. Site leaders have two options for adhering to only standards aligned grades, the school can implement standards based grading or ensure all

graded assignments are aligned to grade level standards. Regions have flexibility to implement a mastery-based grading approach, in which summative grades on standards replace formative grades.

Term Weights and Grading periods

Aspire-wide Expectations

Aspire schools select one of the two options for term weighting, grade storage, and report cards/progress reports for all teachers within their school. When students are not demonstrating progress towards mastery and at risk of not passing, the school is responsible for communicating with families in a proactive manner, per [CA Ed Code 49067](#).

School Site Discretion

Aspire site leaders should create a system for communicating with families when students are at risk of not passing. This can include meetings with teacher(s), admin and school site counselors to set up a support plan for the student.

Reassessments

Aspire-wide Expectations

All scholars will be given access to reassessments. Scholars that score below mastery will be given the opportunity to take reassessments to improve their grade. The higher test score will be recorded in the gradebook. Assignments that assess mastery will be eligible for reassessment.

School Site Discretion

Certain assessments may be excluded from the reassessment policy , through a joint decision of the teacher and site leadership team (i.e., final exams). Teachers will determine when opportunities exist for scholars to retest and should provide multiple options for students. Scholars may be required to attend tutorials, complete test corrections, or perform other tasks prior to retesting. The reassessment must cover the same material, or objectives, as the original assessment. However, the test or assignment may be in a different format or have new questions.

Late work

Aspire-wide Expectations

Aspire scholars are allowed to turn in any assignment included in the gradebook without penalty.

School Site Discretion

Teachers in partnership with the site leadership team should determine the appropriate cut off date for late work submissions (i.e., date of unit summative assessment, a week before the end of the grading term). This cut off date should allow teachers ample time to grade the assignments prior to the end of term. Teachers and site leaders should consider student grade level, type of assignment, and individual student needs when determining cut off date.

Extra Credit

Aspire-wide Expectations

Aspire teachers will refrain from creating extra credit activities or assignments.

Students with an IEP or 504 Plan

For students with an IEP or 504 Plan, teachers must work in collaboration with the student's case manager. IEPs and 504 plans are legal documents and take precedence over any differences in policies regarding grading, reassessments, submissions for late work, etc.

Multi-Language Learners

For newcomers in particular, teachers should be fully aware of a student's [Individualized Newcomer Plan](#) which would name particular supports such as having the opportunity to turn in assignments in home language and access assessments in home language, for a given period of time.

Rubrics

Aspire-wide Expectations

There are no Aspire-wide expectations around the use of rubrics. However, it is highly recommended regions and schools move towards rubric implementation.

School Site Discretion

Aspire site leaders have the option to align their site on using rubric based grading. The table below, "guidance on converting a 4 point rubric to a letter grade" can be used to support sites with grade conversion. Note: The below grade 4 point grade scale aligns with the 4 point rubric scale and not with the GPA values for transcripts. The historical GPA transcript values will stay the same (i.e., A+ 4.33, A 4.0, A- 3.7, etc)

Guidance on Converting a 4 Point Rubric to a Letter Grade*		
Grade	Grade Scale	Descriptors
A+	3.84 - 4.00	4- Exceeding the grade-level standards
A	3.67 - 3.83	
A-	3.5 - 3.66	
B+	3.17 - 3.49	3- Meeting the grade-level standards
B	2.83 - 3.16	
B-	2.5 - 2.82	
C+	2.17 - 2.49	2- Approaching the grade-level standards (Student has key gaps in their understanding of the standard)

C	1.83 - 2.16	1- Not yet met the standards (Student is unable to demonstrate B or C levels without assistance)
C-	1.5 - 1.82	
D+	1.17 - 1.49	
D	0.83 - 1.16	
D-	0.5 - 0.82	
F	0 - 0.5	0- Insufficient evidence

*[Adapted from college board 4.0 scale recommendation](#)

*Weighted Scaling

For the Aspire weighted 9-12 GPA, only for grades of D- or better, Aspire will grant the weighted scale for UC-approved honors courses, AP courses, IB courses, and college and community college academic courses that are not remedial in nature and that are taken. For non-Aspire GPAs, weighting is determined by the organization calculating the GPA (UC, CSU, Cal Grant, etc.).

Retention and Acceleration

Secondary Retention

APS believes that students should have an opportunity to continue to earn their High School diploma and advance to their Post Secondary Plans beyond APS. In order to achieve this opportunity we believe that some scholars would benefit from a 5th year in our program. We believe this is aligned to our equity commitments and value of self-determination. This policy is in place for students who have extenuating circumstances and is not intended to be normalized.

Retention is intended to be an intervention that further supports the students academic growth and career to ensure college and career access and success. Making the decision to retain a student (holding a student back to repeat a grade) is an important decision that will not be taken lightly. However, in the case of a high school Aspire Public Schools has created a policy in alignment with age considerations in high school and credit to grade level ratio.

High school students progress through each grade level in high school (9th-12th) by earning credits to get them to the next grade level. Each year/semester, students will be offered either directly on site or in partnership with local programs, the following: night classes, community classes, Saturday school or summer school to make up credits, should they be off track for graduation. Aspire's practice is to be proactive by supporting and documenting interventions for students throughout their high school career. Intervention if necessary, should begin in advance of a student's senior year. Once a student accrues the specified amount of credits, then they are deemed to be in appropriate credit standing for the grade

level. Our total credit requirement for graduation is 210, 54 credits a year deems a student on track to graduate. If a student gets to their 4th year of high school, Aspire Public Schools offers a 5th year to students who are credit deficient and meet the age requirements.

In the Fall of an academic school year, the Principal and admin team shall identify students who are not meeting credit expectations. Schools will be expected to communicate the status to the student and their parent/guardian, with a support plan to recover and/or make-up credits. The school must present options for classes and credit recovery.

A school and parent/guardian can determine if the student is showing lack of progress as early as 10 weeks into the school year. The school must assemble a team to look at data and communicate progress or lack thereof to the parent/guardian at least 4 times throughout the year. The school must communicate an intervention plan and resources/support to parents annually. If progress has not been made after consistent intervention and support and consistent attendance from students, then the school team will communicate to parents at least 8 weeks before the end of the academic year to prepare for summer credit recovery. The decision must be made in the best interest of the student's academic and social-emotional development, with the approval of the parent/guardian.

Below is the Standard Practices for considerations of a 5th year student:

- Students may not exceed their 19 year, unless they have an Individualized Education Plan, or have met the criteria outlined in 5 CCR 11960 (c)(1)(A)(B)
- In accordance with California Ed Code 56026, a student with an IEP is eligible for special education services until the age of 22. Aspire Public Schools offers differentiated graduation pathways that are individualized for each student with an IEP per their Individualized Transition Plan that is reviewed by their IEP team annually.
- The pupil does not have 210 units to meet the Aspire Graduation requirements.
- The student has historic challenges with both academic and social emotional skills and would benefit from more support as a 5th year student
- The site team consisted of child's classroom teacher(s), administrator, school counselor, education specialist or intervention teacher and the student's parent/guardian, AND
- The school team has record of the meetings, data presented and interventions/supports implemented AND
- The school implemented at least 2 documented Student Success Teams with supports for the student with at least two cycles of revisiting, revising and continuing to implement the plan with fidelity AND

- Students and families must be notified of 5th year enrollment by the end of fall semester of their senior year.
- The parent has received 50 business day notice that the school team has made the recommendation to hold for a 5th year and give parent/guardian the option to meet with the team to consult AND
- Superintendent approval once parent signs and approves

If the school meets all of the above criteria, they must also provide:

- The school must send a written notice to the family and schedule a call with parent/guardian to confirm receipt of notice
- The school must communicate the parent/guardians right to appeal and timeline
- The parent/guardian has the right to appeal verbally or in writing to the team the decision to support a 5th year of instruction within 7 school days of the date of written notice
- If parent/guardian appeals, then the school must provide a meeting and hearing for parent/guardian to publicly appeal with the classroom teacher, an administrator and a regional support teammate

*If the parent/guardian requests retention of the student, then the school team must meet with the parent/guardian and present and evaluate the data requested above.

Acceleration

When high academic achievement is evident, the school team may recommend a student for acceleration into a higher grade level to the Regional Superintendent of Equitable Instruction or designee. The student's maturity level shall be taken into consideration in making a determination to accelerate a student.

Promotion

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade level standards of expected student achievement.

Drop Class Policy

Students are able to withdraw/drop classes before no more than 25% of the course has passed only for the following three reasons:

- Student has taken and received credit for the same class previously.
- Student needs to take a required class in lieu of course.

- The course is not required to meet the Aspire graduation requirements.

Re-taking a Class for which a Passing Grade Was Earned

In alignment with UC/CSU policy, a course that was passed with a grade of C- or better cannot be re-taken. If this is done (for example, by error), the original grade is the grade of record, and credit is not earned for the second taking.

Re-taking a Class for which a Passing Grade Was NOT Earned

For cases where a student fails a course, the following are ways for a student to gain credit for a failed course:

1. Credit Course offered on an online platform (i.e., Computer Adaptive Course 2 like Cyber High)
2. Recover during the school year at an alternate semester from when the course was originally failed,
3. Summer school at an Aspire High School
4. Summer school with a local high school, or
5. Early College course offered at a local community college

A student must recover credits one of the ways listed above. Grade changes will not be accepted to recover credits. The decision for which course of action (from the list above) a school takes to recover credits for a student is at the discretion of the principal and Regional Superintendent of Equitable Instruction or designee.

Special Enrollment Circumstances: Over-Age Students

A pupil who is over the age of 19 years may generate attendance for apportionment reasons only if both of the following conditions are met:

1. the pupil was enrolled in a public school in pursuit of a high school diploma (or, if a student in special education, an IEP) while 19 years of age and, without a break in public school enrollment since that time, is enrolled and is making satisfactory progress towards award of a high school diploma (or, if a student in special education, satisfactory progress in keeping with an IEP) consistent with the definition of satisfactory progress set forth in Title 5 of the California Code of Regulations section 11965; and
2. the pupil is not over the 22 years of age on the date of enrollment.

Aspire encourages all students who are at least eighteen years of age and over to be knowledgeable about any legal consequences that may occur based upon their decisions and actions. For more information on changes to a student's legal status and obligations upon reaching the age of 18, please download a copy of "When You Become 18, A Survival Guide for Teenagers", which is available at www.calbar.ca.gov/portals/0/documents/publications/turn-18.pdf.

In addition, Aspire would like to specifically make all students, and especially students, over the age 18 aware of California Penal Code Section 261.5(a), which provides: "Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a minor is a person under the age of 18 years and an adult is a person who is at least 18 years of age."

State Seal of Biliteracy

An Aspire secondary school may choose to participate in the State Seal of Biliteracy (SSB) program. An Aspire school that participates in this program must maintain appropriate records of their identification of qualifying students and must complete and submit the online Insignia Request Form. The Insignia Request Form may be submitted at any time; however, it is recommended that requests be submitted far enough in advance to allow time for the California Department of Education (CDE) to process the requests and for insignias to be affixed to diplomas or transcripts. Participation is voluntary and no fee may be charged to the student.

Student Rights And Responsibilities

Notice for Directory Information

Under FERPA, Aspire must get parents' or eligible students' written consent prior to the disclosure of personally identifiable information from students' records.

However, Aspire may disclose designated "directory information" (as defined below) without prior written consent, unless a parent or eligible student has advised Aspire that the parent or student does not want such "directory information" disclosed. Every parent and eligible student must be notified about what information constitutes "directory information," must be informed that they may opt-out of having this information provided about the student, and must provide Aspire with the decision to opt out within 30 days of when the "directory information" notice was provided. At the start of every school year, parents and eligible students will be provided this "directory information" notice and will be provided 30 days to opt-out.

Directory information, if released, is generally not considered harmful or an invasion of privacy. Aspire defines directory information to include:

- Student's full name
- Grade enrolled
- Degrees, honors and awards received
- Club participation
- Sports participation, including athlete's height and/or weight

The primary purpose of directory information is to allow Aspire to include information about students in certain school publications, such as but not limited to:

- Yearbooks
- Graduation programs
- Honor roll and other awards/recognition lists
- Club activity announcements
- Sports activity rosters, which may include height and weight of athletes

Additionally, federal laws require Aspire Public Schools, because we receive assistance under the Elementary and Secondary Education Act of 1965 (ESEA), to provide military recruiters, upon request, with three directory information categories—names, addresses, and telephone

listings—unless parents or eligible students have advised Aspire that they do not want this information disclosed without their prior written consent.

If you do not want Aspire to disclose any or all directory information, as defined above, from your child's education records (or your educational records, if you are 18 years old or older) without your prior written consent, you must notify Aspire in writing. Aspire provides an "Opt-Out" form at the start of every school year, as part of its annual FERPA/Directory Information Notification. You may use this form or you may submit other written notification within 30 days from the date you were informed of what is included as "directory information."

Student Records

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent [Education Code § 49069; Family Code 3025]
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her student records and grant consent for the release of records [34 CFR 99.3, 99.5]
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law [Education Code § 56041.5]

Student Records Release To Colleges

Upon request from other K-12 schools, colleges or universities for information pertaining to an applying student's record, Aspire administrators and counselors must honestly and fully disclose the academic records [Education Code §§ 49060-49079]. Aspire administrators and counselors will make a reasonable attempt to notify the parent or student, if he/she is over 18, of the request for records at his/her last known address, unless the disclosure is initiated by the parent or student over age 18. Additionally, Aspire will give the parent or student over age 18, upon request, a copy of the record that was disclosed and give the parent or student over age 18, upon request, an opportunity for hearing pursuant to the School's pupil record challenge procedures. The administrator and/or counselor will also encourage students to respond honestly and timely to such requests on their own.

REFERENCE: Board Policy 8009 & 8042 Student Records; Collecting and Retaining Student Records

Student Fees

No student shall be required to pay a fee, deposit, or other charge for his or her participation in an educational activity which constitutes an integral fundamental part of Aspire's educational program [Education Code §§ 49010-49013]. This general prohibition against student fees, unless authorized by law, shall not restrict Aspire from soliciting for

voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such activities and events. However, Aspire shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student and shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

Legally Authorized Fees and Prompt Payment

Students often accrue legally authorized fees during the year in various ways (e.g., lost textbooks, damaged computer equipment, damage to school property, athletic equipment and uniforms, outstanding lunch balances). A record of such fees is kept in PowerSchool.

Students are expected to pay any accrued fees promptly, without constant reminders. Unpaid fees may limit participation in extracurricular activities including, but not limited to dances, field trips, and prom. Students should always request a receipt when paying any bills. All services, goods, and bills paid by check are subject to a returned check fee.

A student's grades, diploma, and transcripts may be withheld, after affording the student his or her due process rights when a school's real or personal property has been willfully cut, defaced, or otherwise injured or damaged, or whose property is loaned to a pupil and willfully not returned, until the pupil or the pupil's parent or guardian has paid for such damages.

Additionally, notwithstanding Section 1714.1 of the Civil Code, the parent or guardian of a minor pupil who willfully cuts, defaces, or otherwise injures or damages in any way any real or personal property of the School, or personal property of any School employee, shall be liable for all damages caused by the minor child. The liability of the parent or guardian may not exceed \$10,000 (ten thousand dollars). The parent/guardian shall also be liable for all property belonging to the School that is loaned to a minor student and not returned upon proper request.

Married, Pregnant, Or Parenting Teens

Pregnant or parenting students, regardless of their marital status, have the right to attend Aspire Public Schools and to participate in any program or activity for which they would otherwise qualify in an environment free from discrimination or harassment [Education Code § 222]. Classes, programs and materials offered to pregnant and parenting students must be equal to those offered to other students and students must be provided access to those classes needed to complete their course of study.

Pregnant and parenting students have a right to full participation in school classes, programs, and activities and it is the school's responsibility to make reasonable

accommodations to keep pregnant students safe on campus and facilitate their continued participation. Such accommodations may include, but are not limited to: additional time for use of facilities and class changes and home schooling during absences due to pregnancy related illness or recovery. Students should not be checked out from a school based on their pregnancy or parenting status. Pursuant to AB 2289, a pregnant or parenting pupil is entitled to 8 weeks of parental leave and during this leave, absences will be marked as excused.

REFERENCE: Board Policy 08-023: Married/Pregnant/Parenting Students Policy

Response to Immigration Enforcement

The Board of Education is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status [Education Code §§ 200, 220, 234.1, 234.7].

No outsider—which would include immigration-enforcement officers—shall enter or remain on school grounds of Aspire during school hours without having registered with the principal or designee. Aspires shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school’s activities, consistent with local circumstances and practices. Aspire shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration. Aspire personnel shall report entry by immigration-enforcement officers to any on-site school police or other appropriate administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.

Parental Notification of Immigration-Enforcement Actions Policy

Aspire personnel must receive consent from the student’s parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order. Aspire personnel shall immediately notify the student’s parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

Responding to the Detention or Deportation of a Student's Family Member

Aspire shall encourage that families and students have and know their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors' contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported. Aspire shall permit students and families to update students' emergency contact information as needed throughout the school year, and provide alternative contacts if no parent or guardian is available.

Aspire shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student's parent or guardian is detained.

Aspire shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.

In the event a student's parent/guardian has been detained or deported by federal immigration authorities, Aspire shall use the student's emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, Aspire shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. Aspire shall only contact Child Protective Services if Aspire personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver's Authorization Affidavit, or other information or instructions conveyed by the parent or guardian.

School Employee Code of Conduct with Students

Employee Interactions with Pupils

Aspire recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest learning environment possible.

Professional Boundaries

Aspire Public Schools' *School Employee Code of Conduct With Students* is intended to guide all Aspire employees in conducting themselves in a way that reflects the high standards of behavior and professionalism required of employees who interact with students and to specify the boundaries between students and staff.

Section 504 Plan

Section 504 of the Rehabilitation Act of 1973, states that no otherwise qualified handicapped individual in the United States ... shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. [29 USC 794]

- Compliance monitored by the Office of Civil Rights.
- Applies to all institutions receiving federal financial assistance, such as public schools.
- Schools are obligated to provide a "free appropriate public education" (FAPE) to children with a disability.

Section 504 prohibits discrimination while assuring that disabled students have educational opportunities and benefits equal to those provided to non-disabled students. **If you would like to know more about 504 Plans or other types of assistance available to your student, please contact your Principal.**

REFERENCE: Board Policy 8041 Identification And Education Under Section 504

Special Education

Aspire Public Schools serves all students, regardless of their disability, and provides Special Education services to students who are found eligible under the Individuals with Disabilities Education Act. Schools are obligated to provide a "free appropriate public education" (FAPE) in the least restrictive environment (LRE). Referral for special education eligibility and services may come from teachers, parents, agencies, appropriate professional persons, and from other members of the public. Special Education referrals will be coordinated with school site procedures of students with needs that cannot be met with modifications of the regular instructional program, including referrals from student intervention teams, such as the Student Study Team (SST). A student shall be referred for special education and services after the resources of the regular education program have been considered and, where appropriate, utilized. (For more information on the Special Education referral process, see the section [Child Find and Special Education Notification](#))

- **Parent's Procedural Safeguards:** Procedural Safeguards (also known as Parent Rights), must be given to the parents of child with a disability at a minimum (a) Upon initial referral for evaluation; (b) Upon each notification of an IEP meeting; (c) Upon reevaluation of a child; (d) in accordance with disciplinary procedures and (e) Upon receipt of a request for due process.

Child Find and Special Education Notification

If a student is eligible for Special Education, the programs and services are provided at no cost to you. Programs and services are individualized based on the needs identified for the student and may include specialized instruction, behavioral services, speech therapy, physical and occupational therapy, and other special education related services. Developmental screening and or comprehensive assessments for children who are suspected of having a disability which could adversely affect their educational development are provided at no cost to you.

A student must be evaluated and identified as having a disability under the Individuals with Disabilities Education Act (IDEA) to be eligible for special education programs and related services. Assessment is the process to determine a student's needs and eligibility for an Individualized Education Plan. No single procedure is used as the sole criterion for determining an appropriate educational program for an individual with exceptional needs. Assessments must address all areas related to the suspected disability and be conducted by a multidisciplinary team, including the parent. The evaluation will result in a written report consistent with Education Code § 56327.

Whenever a parent provides a request for assessment, the LEA has 15 days to review the request and respond in writing. If the LEA determines that assessment is appropriate, an assessment plan will be developed and a copy given to the parents. Parents have 15 days to respond to the proposed assessment plan. The assessment will begin upon receipt of the parent's written consent to the Individual Assessment Plan. The assessment must be completed and the IEP meeting held within 60 days of receipt of parent's written consent. If there is denial of the request for assessment, prior written notice will be provided to the parents, consistent with *Title 34, CFR Section 300.503*, providing *rationale* for denial of the request.

If any Aspire Public Schools family has questions or concerns with regard to an enrolled student receiving special education services, you have the right to request assistance in addition to copies of policies, procedures, evaluations, plans and reports by contacting the Aspire Regional Special Education office. Appointments or further information can be obtained by contacting the Aspire Regional Special Education office or by requesting information from your local school principal.

REFERENCE: Board Policy 8041 Identification And Education Under Section 504

Special Education Complaints

An individual may file a complaint alleging that the school is not in compliance with IDEA policies and procedures. An individual may file the complaint by contacting the Aspire Regional Office Director of Special Education, either verbally or in writing. If the complaint is made verbally, the receiving staff should request to have the complaint in writing, and assist the parent to put the complaint in writing, if needed. Within 15 calendar days of receipt of the complaint (tolled for school breaks in excess of 5 days), the parent will be contacted and provided with a copy of Special Education Parent's Procedural Safeguards. The Regional

Director of Special Education will investigate the nature of the complaint by interviewing the parent, school site team and reviewing the student's special education and cumulative file. If an Individual Education Plan meeting is appropriate to address the complaint, it will be scheduled within 30 calendar days (tolled for school breaks in excess of 5 days) of receipt of the complaint.

If the complaint is not resolved by the Regional Office, the individual may contact the Senior Director of Special Education at the Aspire Home Office. The Senior Director of Special Education will review the measures taken to address the complaint by the Regional Office, and contact the parent within 5 days of receipt of their complaint (tolled for school breaks in excess of 5 days). The Senior Director of Special Education will discuss the Parent's Procedural Safeguards with the parent, which include the Alternative Dispute Resolution process, state complaint procedures and due process procedures, as appropriate.

Homeless Children and Youth (McKinney-Vento Reauthorization of 2002)

As required by Federal law (McKinney-Vento, 42 USC 11432), Aspire Public Schools ensures that homeless children and youth are provided equal access to the same free, appropriate public education as provided to other children and youth. For additional information concerning services for homeless children and youth, please contact the Regional Manager of Student Services. Contact information for the RM may be obtained through your school's main office.

REFERENCE: Board Policy 8028 Education for Homeless Students

Foster Children and Youth

As required by State law [Education Code §§ 42920-42925], Aspire Public Schools ensures that all educational decisions for foster youth shall be made to ensure that each foster pupil has the opportunity to meet the same academic achievement standards to which all pupils are held. For additional information concerning services for foster children and youth, please contact the Regional Director of Student Services. Contact information for the RD may be obtained through your school's main office.

REFERENCE: Board Policy 8040 Education For Foster Youth

Social-Emotional School Counseling Programs

This section provides general information about the counseling services at Aspire schools. It is not intended to be an exhaustive list of the particular requirements for mental health services at a specific school nor do all Aspire schools have the capacity to provide counseling services. Please contact the school's main office to determine specific protocols at this school site.

School-based, social-emotional counseling is available on a limited basis through our school counseling department. However, the scope of practice for a school counselor is much more limited than that of an outside therapy agency or provider. School counselors' work with students focuses on issues that are present during the school day, specifically working to ameliorate presenting problems' impact on a student's educational achievement. **Counseling in the school setting is not meant to replace therapeutic interventions or treatment from outside agencies or providers for mental health concerns.** Parents should not expect the level of counseling at a school site to be sufficient to support the needs of students with significant mental health issues. Additionally, school counseling services are only available during regular school days and times.

Counseling services are not guaranteed for students. Students referred for services may be placed on a waiting list until such time as the counseling staff has an opening. Students may be moved on the wait-list based on school discretion and applicable State and Federal laws. As stated above, however, school counseling resources are limited and counseling services are not guaranteed for every referral received.

Extra-curricular Involvement

Student Organizations Policy

Aspire believes that encouraging students to organize according to a wide variety of interests is part of accomplishing its mission statement. No student organization shall be denied based solely on its topic or subject. However, no student organization shall be formed that, through its bylaws or practices, excludes or harms any member of the student body on the basis of the characteristics listed in Education Code § 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, religious affiliation, sexual orientation, immigration status, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics) and Education Code § 221.5, or that in philosophy or practice does not comply with the mission, expectations, and rules of Aspire or the school.

Student Expression And Media Policy

All students are entitled to enjoy the rights protected by the Federal and State constitution and laws for persons of their age and maturity in a school setting [Education Code §§ 48907, 48950]. Students should exercise these rights reasonably and avoid disrupting school activities or violating the rights of others. For example, protected freedom of expression does not include acts or threats of violence, harassment or hate speech. Students who violate the rights of others or violate school policies or rules may be subject to disciplinary measures, as the circumstances warrant.

Freedom of expression shall include the right to present a point of view; the right to dissent; and the right to silence and privacy. Student freedom of expression shall be limited only as

allowed by law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community.

Clubs and Activities

Students must maintain an overall grade point average (G.P.A) of at least 2.0 in all course work attempted and/or be passing all classes in order to participate in any co-curricular activity. Activity & Athletic eligibility are discussed fully in Aspire Board Policies and Administrative Regulations. A co-curricular activity is defined as a program that may be associated with the curriculum in a regular classroom that meets one of the following criteria:

- The program is supervised or financed by the school.
- Students participating in the program represent the school.
- The program includes both preparation for and performance before an audience or spectators.
- In essence, for a student to be eligible for activities:
- The student is currently enrolled in **at least** 30 semester credits of academic school work, **AND**
- The student has accrued the equivalent of at least 25 semester credits of academic work at the completion of the most recent grading period, **AND**
- The student is maintaining minimum progress toward meeting the high school graduation requirements as prescribed by Aspire's Board of Directors; **AND**
- The student has maintained, during the previous quarter at least a 2.0 GPA (on a 4.0 GPA scale—*inclusive* of any Community College Credits) in all enrolled courses [Education Code §§ 35179, 48930-48938].

Athletics

In addition to the policy above, Aspire Public Schools follows the guidelines established by the CIF Blue Book.

1. Athletes must meet the Aspire Eligibility requirements.
2. Students must maintain a minimum grade point average of 2.0 for the previous grading period to remain eligible. In accordance with CIF, students who fall below 2.0 may be placed on probation for one quarter. Additionally, athletes must meet the Aspire eligibility requirements
3. Students must exhibit satisfactory citizenship and conduct on and off the field.

4. Students must observe all regulations outlined in the current edition of the CIF Blue Book.
5. Students must pass a physical examination given by a medical doctor.
6. Students may provide evidence of their own personal insurance, but are not required to have personal insurance. The Aspire Public Schools liability insurance provides limited coverage so that all students may participate in athletic programs.

Student Behavior and Discipline

Notice of Regulations

The Aspire school's administration shall ensure that students and their parents/ guardians are notified in writing upon enrollment of all discipline policies, rules and procedures. This handbook satisfies this requirement by describing expectations for student behavior, plans for managing student behavior and consequences for not adhering to expectations.

Positive Behavior Support Systems

Aspire Public Schools is committed to supporting all students through the implementation of systems that build a positive school culture. This includes both overarching intervention frameworks as well as specific culture and positive behavior building programs. Some specific systems we use include:

Multi-tiered Systems of Support (MTSS):

- MTSS is the next evolution of Response to Intervention, which focuses much more on the whole child and creates a tiered system of support that takes into account not just academic or behavioral needs, but also the impact of the environment on these needs.
- Trauma-Informed Practices: We recognize the real impact trauma has on individual students and our broader community. Aspire Public Schools strives to use trauma-informed practices, including creating classrooms that are predictable and consistent, so that our students' environment is a safe space for learning.
- Restorative Practices (RP): RP promotes positive relationships and community building while providing meaningful opportunities for members of the school community to share the responsibility for making our schools a safe and nurturing environment. Restorative Practices are used throughout all tiers of support and intervention to create positive school culture, alternative discipline and change.
- Social-Emotional Learning (SEL) Our approach to Social and Emotional Learning (SEL) is to create a positive school climate and culture and foster the social and emotional growth of our scholars and teammates through adopting an intentional focus on the integration of SEL throughout our entire instructional pyramid and beyond. Aspire will be moving forward with an Aspire-wide TK-12 adoption and roll out of SEL principles and programming. Our Social and Emotional Learning Program is a key element in advancing our Equity efforts at Aspire, by ensuring each scholar is receiving the types and appropriate level of support they need to reach their potential.

Aspire is committed to supporting our students' social and emotional development to be caring and productive citizens. We engage in culturally responsive and equitable practices in our communities of students, families, and teammates to cultivate the following lifelong skills in each Aspire scholar and educator:

- Managing emotions and behaviors
- Feeling and expressing empathy and compassion for others
- Making responsible decisions
- Setting and achieving positive goals

Aspire Public Schools utilizes proven SEL programs and other techniques to include SEL in our regular day program. This program is in addition to the many other culture and skill building opportunities occurring at your child's school.

Behavior Management Cycle

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. These rules and procedures will clearly describe the Aspire School's discipline expectations, and it will be printed and distributed as part of the annual notifications that are sent to each student at the beginning of the school year.

Discipline includes, but is not limited to, advising and conferring with students, conferring with parents/ guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion.

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 these regulations, 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.

Behavior Expectation Guidelines

Aspire's Board of Directors desires to provide all Aspire scholars access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion. Aspire's Board of Directors believes, in accordance with educational code, that behavior communicates need; as such, we use logical consequences, alternatives to suspension, MTSS interventions, and Restorative

Practices whenever possible. Aspire's Board of Directors recognizes its role as an arbiter of protecting the due process rights of scholars, families and teammates.

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: [Education Code § 48900(s)].

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

Aspire's staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

Alternatives to Suspension

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Education Code § 48900 (see below under grounds for suspension for details) or that the pupil's presence causes a danger to persons [Education Code § 48900.5].

At the discretion of an administrator, a student can complete any combination of (but not limited to) the following alternatives to suspension listed below:

- Research Project
- Presentation
- Campus Beautification
- Family Meeting or Shadow
- Community Service
- Check-In/Check-Out

The alternative to suspension must be completed during the time frame determined by the administrator.

Behavior Contracts

A behavior contract is an agreement between the administration, teacher, student, and the student's parents that sets limits for student behavior, outlines consequences for bad choices and supports students in developing and maintaining positive behavior.

Suspension/Expulsion Administrative Regulations (AR)

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following [Education Code § [48925](#)]:

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
- Referral to a certificated employee designated by the principal to advise students
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code § [48910](#)

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel [Education Code § [48925](#)].

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion [Education Code §§ [35291](#), [48900.1](#), [48980](#)].

Grounds for Suspension and Expulsion: Grades TK-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

- Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury [Education Code §§ [48900](#)(a), (t)]
- Possessed, sold, or otherwise furnished any firearm, knife, 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 principal or designee's concurrence [Education Code § [48900\(b\)](#)]

- Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code [11053-11058](#), alcoholic beverage, or intoxicant of any kind [Education Code § [48900\(c\)](#)]
- Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code [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 such controlled substance, alcoholic beverage, or intoxicant [Education Code § [48900\(d\)](#)]
- Committed or attempted to commit robbery or extortion [Education Code § [48900\(e\)](#)]
- Caused or attempted to cause damage to school property or private property [Education Code § [48900\(f\)](#)]
- Stole or attempted to steal school property or private property [Education Code § [48900\(g\)](#)]
- 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, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products [Education Code § [48900\(h\)](#)]
- Committed an obscene act or engaged in habitual profanity or vulgarity [Education Code § [48900\(i\)](#)]
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code [11014.5](#) [Education Code § [48900\(j\)](#)]
- Knowingly received stolen school property or private property [Education Code § [48900\(l\)](#)]
- Possessed an imitation firearm [Education Code § [48900\(m\)](#)]

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm [Education Code § [48900\(m\)](#)].

- Committed or attempted to commit a sexual assault as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committed a sexual battery as defined in Penal Code [243.4](#) [Education Code § [48900\(n\)](#)]
- 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 [Education Code § [48900\(o\)](#)]
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma [Education Code § [48900\(p\)](#)]
- Engaged in, or attempted to engage in, hazing [Education Code § [48900\(q\)](#)]

Hazing means a method of initiation or pre-initiation into a student 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 student. Hazing does not include athletic events or school-sanctioned events [Education Code § [48900\(q\)](#)].

- Engaged in an act of bullying [Education Code § [48900\(r\)](#)]

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school [Education Code § [48900\(r\)](#)].

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code §§ [48900.2](#), [48900.3](#), or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above.

Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific values or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above [Education Code § [48900\(r\)](#)].

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for +

Additional Grounds for Suspension and Expulsion: Grades 4-12

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties [Education Code § [48900\(k\)](#)].

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

- Committed sexual harassment as defined in Education Code § [212.5](#) [Education Code § [48900.2](#)]

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment [Education Code §§ [212.5](#), [48900.2](#)].

Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code §§ [233](#), [48900.3](#).

Hate violence means any act punishable under Penal Code [422.6](#), [422.7](#). Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a

person or group with one or more of those actual or perceived characteristics [Education Code § [233](#); Penal Code [422.55](#)].

- Intentionally engaged in harassment, threats, or intimidation against Aspire's personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment [Education Code § [48900.4](#)]

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code § [48900](#) and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above [Education Code § [48910](#)].

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended [Education Code § [48910](#)].

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests [Education Code § [48910](#)].

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee [Education Code § [48910](#)].

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended [Education Code § [48910](#)].

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal [Education Code § [48913](#)].

Suspension by CEO, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in

writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The CEO, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion [Education Code § [48915\(c\)](#)].

The CEO, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons [Education Code § [48900.5](#)].

For all other offenses, a student may be suspended only when the CEO or principal has determined that other means of correction have failed to bring about proper conduct in the student [Education Code § [48900.5](#)]. Other means of correction include, but are not limited to, the following:

- A conference between school personnel, the pupil's parent or guardian, and the pupil.
- Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, mental health therapist or other school support service personnel for case management and counseling.
- Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.
- Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. SEC. 794(a)).
- Enrollment in a program for teaching prosocial behavior or anger management.
- Participation in a restorative justice program.
- A positive behavior support approach with tiered interventions that occur during the school day on campus.
- After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
- Any of the alternatives described in Section 48900.6.

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the CEO, principal, or designee shall document the other means of correction used and retain them in the student's record [Education Code § [48900.5](#)].

Length of Suspension

The CEO, principal, or designee may suspend a student from school for not more than five consecutive school days [Education Code § [48911](#)].

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. Aspire may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year [Education Code §§ [48903](#), [48911](#), [48912](#)].

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion [Education Code § [48911](#)].

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

- **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the CEO, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense [Education Code § [48911](#)].

This conference may be omitted if the CEO, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or 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 the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school [Education Code § [48911](#)].

- **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the CEO or designee.

This is accomplished by entering this information into Aspire's electronic student information system [Education Code § [48911](#)].

- Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension [Education Code § [48911](#)].

This notice shall state the specific offense committed by the student [Education Code § [48900.8](#)].

In addition, the notice should state the date and time when the student may return to school.

- Parent/Guardian Conference: Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter [Education Code § [48914](#)].

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. **The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference** [Education Code § [48911](#)].

- Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school the CEO or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed [Education Code § [48911](#)]:
 - The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard.
 - The CEO or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process [Education Code § [48911](#)].
 - If the student involved is a foster youth, the CEO or designee shall notify Aspire's liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting [Education Code §§ [48853.5](#), [48911](#), [48918.1](#)].

- If the student involved is a homeless child or youth, the CEO or designee shall notify Aspire's liaison for homeless students [Education Code § [48918.1](#)].

In lieu of or in addition to suspending a student, the CEO, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

Suspension Appeals Process

A student or the student's parents or guardians may appeal suspension, other than expulsion, imposed upon a student for his or her school-related offenses. The family may appeal first in writing at the school level as directed to the principal. The principal or principal's designee will attempt to resolve the appeal and provide a written response within ten (10) school days.

If further appeal is desired, the appeal should be made to the Aspire Regional Office and should be directed to the CEO designee (Regional Director of Student Services) for resolution with a written response within fifteen (15) school days. Based on the information submitted or requested, the RDSS may make one of the following decisions regarding the suspension:

- A. Uphold the suspension
- B. Determine that the suspension was not within school guidelines, overturn the suspension, and order that all records and documents regarding the disciplinary proceeding be destroyed. No information regarding the suspension will be placed in the student's permanent record, or shared with anyone not directly involved in the proceedings.

After appeal at this administrative level, if further review is desired, the appeal may be forwarded to the Aspire Executive and Compensation Committee for resolution with a written response within twenty (20) school days.

For any appeal that is denied, the parent/guardian may place a written rebuttal to the action in the student file.

In-School Suspension

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to in-school suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply [Education Code § [48911.1](#)]:

- The in-campus suspension classroom shall be staffed in accordance with law.
- The student shall be given:

- An appropriate educational program/assignments based on grade-level standards
- Access to voluntary, available counseling services.
- Access to existing services, such as mental health or special education services
- If an on-campus suspension classroom is used, it shall promote completion of schoolwork and tests missed by the student during the suspension.
- The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed during on-campus suspension. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension shall assign schoolwork.

CEO or Principal's Authority to Recommend Expulsion

Unless the CEO or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts [Education Code § [48915](#)]:

- Causing serious physical injury to another person, except in self-defense
- Possession of any knife or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance as listed in Health and Safety Code [11053-11058](#), except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
- Robbery or extortion
- Assault or battery, as defined in Penal Code [240](#) and [242](#), upon any school employee

In determining whether or not to recommend the expulsion of a student, the CEO, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time [Education Code § [48915](#)].

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the CEO, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation [Education Code § [48918\(a\)](#)].

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion [Education Code § [48918\(a\)](#)].

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the CEO or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held [Education Code § [48918\(a\)](#)].

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code § [48925](#). Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year [Education Code § [48918\(a\)](#)].

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay [Education Code § [48918\(a\)](#)].

Stipulated Expulsion

After a determination that a student has committed an expellable offense, the CEO or Regional Director of Student Services may offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code § [48918](#).

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing and to consult legal counsel.

A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board. The Board reserves the right to accept, reject or alter a stipulated expulsion agreement.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness [Education Code § [48918.5](#)].

Whenever the CEO or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of Aspire's suspension and expulsion policy and regulation and shall advise the witness of his/her right to [Education Code § [48918.5](#)]:

- Receive five days' notice of his/her scheduled testimony at the hearing
- Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
- Have a closed hearing during the time he/she testifies

In cases where providing testimony in person would expose the witness to emotional and/or physical harm, the witness may submit a request to provide testimony in a written format to the hearing officer. Requests may be accompanied by any written documentation to support the claim of emotional and/or physical harm. The request to provide written documentation must be made at least 5 calendar days prior to the hearing date. The hearing officer shall have final authority to determine if testimony will be allowed to be made in written format.

Whenever any allegation of sexual assault or sexual battery is made, the CEO or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending [Education Code § [48918.5](#)].

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include [Education Code §§ [48900.8](#), [48918\(b\)](#)]:

- The date and place of the hearing
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
- A copy of Aspire's disciplinary rules which relate to the alleged violation
- Notification of the student's or parent/guardian's obligation, pursuant to Education Code § [48915.1](#), to provide information about the student's status in Aspire to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code § [48915](#)(a) or (c).

- The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing
- The opportunity to confront and question all witnesses who testify at the hearing
- The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the CEO or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing [Education Code § [48918.1](#)].

If the student facing expulsion is a homeless student, the CEO or designee shall also send notice of the hearing to Aspire's liaison for homeless students at least 10 days prior to the hearing [Education Code § [48918.1](#)].

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call [Education Code § [48918.1](#)].

In an effort to expedite a hearing, the 10 day notice of hearing may be waived if the student and parent/guardian as well as the Hearing Officer mutually agree to such a waiver.

Conduct of Expulsion Hearing

- Closed Session: Notwithstanding Education Code § [35145](#), the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated [Education Code § [48918](#)].

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the

student, and the counsel of the student also shall be allowed to attend the closed session [Education Code § [48918\(c\)](#)].

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television [Education Code § [48918\(c\)](#)].

- 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 [Education Code § [48918\(g\)](#)].
- Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the CEO or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County CEO of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure [1985-1985.2](#) and enforced in accordance with Government Code [11455.20](#) [Education Code § [48918\(i\)](#)].

Any objection raised by the student or the CEO or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. **The Board's decision in response to such an objection shall be final and binding** [Education Code § [48918\(i\)](#)].

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below [Education Code § [48918\(i\)](#)].

- Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant 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. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code § [48900](#) and listed in "Grounds for Suspension and Expulsion: Grades K-12" and "Additional

Grounds for Suspension and Expulsion: Grades 4-12" above [Education Code § [48918\(h\)](#)].

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm [Education Code § [48918\(f\)](#)].

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

- Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student [Education Code §§ [48918](#), [48918.5](#)]:
 - Any complaining witness shall be given five days' notice before being called to testify.
 - Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code [868.5](#).
 - Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, Aspire shall provide a non threatening environment.

- Aspire shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
- At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
- The person conducting the hearing may:
 - Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - Permit one of the support persons to accompany the complaining witness to the witness stand
- Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed [Education Code § [48918](#)(a)]. The Board's decision shall be final.

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may utilize an internal and impartial hearing officer, may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled [Education Code § [48918](#)].

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed [Education Code §§ [48918](#)(a), (d)].

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the CEO or designee shall consult with the parent/guardian and Aspire

staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. **The decision to not recommend expulsion shall be final** [Education Code § [48918\(e\)](#)].

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order [Education Code § [48918\(f\)](#)].

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation [Education Code §§ [48917](#), [48918](#)].

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public [Education Code § [48918\(j\)](#)].

The Board's decision is the final act within the jurisdiction of Aspire Public Schools. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion. The Board's action shall be final and binding.

Upon ordering an expulsion, the Board shall set a date when the student may apply for readmission to a school within Aspire. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred [Education Code § [48916](#)].

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include [Education Code § [48916](#)]:

- Periodic review, as well as assessment at the time of review, for readmission
- Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school [Education Code § [48916.5](#)].

Written Notice to Expel

The CEO or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" [Education Code § [48900.8](#)]
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian [Education Code § [48916](#)]
- Notice of the alternative educational placement to be provided to the student during the time of expulsion [Education Code § [48918](#)]
- 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 expelled status with Aspire, pursuant to Education Code § [48915.1](#) [Education Code § [48918](#)]
- Notice that the student has the right to appeal Aspire's expulsion decision to the County Board of Education.

Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- The seriousness of the misconduct

- The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

- The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program [Education Code § [48917](#)].
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status [Education Code § [48917](#)].
- The suspension of the enforcement of an expulsion order **may be revoked by the Board, the CEO or a designee** if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of Aspire's rules and regulations governing student conduct [Education Code § [48917](#)].
- When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order immediately [Education Code § [48917](#)].
- Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings [Education Code § [48917](#)].
- The CEO or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the student and parent/guardian of their obligation to inform any new district in which the student seeks to enroll of his/her expelled status with Aspire, pursuant to Education Code § [48915.1\(b\)](#) [Education Code § [48918\(j\)](#)].

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code [245](#) [Education Code § [48902](#)].

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code § [48915\(c\)\(1\)](#), (5) or Penal Code [626.9](#) and [626.10](#) [Education Code § [48902](#)].

Placement During Term of Expulsion

The Board shall refer expelled students to a program of study that is [Education Code §§ [48915](#), [48915.01](#)]:

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
- Not housed at the school site attended by the student at the time of suspension

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12 [Education Code § [48916.1](#)].

Readmission After Expulsion

Prior to the date set by the Board for the student's readmission:

- The student or parent/guardian is responsible for contacting the CEO or designee to request a readmission hearing. Upon receiving such a request, the CEO or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the CEO or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
- The CEO or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for an open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
- If the readmission is granted, the CEO or designee shall notify the student and parent/guardian of the Board's decision regarding readmission.
- Readmission and placement shall be at the discretion of the CEO or designee. Students are not guaranteed readmission into the educational program that the student had prior to expulsion.

- The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other Aspire students or employees [Education Code § [48916](#)].
- The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district [Education Code § [48916](#)].
- Students requesting admission following an expulsion from a non-Aspire school shall be required to submit all documentation to the CEO or designee. The CEO or designee shall have 10 school days to consider the readmission, schedule a meeting if necessary and respond with a decision regarding admission. The CEO or designee shall have final authority to admit or deny the student's request for admission.

No student shall be denied readmission into an Aspire school based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system [Education Code § [48645.5](#)].

Maintenance of Records

Aspire shall maintain a record of each suspension and expulsion, including its specific cause(s) [Education Code § [48900.8](#)].

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school [Education Code § [48918\(k\)](#)].

The CEO or designee shall, within five working days, honor any other district's request for information about an expulsion from Aspire [Education Code § [48915.1](#)].

Safety Policies

Closed Campus

Each school is a closed campus. All students are required to remain on school grounds during the regularly scheduled school day, including lunch period. It is unlawful for anyone to take a student away from school during the regular school day without parent and/or guardian permission and notification of the School Office.

Harassment and Bullying Policy

Aspire Public Schools is committed to providing a learning environment that is free from discrimination, sexual harassment, harassment, intimidation, or bullying of any kind. Harassment, sexual harassment, discrimination, intimidation, or bullying of any student by another student, employee, or teacher is prohibited. The school will treat allegations of harassment seriously and will review and investigate such allegations in a prompt, confidential and thorough manner. 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 a person's actual or perceived race, color, ancestry, nationality/national origin, immigration status, ethnic group identification/ethnicity, age, religion, marital status/ pregnancy/ parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, medical information or association with a person or group with one of more of these actual or perceived characteristics.

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."

REFERENCE: Board Policy 8018 Anti-discrimination, Harassment, Intimidation, And Bullying

Response to Hate Crimes and Bullying

Adopting and Publicizing Anti-Bullying and Anti-Harassment Policy

- Aspire Public Schools shall adopt and publicize policies that prohibit discrimination, harassment, intimidation, and bullying on the basis of a student's actual or perceived nationality, ethnicity, or immigration status. Those policies must be translated in the student's primary language if at least 15 percent of the students enrolled in the school speak a single primary language other than English.

- Aspire Public Schools shall notify parents and guardians of their children’s right to a free public education, regardless of immigration status or religious beliefs.
 - This information shall include information related to the “Know Your Rights” immigration enforcement established by the Attorney General
 - Aspire Public Schools shall inform students who are victims of hate crimes of their right to report such crimes.

Processing Complaints of Harassment and Bullying

- Aspire Public Schools shall adopt a process for receiving complaints of and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the following actual or perceived characteristics:
 - Disability
 - Gender
 - Gender Identity
 - Gender Expression
 - Nationality
 - Race or Ethnicity
 - Religion
 - Sexual Orientation
 - Association with a person or group with one or more of the aforementioned characteristics
 - Immigration status
- The complaint process must include, but is not limited to, the following steps:
 - A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, they shall take immediate steps to intervene when safe to do so;
 - A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the local educational agency; and
 - An appeal process afforded to the complainant should he or she disagree with the resolution of a complaint.

- Aspire Public Schools shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
- Aspire Public Schools shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.
- Aspire Public Schools shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs.
- Aspire Public Schools shall also train teachers, staff, and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training should, at minimum, provide agency personnel with the skills to do the following:
 - Discuss the varying immigration experiences among members of the student body and school community;
 - Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
 - Identify the signs of bullying or harassing behavior;
 - Take immediate corrective action when bullying is observed; and
 - Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

Sexual Harassment

Title IX Policy for Sexual Harassment

Aspire Public Schools (“Aspire”) is committed to maintaining a safe and respectful school environment that is free from discrimination and harassment. Title IX of the Education Amendment Act of 1972 (“Title IX”) prohibits discrimination on the basis of sex, including sexual harassment, in Aspire’s education programs and activities.

This Title IX Policy for Sexual Harassment (“Policy”) details Aspire’s commitment to maintain a learning environment that is free from sexual harassment and provides a grievance process for allegations of sexual harassment as defined under Title IX. Any individual can report sexual harassment at Aspire to Aspire staff (e.g., Principal, Assistant Principal, teacher, etc.), and Aspire will take appropriate action in accordance with this Policy.

Sexual harassment is a form of gender discrimination in that it constitutes differential treatment on the basis of gender, gender identity or expression, or sexual orientation, and,

for that reason, is a violation of state and federal laws and a violation of this Policy. Aspire considers sexual harassment to be a major offense which can result in discipline of students and termination of employees.

Definition of Sexual Harassment Under California Law

California Education Code § 212.5 defines sexual harassment as any unwelcome sexual advances, requests for sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decisions affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Sexual harassment may include, but is not limited to:

- Unwelcome verbal conduct such as suggestive, derogatory comments, sexual innuendoes, slurs, or unwanted sexual advances, invitations, or comments; pestering for dates; making threats; or spreading rumors about or rating others as to sexual activity or performance.
- Unwelcome visual conduct such as displays of sexually suggestive objects, pictures, posters, written material, cartoons, or drawings; graffiti of a sexual nature; or use of obscene gestures.
- Unwelcome physical conduct such as unwanted touching, pinching, kissing, patting, hugging, blocking of normal movement, assault; or interference with work or study directed at an individual because of the individual's sex, sexual orientation, or gender.
- Threats and demands or pressure to submit to sexual requests in order to keep a job or academic standing or to avoid other loss, and offers of benefits in return for sexual favors.

Under Education Code § 230, harassment and other discrimination on the basis of sex include, but are not limited to, the following: exclusion of a person or persons from participation in, denial of the benefits of, or subjection to harassment or other discrimination in, any academic, extracurricular, research, occupational training, or other program or activity; and exclusion from participation in, or denial of equivalent opportunity in, athletic programs. The full definition of discrimination and harassment based on sex from Education Code § 230 can be found here:

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=230.

The definition of sexual harassment under California law and the definition of Sexual Harassment under Title IX overlap in some areas. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying based on gender, sex, gender identity or expression, or sexual orientation are eligible to be investigated pursuant to Aspire's Uniform Complaint Procedures. However, if any complaints alleging sexual harassment constitute Sexual Harassment as defined under Title IX (see below), the complaints shall be investigated under the Title IX Grievance Procedures for Sexual Harassment. Aspire prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process.

Sex Equity in Education Act Statement

Students have all the rights set forth in Education Code § 221.8 (as applicable to Aspire's programs). This includes the right to fair and equitable treatment, the right to a school environment without discrimination on the basis of sex, and right to be provided with an equitable opportunity to participate in all academic extracurricular activities. The description of all rights set forth in Education Code § 221.8 can be found here:

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=221.8.

For more information about Gender Equity/Title IX, please visit the following CDE website: <https://www.cde.ca.gov/re/di/eo/genequitytitleix.asp>.

Title IX Grievance Procedures for Sexual Harassment Scope and Jurisdiction

This Policy's Title IX grievance procedures apply only to conduct that falls within the definition of "Sexual Harassment" under Title IX. Aspire employees or students may submit formal complaints of Sexual Harassment for investigation under this Policy. Sexual Harassment under Title IX means conduct on the basis of sex that falls within one or more of the following categories:

1. An Aspire employee conditioning the provision of a school aid, benefit, or service on an individual's participation in unwelcomed sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Aspire's education program or activity.
3. Sexual assault, dating violence, domestic violence, or stalking (as those terms are defined in 34 CFR section 106.30(a)(3)).

Title IX Personnel

Aspire has designated the following individuals as its Title IX Coordinators to coordinate the investigation and resolution of Sexual Harassment formal complaints as outlined in this Policy:

Bay Area schools:

Title: Regional Director of Student Services, Bay Area Region
Address: 1001 22nd Ave
Oakland, CA 94606
Phone: 510-434-5000
Email: BA_TitleIX@aspirepublicschools.org

Central Valley schools:

Title: Regional Director of Student Services, Central Valley Region
Address: 3311 E. Morada Lane
Stockton, CA 95212
Phone: 209-647-3047
Email: CV_TitleIX@aspirepublicschools.org

Los Angeles schools:

Title: Regional Director of Student Services, Los Angeles Region
Address: 5901 E. Slauson Avenue
Commerce, CA 90040
Phone: 323-837-9920
Email: LA_TitleIX@aspirepublicschools.org

The Title IX Coordinators may designate other individual(s) to fulfill all or part of their duties. In addition to the Title IX Coordinators, the following Title IX Personnel are involved in the grievance process to address formal complaints:

- Investigator: The individual responsible for gathering all evidence related to the formal complaint. This individual will create an “Investigation Report” which will summarize the relevant evidence.
- Decision-Maker: The individual responsible for evaluating evidence in order to make a determination regarding the formal complaint. The Decision-Maker submits a written determination of findings to the parties. The Decision-Maker cannot be a Title IX Coordinator, the Investigator, or any individual involved in the investigation of the formal complaint.
- Title IX Appeals Officer: If applicable, this individual is responsible for evaluating an appeal of the final determination. The Title IX Appeals Officer cannot be a Title IX

Coordinator, Investigator, Decision-Maker, or any individual involved in the investigation of the formal complaint.

All Title IX Personnel (i.e., Title IX Coordinators, Investigator(s), Decision-Maker(s), Appeals Officer(s), and any person who facilitates an informal resolution process) will receive training in accordance with Title IX requirements. The Title IX Coordinators must ensure individuals responsible for investigating a formal complaint are neutral.

Reporting Allegations of Sexual Harassment

Any individual (e.g., a student or employee who is alleged to be a victim of Sexual Harassment or a parent/guardian of a student who is alleged to be a victim of Sexual Harassment), may report Sexual Harassment directly to one of the Aspire Title IX Coordinators, or to any other available Aspire employee who shall immediately inform a Title IX Coordinator. Reports of Sexual Harassment can be made in-person, by mail, by telephone, by electronic mail, or by any other means that result in a Title IX Coordinator receiving the person's verbal or written report.

Aspire's Initial Response to a Report of Sexual Harassment

Upon receipt of any report of Sexual Harassment, the Title IX Coordinator for the region where the report originated or designee will take the following steps. These steps are offered regardless of whether the complainant submits a formal written complaint:

- **Contact Complainant and Determine Need for Supportive Measures:** The Title IX Coordinator will contact the complainant and respondent¹ to discuss the availability of supportive measures to stop the harassment, protect students, and ensure access to the educational program. If a formal complaint was not filed, the Title IX Coordinator shall explain to the complainant the right to file a formal complaint and the process for filing a formal complaint. A formal complaint is one that contains the complainant's physical or digital signature, and it may be filed at any time with the Title IX Coordinator in person, by mail, or by email. A complainant may use the attached Title IX form to submit a formal complaint to the Title IX Coordinator.
 - Supportive measures are nondisciplinary and non punitive and shall be available at any point during the Title IX investigation. Supportive measures may include, but are not limited to: wellness check-ins, counseling services, extension of deadlines or course-related adjustments, modifications of work or class schedules, changes in work locations, or leaves of absences. The Title IX Coordinator is responsible for implementing the supportive measures.
- **Determine Need for Emergency Removal:** The Title IX Coordinator will review the facts to determine whether the respondent (either student or staff) may need to be removed from the educational program or activity to prevent any further sexual harassment and/or maintain the safety of students and staff.

- Aspire may determine that removal from the educational program or activity is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations. Aspire will conduct an individualized safety and risk analysis before the removal. Aspire shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.
- i. Challenges to the decision will be discussed with and reviewed by the Executive Director for the region who will provide a final decision on the emergency removal. A written notice of their decision will be sent within 5 business days of the respondent's challenge.
- b. If the respondent is a student, Aspire is subject to applicable laws and school policies regarding involuntary removals, suspensions, and expulsions.
- c. If the respondent is an employee, the employee may be placed on administrative leave during the formal complaint investigation.
- Consider Use of Informal Resolution Process: At any time after an informal or formal complaint has been filed, but before reaching a determination regarding the allegation, Aspire may offer an informal resolution process (such as a mediation) to the complainant and respondent. However, the informal resolution process is not available where the complainant alleges that an employee sexually harassed a student.

Initial Review of Formal Complaint:

If a formal complaint is filed, the Title IX Coordinator for the region where the complaint originated will review the complaint to determine whether it raises allegations that fall within the definition of Sexual Harassment under Title IX as described above. Aspire may consolidate multiple formal complaints where the allegations of Sexual Harassment arise out of the same facts or circumstances.

If it does, the Title IX Coordinator will follow this Policy's grievance procedures for formal complaints. If it does not, the Title IX Coordinator will determine whether the complaint should be dismissed (as explained below) and/or investigated pursuant to another applicable Aspire policy (e.g., Uniform Complaint Procedures).

Mandatory or Permissive Dismissal of Formal Complaint:

Under certain circumstances, a complaint must or should be dismissed by the Title IX Coordinator. The Title IX Coordinator will endeavor to make this determination no more than ten (10) calendar days from the date they receive the formal complaint.

- Mandatory Dismissal: The Title IX Coordinator must dismiss the formal complaint if they determine any of the following:

- The alleged conduct would not constitute Sexual Harassment as defined under Title IX even if proved;
- The alleged conduct did not occur in Aspire’s education program or activity; or
- The alleged conduct did not occur against an individual in the United States.
- **Permissive Dismissal:** The Title IX Coordinator may dismiss a formal complaint if they determine any of the following:
 - The complainant has notified Aspire, in writing, that they would like to withdraw the complaint or any allegations in the complaint;
 - The respondent is no longer enrolled in, or employed by, Aspire; or
 - Specific circumstances prevent Aspire from gathering evidence to reach a determination with regard to the complaint.

Written Notice of Dismissal: If the Title IX Coordinator dismisses the complaint, they must send written notice of the dismissal simultaneously to both parties (complainant and respondent) as follows:

- The written notice should state the reason(s) for the dismissal and inform the parties of their right to appeal in accordance with the procedures described in the “Appeals” section below.
- If the Title IX Coordinator determines another Aspire grievance procedure (e.g., Uniform Complaint Procedures) is the appropriate grievance procedure for the complainant’s allegation(s), the written notice shall inform the parties (complainant and respondent) of Aspire’s intent to investigate the complaint through that grievance procedure.

Title IX Grievance Procedures

If the Title IX Coordinator does not dismiss the formal complaint, Aspire will initiate the following Title IX Grievance Procedures and issue a Written Decision. Aspire will endeavor to complete its investigation and issue a Written Decision within sixty (60) calendar days of receipt of the formal complaint.

1. Send Written Notice of Formal Complaint

The Title IX Coordinator must provide the parties (complainant and respondent) with a Notice of Formal Complaint. The Title IX Coordinator will endeavor to provide this Notice within ten (10) calendar days of receipt of the formal complaint. The notice shall include: (1) a copy of this Policy; (2) a description of the allegations potentially constituting Sexual Harassment with sufficient details known at the time; (3) a statement that the respondent is presumed not responsible for conduct and that a determination regarding responsibility is made at the conclusion of the grievance

process; (4) a statement informing the parties of the opportunity to have an advisor of their choice throughout the grievance process and the ability to inspect and review evidence; and (5) a statement informing the parties that they must not knowingly make false statements or submit false information.

2. Investigator Conducts Investigation

The Investigator will gather and review evidence related to the allegations. This can include, but is not limited to, interviewing parties or witnesses, as well as reviewing relevant evidence. The Investigator will not require, request, or rely upon any information protected under a legally recognized privilege, unless the person holding such privilege has waived it.

Written notice of all investigative interviews or other meetings must be provided to any individual whose participation is invited or expected to be provided with sufficient time for the individual to prepare to participate. Notice must include the date, time, location, participants, and purpose of the meeting. Attendees of such meetings will have the right to be accompanied by an advisor of their choice.

3. Investigator Provides Parties Equal Opportunity to Review Gathered Evidence

The Investigator will provide both the complainant and respondent with an equal opportunity to review the evidence that is directly related to the allegations raised in the formal complaint. The parties will have a period of at least 10 calendar days before the Investigative Report is provided to the parties to review the evidence, ask the Investigator additional questions, and provide or suggest additional evidence to be considered by the Investigator.

4. Investigator Prepares and Shares Investigative Report

The Investigator will prepare an Investigative Report summarizing the relevant evidence. The Investigative Report is not Aspire's final Written Decision. The Investigator will send the Investigative Report to the parties and their advisors, if any, for their review and written response at least 10 calendar days before issuance of the Written Decision. Aspire will inform the parties in writing that they may submit to the Decision-Maker written, relevant questions that the parties want asked of any party or witness. The Decision-Maker is responsible for providing the responses (if any) to these questions to both parties.

5. Decision-Maker Issues Written Decision

The Decision-Maker will endeavor to issue the Written Decision within sixty (60) calendar days from the receipt of the formal complaint. The Decision-Maker will issue a Written Decision to both parties simultaneously. The Decision-Maker uses the "preponderance of evidence" standard (i.e., it is more likely than not that the respondent committed the alleged conduct). The Written Decision will include all of the following:

- a. Identification of the allegations potentially constituting Sexual Harassment.

- b. A description of the procedural steps taken by Aspire during the investigation process (e.g., notifications to the parties, interviews with the parties and witnesses, site visits, or methods used to gather other evidence).
- c. Findings of fact supporting the determination.
- d. Conclusions regarding the application of Aspire's policies to the facts.
- e. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions Aspire imposes on the respondent, and whether remedies designed to restore or preserve equal access to Aspire's educational program will be provided by Aspire to the complainant.
- f. Aspire's procedures and permissible bases for either party to appeal the decision.

6. Remedies

If Aspire determines that the respondent engaged in Sexual Harassment, Aspire will provide remedies to the complainant, as appropriate. This may include supportive measures. Remedies may also include: transfer from a class; parent/student conference(s); positive behavior support; warnings; detention; and/or formal discipline, such as suspension and expulsion. When an employee is found to have committed Sexual Harassment, Aspire will take appropriate disciplinary action, up to and including termination, in accordance with Aspire's policies and as permitted by law.

Appeals

Either party may appeal Aspire's Written Decision, or its dismissal of a formal complaint or any allegation in the complaint, within five (5) calendar days of the decision. An appeal may be made on any of the following grounds:

- 1. A procedural irregularity affected the outcome.
- 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter.
- 3. The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against complainant or respondent that affected the outcome of the matter.

Upon receipt of an appeal, Aspire will provide a written notification to the other party about the appeal that gives both parties a reasonable, equal opportunity to submit a written statement in support of/challenging the appeal.

The Title IX Appeals Officer (not Decision-Maker, Title IX Coordinator, or Investigator) shall issue a written decision of an appeal, including the rationale for the result, to both parties

simultaneously. The Title IX Appeals Officer will endeavor to issue their decision within thirty (30) calendar days from the receipt of the appeal.

Record Keeping

Aspire will maintain for a period of seven (7) years records pertaining to Title IX Sexual Harassment allegations in accordance with 34 CFR section 106.45(b)(10), as well as all material used to train Title IX Personnel.

Transgender Harassment

In accordance with Education Code § 221.5, Aspire Public Schools insures that transgender youth receive protection from harassment including

- The right to privacy in that no school staff will share a student's personal information with other students.
- The right to openly discuss and express their gender identity and expression, and to decide when, with whom, and how much information to share.
- All official school records must maintain the student's name and gender assigned at birth unless a legal court document is provided to the school.
- Students will be referred to by their name of preference in unofficial records and upon completion of the Gender Equity Form (available upon request). Parents may request students be enrolled under their preferred name and gender
- Staff and students will strive to properly address students with their preferred name and appropriate gender-based pronoun in all communication. Persistent failure to consistently refer to the student using appropriate name and gender-based pronoun will be interpreted as denial of a student's gender identity and a form of harassment.
- All students may use the bathroom that corresponds to their gender identity at school. Any student may use a gender neutral bathroom as well.
- If classes are gender specific, students will be placed in the section that corresponds to their gender identity.
- Participation in athletics will be governed by the rules and policies set forth in sponsoring organizations.
- Participation in all clubs and activities will be open to all students.
- Dress code is gender-neutral and transgender students may dress in accordance with their gender identity.

Bullying related to transgender identity will be quickly addressed and is considered a violation of Education Code § 48900(r) described above.

Gender Diverse Student Supports

Aspire is committed to providing a safe and supportive environment for all students and ensuring that all students have equal access to Aspire's educational programs and activities. Aspire requires that all schools and all personnel promote acceptance and respect among students and staff. Aspire is a place where each student's gender identity is accepted and valued as an important part of the whole child. If you are interested in discussing specific supports for your child, please contact your school's main office.

Visitor Policy

Guests are welcome Any visitor entering the school grounds must register in the Office, identify themselves and the nature of their business, and receive a Visitor's Pass. Parents and guardians are encouraged to visit school sites and classrooms to observe and support the work of the schools. This is one of the essential vehicles for a school-parent partnership.

All visitors to a school site must report to the office when entering and receive authorization to visit elsewhere in the school site. A principal or designee may direct a visitor to leave the school and not return for a designated time if it is determined that the visitor has interfered with the good order or peaceful conduct of the school. Additionally, no electronic listening or recording devices may be used in the classroom without the prior consent of the teacher and principal of the school.

Unauthorized persons will not be permitted in school buildings or on school grounds. School principals or designees are authorized to take appropriate action to prevent such persons from entering buildings and from loitering on grounds. Such persons will be prosecuted to the full extent of the law, including but not limited to, Education Code § 32211.

Visitor Guidelines

All campus visitors must have the consent and approval of the principal/designee. Permission to visit must be given at the time requested if at all possible or within a reasonable period of time following the request. Children who are not enrolled at the school are not to be on the campus unless prior approval of the principal has been obtained.

Visitors may not interfere with, disrupt or cause substantial disorder in any classroom or school activity, including, but not limited to, lunch, recess or after-school.

Visitors are expected to:

- Follow the established school policy in requesting a classroom visitation

- Present a valid ID
- Complete a visitor's permit upon arrival at the site
- Enter and leave the classroom as quietly as possible
- Not converse with the students, teacher and/or instructional aides during the visitation
- Not interfere with any school activity
- Keep the length and frequency of classroom visits reasonable
- Follow the school's established procedures for meeting with the teacher and/or principal after the visit, if needed
- Learn and follow the school-wide behavioral expectations
- Return the visitor's permit to the point of origin before leaving the campus.

Any individual who disrupts a school site or fails to follow school rules and/or procedures is subject to removal from the school site and may be further restricted from visiting the school.

Searches

A student's attire, personal property, vehicle or school property, including books, desks and school lockers, may be searched by a principal or a principal designee who has reasonable suspicion that a student possesses illegal items or illegally obtained items [Education Code §§ 49050-49051]. These may include illegal substances, drug paraphernalia, weapons or other objects or substances which may be injurious to the student or to others. **Illegally possessed items shall be confiscated and may be turned over to the police.**

School Jurisdiction: Agency and Police Interrogation

Protection of student rights shall be balanced with Aspire Public Schools' responsibility to cooperate with local police and agency officials in the investigation of unlawful activities. Inherent in the process of cooperation is recognition of the function of the schools and respect for the civil and constitutional rights of students [Education Code §§ 48902, 48906]. When appropriate, school personnel will attempt to call parents/guardians to notify them of interrogation in advance.

In matters involving threats to the safety of the students or staff, law enforcement officers specifically summoned by administrators or asked to remain on school premises by administrators are authorized to act as agents of the school, unless such authority is explicitly and specifically withdrawn. When acting on behalf of Aspire, the officers will have the full scope of authority in dealing with students that the Principal would have in such situations.

Prohibited items and banned substances

Possession of Weapons or Dangerous Objects

It is a violation of state law and Aspire Public School policies and regulations for any person to carry a firearm, weapon, or other dangerous object on school premises, school provided transportation or areas of other facilities being used for school activities [Education Code § 48902; Penal Code 245, 626.9, 626.10; 20 USC 7151].

Drug, Alcohol, and Tobacco Free Schools Policy

Aspire schools are 100% drug, alcohol, and tobacco [Education Code §§ 48901, 48909] free campuses. Aspire's Drug/Alcohol Policy ensures a drug and alcohol free campus while enabling students who are struggling with drug and/or alcohol abuse to receive the treatment they need. The school-site administrator has the discretion to recommend expulsion for students involved with drugs/alcohol or enter such students into a disciplinary probation period. It is recommended that expulsion not be a school's recommendation on first time offense of possession of marijuana (except in cases of quantities that makes it reasonable to conclude possession with intent to distribute).

REFERENCE: Board Policy 8025 Smoke-Free Policy

Other Prohibited Items

Students are not allowed to bring any games, toys, or trading cards to school for use during class. Cell phones, MP3 players, personal handheld devices, and dice are also subject to being taken away. Prohibited items will be returned only to a parent and/or guardian after the first offense. Repeated offenses will result in items being taken away and not returned until the end of the school year.

Personal Responsibility for Items

Students are responsible for maintaining personal items. Aspire is not responsible for the loss or breakage of student's personal items at school unless said items are in the possession of an Aspire staff member at the time they are lost, stolen or broken.

Emergency Preparedness at Aspire Public Schools

Aspire Public Schools is committed to maintaining safe and secure campuses for our students and staff. We work diligently to make sure that students and staff are prepared for emergencies [Education Code §§ 32280-32289]. To that end, every school has a comprehensive school safety plan that covers Aspire's policies and expectations regarding the practices of each school in maintaining the security of the in campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning. Every school conducts regular emergency drills that at a minimum, meets the state mandated requirements. These drills include: Fire, Earthquake, and Lockdown/Shelter in Place.

Parents are asked to make sure that their students actively participate and take emergency drills seriously. These drills help make sure students are well prepared in the event of an emergency. Each school also stocks emergency supplies to sustain students and staff. These supplies include the following: water, food, first aid supplies, search and rescue supplies, and sanitation items. These supplies are checked regularly by school staff.

Parents should be familiar with the school's emergency procedures and update contact information whenever it changes. Keep your cell phone with you to receive recorded updates on the emergency. Knowing where to go to pick up your child will save time and reduce anxiety. Parents should remember that schools have emergency procedures in place to protect all the students and that schools will follow these procedures during an emergency.

Child Abuse Reporting

Any teacher, or other staff member, who suspects that a student has been subjected to physical injuries, neglect, sexual abuse or emotional maltreatment, is mandated by the Child Abuse Reporting Law to notify the proper authorities [Education Code §§ 33308.1, 44691, 44807]. For additional information about California's child abuse reporting requirements for teachers and other school staff, please contact the front office.

Aspire Family Engagement, Rights and Responsibilities

School-Home communication

At school we depend on our parents and guardians to work as our partners in supporting their children's education. It is always best to first contact your child's teacher to address any concerns which you may have. All staff at Aspire can be reached by email and phone provided by the school site.

Family Engagement Activities

Children learn best when their parents are engaged every step of the way, creating a bridge of learning from the classroom to the home. Below are some examples of what Aspire does to help parents and guardians become great coaches for their children. According to EC 47605.6(n), a charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school. In order to ensure that parents understand that there is no volunteering requirement, information will be sent home via ParentSquare in English and in Spanish. Additionally, the print out of the ParentSquare message will be printed in English and Spanish and sent home with each student. Further, at each meeting that parents attend, this announcement will be reiterated.

Special Saturday Classes: Scheduled at specific Saturdays during the school year, these half-day sessions allow parents to attend school with their children and get to know the school site better. We believe it's important for them to see, feel, and experience the space that their children spend so much time in.

Guidance for At-home Support: Aspire coaches parents on how to structure reading at home (20+ min per day K-5), providing the right level of help with homework, participating in projects, and playing games that reinforce learning.

Participation in School Decision-making: Aspire includes parent representatives on the School Site Council and English Learner Advisory Committee of each school, as well as parent participation on the school's Teacher Hiring Committee.

Volunteers

Volunteers help enrich students' education and provide extra assistance for teachers and school staff [Education Code § 35021]. Volunteers are typically on campus for longer periods or with larger amounts of responsibility than standard visitors are. Because of this, there are

additional requirements for volunteers beyond those for basic visitors and key volunteer requirements are discussed below, but please review the full volunteer handbook for a complete list of requirements.

Potential volunteers are urged to contact the school and work with the Business Manager if they can offer time or services to help with any part of the school program. **Volunteers are placed with teachers or other staff members who have requested volunteer assistance. Schools reserve the right to assign volunteers to classrooms/activities as needed and to decline a volunteer's services at any time.** All visitors, including volunteers, must sign in at the front desk and receive a "Visitor Badge" as identification. They must also sign out when leaving the premises. This is for the safety of the children and staff as well as the visitor in case of an emergency. For the safety of all students, all volunteers must:

- Confirm with the Business Manager the ability to volunteer prior to volunteering. The Business Manager will provide additional information according to the type of volunteer service. In almost all instances a volunteer will require to have:
 - A negative TB test on file in the school office within 60 days before starting to work with students.
- A background check, including DOJ and FBI Volunteers who need to be fingerprinted include anyone who is working with a student(s) without supervision or for a long period of time. The results of the background check are **confidential** and will not be discussed with other staff members and or parents.

Volunteer Drivers

- The driver must have a valid California Driver's License.
- The parent or adult driver must have a current "**Driver's Liability Insurance Statement**" on file in the school office with the following minimum coverage: \$15,000 per person, \$30,000 per occurrence, \$5,000 property damage (15 30 5).
- Vehicles for transporting children must be in a safe and operable condition. The number of passengers in the vehicle must not exceed the number of seat belts. Cars with passenger side airbags **cannot** have a student occupying that space.
- Children weighing less than 40 pounds must ride in a car seat with a seat belt.
- Drivers must have clear driving records. Drivers who have been convicted of a misdemeanor or felony drunk driving will not be authorized to drive students. Drivers cited with more than one moving violation within the past year will not be authorized to drive students. The sponsoring program will pay bridge tolls and admissions. No mileage will be paid to parents [Education Code § 35350].

Aspire Student Data Privacy Policy

Aspire is committed to protecting the privacy of our student data. As an organization, we believe that data is a powerful tool and utilize data extensively to monitor and improve student outcomes. We recognize that there are risks in the collection and usage of this data and in order to protect the privacy of our students, we have enacted the following policies:

- Aspire limits the collection, usage, and sharing of student data to only those data points which are required by law or useful in improving student outcomes.
- Student data is only made available to parties that have an immediate, legitimate need to access the data.
- Aspire ensures that both our internal systems and the systems of our vendors use proper technological safeguards to protect student data and are legally bound to prevent the use of student data for marketing or sales purposes.
- When Aspire ends our relationship with a student data vendor, we ensure that the data is removed from their systems.
- We abide by all state and federal student data regulatory laws including:
 - Family Educational Rights Privacy Act (FERPA)
 - Protection of Pupil Rights Amendment (PPRA)
 - Children's Online Privacy Protection Act (COPPA).

For more information about our student data policies, please contact the Aspire Home Office at 510-434-5000.

Family Educational Rights to Privacy Act

The Family Educational Rights and Privacy Act (FERPA), a federal law, affords parents and students over 18 years of age ("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 45 days of the day the Aspire receives a request for access. Parents or eligible students should submit to the Aspire principal a written request that identifies the record(s) they wish to inspect. The Aspire principal 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 amendment** of the student's education record that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask Aspire to amend a record they believe is inaccurate or misleading. They should write the Aspire principal to clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the

record as requested by the parent or eligible student, the Aspire principal will notify, in writing, the parent or eligible student of the decision and advise them of their right to a hearing with the Aspire Director of Student Services 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 consent** to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by Aspire as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Aspire Board of Directors; a person or company with whom Aspire has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing the official's tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill the official's professional responsibility.

Upon request, Aspire discloses education records without prior written consent to officials of another school district in which a student seeks or intends to enroll. Student records shall be released to another school district where the student has enrolled or intends to enroll, upon official request from that district. If such transfer of education records is made, Aspire will make a reasonable attempt to notify the parent or eligible student of the records request.

At the time of transfer of records, the parent/guardian, custodian or adult-age student may receive a copy of the records at their own expense (\$0.25 per page), if requested, and shall have an opportunity to challenge the contents of the records.

4. **The right to file a complaint** with the U.S. Department of Education concerning alleged failures by Aspire to comply with the requirements of FERPA. The name/address of the office that administers FERPA and receives grievances is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

USDA Civil Rights Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

Fax: (202) 690-7442; or

Email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Every Student Succeeds Act Notification

You have the right under Federal law to request information specific to teacher qualifications. In addition, *Every Student Succeeds Act (ESSA)* places an emphasis on the parents' right to know about the professional qualifications of their child's classroom teachers. Parents have the right to request the following information about the instructional staff working with their child:

1. Whether the teacher has met State qualifications for grade levels and subject areas in which the teacher provides instruction;

2. Whether the teacher is teaching under emergency or other professional status that the State has waived;
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher; and
4. Whether the child is provided services by paraprofessionals and if so their qualifications.

Aspire Public Schools is committed to providing quality instruction for all students. It does so by employing the most qualified individuals to teach and support each student in the classroom. If you would like to receive any of the information listed above, please contact the Aspire Human Resources department at 510-434-5000.

Public Meeting Notice

The public is invited to attend Aspire Public Schools public meetings. If you require any reasonable accommodation to enable you to attend and or participate, please contact the Aspire Home Office (510) 434-5000, 48 hours prior to the meeting.

Know Your Rights

Your Child has the Right to a Free Public Education

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians.
- In California:
 - All children have the right to a free public education.
 - All children ages 6 to 18 years must be enrolled in school.
 - All students and staff have the right to attend safe, secure, and peaceful schools.
 - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
 - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of the child's age or residency.

- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student “directory information.” If they do, then each year, your child’s school district must provide parents/guardians with written notice of the school’s directory information policy, and let you know of your option to refuse release of your child’s information in the directory.

Family Safety Plans if You Are Detained or Deported

- You have the option to provide your child’s school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.

For more information, please visit the Attorney General’s Guidance and Model Policies to Assist California’s K-12 Schools in Responding to Immigration Issues at <https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>

Collecting and Retaining Student Records

The Information Systems Team shall maintain in writing Aspire Public Schools policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

- If Aspire Public Schools possesses information that could indicate immigration status, citizenship status, or national origin information, Aspire Public Schools shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school.

- If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin information, Aspire Public Schools shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.
- Aspire Public Schools shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin

Inquiries About Social Security Numbers or Cards

Aspire Public Schools shall not solicit or collect entire Social Security numbers or cards.

- Aspire Public Schools shall solicit and collect the last four digits of an adult household member's Social Security number only if required to establish eligibility for federal benefit programs.
- When collecting the last four digits of an adult household member's Social Security number to establish eligibility for a federal benefit program, Aspire Public Schools shall explain the limited purpose for which this information is collected, and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school.
- Aspire Public Schools shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the free and reduced lunch program, transportation and educational instruction.

Procedures Regarding Information Sharing

Aspire Public Schools shall avoid the disclosure of information that might indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by Family Educational Rights and Privacy Act (FERPA).

- Aspire Public Schools personnel shall take the following action steps upon receiving an information request related to a student's or family's immigration or citizenship status:
 - Notify a designated Aspire Public Schools official about the information request.
 - Provide students and families with appropriate notice and a description of the immigration officer's request.
 - Document any verbal or written request for information by immigration authorities.

- Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.
- Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the local educational agency prohibits disclosure, Aspire Public Schools shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.
- Aspire Public Schools shall require written parental or guardian consent for release of student information, unless the information is relevant for a legitimate educational interest or includes directory information only. Neither exception permits disclosing information to immigration authorities for immigration-enforcement purposes; no student information shall be disclosed to immigration authorities for immigration-enforcement purposes without a court order or judicial subpoena.
- Aspire Public Schools request for written or parental or guardian consent for release of student information must include the following information: (1) the signature and date of the parent, guardian, or eligible student providing consent; (2) a description of the records to be disclosed; (3) the reason for release of information; (4) the parties or class of parties receiving the information; and (5) if requested by the parents, guardians or eligible student, a copy of the records to be released. Aspire Public Schools shall permanently keep the consent notice with the record file.
- The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information that is not otherwise subject to release, Aspire Public Schools shall not release the information.

Annual Information Notice to Parents and Guardians

General Information Policy

Aspire Public Schools must provide an annual notice to parents and guardians of the school's general information policies that includes:

- Assurances that Aspire Public Schools will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.
- A description of the types of student records maintained by Aspire Public Schools.
- A list of the circumstances or conditions under which Aspire Public Schools might release student information to outside people or entities.
- A statement that, unless Aspire Public Schools is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, Aspire Public Schools shall notify parents or guardians and

eligible students—and receive their written consent—before it releases a student’s personally identifiable information.

Responding to the Detention or Deportation of a Student’s Family Member

Aspire Public Schools shall encourage that families and students have and know their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors’ contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported.

Aspire Public Schools shall permit students and families to update students’ emergency contact information as needed throughout the school year, and provide alternative contacts if no parent or guardian is available.

- Aspire Public Schools shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student’s parent or guardian is detained.
- Aspire Public Schools shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.

In the event a student’s parent/guardian has been detained or deported by federal immigration authorities, Aspire Public Schools shall use the student’s emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, Aspire Public Schools shall release the student into the custody of any individual who presents a Caregiver’s Authorization Affidavit on behalf of the student. Aspire Public Schools shall only contact Child Protective Services if Aspire Public Schools personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver’s Authorization Affidavit, or other information or instructions conveyed by the parent or guardian.

Parental Notification of Immigration—Enforcement Actions

- Aspire Public Schools personnel must receive consent from the student’s parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid effective warrant signed by a judge, or presents a valid, effective court order.
- Aspire Public Schools personnel shall immediately notify the student’s parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless such access was in compliance with a

judicial warrant or subpoena that restricts the disclosure of the information to the parent or Guardian.

Responding to On-Campus Immigration Enforcement

- As early as possible, Aspire Public Schools personnel shall notify the Regional Superintendent of Equitable Instruction or designated administrator of any request by an immigration-enforcement officer for school or student access, or any requests for review of school documents (including for the services of lawful subpoenas, petitions, complaints, warrants, etc.).
- In addition to notifying the Superintendent or designated administrator, Aspire Public Schools personnel shall take the following action steps in response to an officer present on the school campus specifically for immigration-enforcement purposes:
 - Advise the officer that before proceeding with his or her request, and absent exigent circumstances, school personnel must first receive notification and direction from the Superintendent.
 - Ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also ask for and copy or note the phone number of the officer's supervisor.
 - Ask the officer for his/her reason for being on school grounds and document it.
 - Ask the officer to produce any documentation that authorizes school access.
 - Make a copy of all documents provided by the officer. Retain one copy of the documents for school records.
 - If the officer declares that exigent circumstances exist and demands immediate access to the campus, Aspire Public Schools personnel should comply with the officer's orders and immediately contact the (Superintendent or other administrator).
 - If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation. If the immigration-enforcement officer has:
 - an ICE (Immigrations and Customs Enforcement) administrative warrant, Aspire Public Schools personnel shall inform the agent that he or she cannot consent to any request without first consulting with the Chief Operating Officer and Aspire legal counsel.
 - a federal judicial warrant (search-and-seizure warrant or arrest warrant; see Appendix C & D of the Attorney General's Guidelines), prompt compliance with

such a warrant is usually legally required. If feasible, consult with the (local educational agency's legal counsel or designated administrator) before providing the agent access to the person or materials specified in the warrant.

- a subpoena for production of documents or other evidence (see Appendix E & F of the Attorney General's Guidelines), immediate compliance is not required. Therefore, Aspire Public Schools personnel shall inform Aspire Public Schools' legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.
- While Aspire Public Schools personnel should not consent to access by an immigration-enforcement officer, except as described above, he/she should not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, Aspire Public Schools personnel shall document his or her actions while on campus.
 - After the encounter with the officer, Aspire Public Schools personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:
 - List or copy of the officer's credentials and contact information;
 - Identity of all school personnel who communicated with the officer;
 - Details of the officer's request;
 - Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - Aspire Public Schools personnel's response to the officer's request;
 - Any further action taken by the agent; and
 - Photo or copy of any documents presented by the agent.
- Aspire Public Schools personnel shall provide a copy of those notes, and associated documents collected from the officer, to the Chief Operating Officer and legal counsel.
- In turn, the Chief Operating Officer shall submit a timely report to Aspire Public Schools' governing board regarding the officer's requests and actions and Aspire Public Schools' response(s).

- E-mail the Bureau of Children’s Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes

Directory Information Policy

- If Aspire Public Schools decides to release directory information, Aspire Public Schools shall provide an annual notice to parents and guardians, and “eligible students” in attendance, of Aspire Public Schools' directory information policy that includes:
 - The categories of information that Aspire Public Schools has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code § 49061(c).
 - A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where Aspire Public Schools receives consent as required under state law).
 - The recipients of the directory information.
 - A description of the parent’s or guardian’s abilities to refuse release of the student’s directory information, and how to refuse release.
 - The 30-day deadline in which the parent, guardian or student must notify the school in writing that he or she does not want the information designated as directory information.

Inquiries Regarding Immigration Status, Citizenship Status, and National Origin Information

Aspire Public Schools personnel shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, Aspire Public Schools personnel shall solicit that documentation or information separately from the school enrollment process.

- Where permitted by law, the Chief Operating Officer of Aspire Public Schools shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.
- Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this policy, Aspire Public Schools' procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy

Monitoring and Receiving Visitors onto Campus

No outsider—which would include immigration-enforcement officers—shall enter or remain on school grounds of Aspire Public Schools during school hours without having registered with the principal or designee. If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide the following information to the principal or designee:

- Name, address, occupation;
- Age, if less than 21;
- Purpose in entering school grounds;
- Proof of identity; and
- Any other information as required by law.

Aspire Public Schools shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school's activities, consistent with local circumstances and practices.

Aspire Public Schools shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.

Aspire Public Schools personnel shall report entry by immigration-enforcement officers to any on-site school police or other appropriate administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.

Family Concern Process

If you have concerns at a school site, please see below for the Parent Concern Process that should be followed for your site.

Aspire Public Schools encourages students, parents, and staff to discuss their concerns and complaints through informal conferences with the appropriate teacher, principal, or other campus staff.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Step 1- Meeting/discussion with the specific staff member

Step 2- Meeting/discussion with the person's supervisor (if applicable)

Step 3- Meeting/discussion with the Principal

Step 4- Meeting/discussion with the Regional Superintendent of Equitable Instruction or designee

Contact information available from the school office.

If an informal conference regarding a concern fails to reach an outcome that is satisfactory to the staff member, student, or parent, he/she may initiate the formal process by filing a written complaint. The form is available at the end of this handbook. Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

Uniform Complaint Procedures (UCP) Policies and Procedures

These Uniform Complaint Procedures (“UCP”) contain rules and instructions about UCP complaints regarding any alleged violation of federal or state laws or regulations governing certain educational programs and activities offered by Aspire Public Schools (“Aspire”). Aspire developed this UCP in accordance with Title 5, California Code of Regulations, §§ 4600–4687. Aspire has primary responsibility to ensure its compliance with applicable state and federal laws and regulations, and Aspire will investigate and seek to resolve UCP complaints in accordance with this UCP. This UCP has been approved by Aspire’s Board of Directors.

UCP COMPLAINTS Not all complaints fall under the scope of the UCP. Complaints arising from the employment relationship are separately addressed by Aspire’s employment policies. Many concerns, including classroom assignments, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, student advancement and retention, student discipline, student records, special education, the Brown Act, and other general education requirements, are not UCP complaints. Aspire, however, may use these complaint procedures to address complaints not covered by the UCP in its sole discretion. Only allegations within the subject matters falling within the UCP can be appealed to the CDE.

A UCP complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include: complaints regarding certain programs and activities (list below); complaints alleging the charging of pupil fees for participation in an educational activity; complaints regarding non-compliance with the requirements of Aspire’s Local Control and Accountability Plans (“LCAP”); or an allegation of unlawful discrimination, harassment, intimidation, or bullying in certain programs or activities.

Complaints Regarding Programs and Activities

According to state and federal codes and regulations, the programs and activities subject to the UCP are:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education • After School Education and Safety
- Agricultural Career Technical Education
- Education and Graduation requirements of Pupils in Foster Care, Homeless Pupils, former Juvenile Court Pupils, and Pupils of Military Families
- Regional Occupational Centers and Programs

- Reasonable Accommodation to a Lactating Pupil
- Schoolsite Councils
- School Plan for Student Achievement
- School Safety Plans
- Pupil Fees, which includes a purchase that a pupil is required to make to obtain materials, supplies, equipment or clothes associated with an educational activity
- Complaints Regarding Aspire's LCAPs
- Every Student Succeeds Act
- Migrant Education
- Physical Education Instructional Minutes
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing
- State Preschool
- Career Technical and Technical Education; Career Technical and Technical Training
- Childcare and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content (grades nine through twelve)
- Complaints of Discrimination, Harassment, Intimidation, and/or Bullying any protected group as identified in Education Code §§ 200 and 220 and Government Code § 11135, including any actual or perceived characteristics set forth in Penal Code § 422.55, based on sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, immigration status, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by Aspire which is funded directly by, or that received or benefits from, any state financial assistance
- Any other state or federal educational program the State Superintendent of Public Instruction or the California Department of Education or designee deems appropriate

The following complaints shall be referred to the specified agencies for appropriate resolution and are not subject to the our UCP complaint procedures set forth in this document:

- A. Allegations of child abuse shall be referred to the applicable County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
- B. Health and safety complaints regarding licensed facilities operating a Child Development Program shall be referred to DSS.
- C. Employment discrimination complaints shall be sent to the State Department of Fair Employment and Housing (DFEH). The complainant shall be notified in writing in a timely manner of any DFEH transferal.

The UCP Annual Notice

Aspire provides notice of this UCP on an annual basis. The notice addresses all students, employees, parents or guardians, school advisory committee members, appropriate private school officials or representatives (if applicable), and other interested parties. The notice includes information regarding allegations about discrimination, harassment, intimidation, or bullying. It lists all federal and state programs within the scope of the UCP. It lists the position at Aspire who is responsible for and knowledgeable about processing UCP complaints. Aspire's annual UCP notice is in English. If 15% or more of students enrolled at an Aspire school speak a single primary language other than English, the annual notice will be provided in that language as well pursuant to Education Code § 48985.

Designation of Responsible Employee

The Regional Director of Student Services overseeing the Aspire charter school where the complaint originated, or their designee, is the employee responsible for receiving, investigating and responding to UCP complaints (the "Responsible Employee"):

Regional Director of Student Services, Bay Area Region

1001 22nd Ave Oakland, CA 94606
510-434-5000

Regional Director of Student Services, Central Valley Region

3311 E. Morada Lane Stockton, CA 95212
209-647-3047

Regional Director of Student Services, Los Angeles Region

5901 E. Slauson Avenue Commerce, CA 90040
323-837-9920

In no instance will the Responsible Employee be assigned to investigate a complaint in which they have a bias that would prohibit them from fairly investigating or responding to the complaint. Any complaint against the Responsible Employee or that raises a concern about the Responsible Employee's ability to investigate the complaint fairly and without bias

should be referred to the Principal of the Aspire charter school where the complaint originated or other appropriate Aspire official, who will determine how the complaint will be investigated.

Aspire will ensure that the Responsible Employee (or designee) investigating the complaint is knowledgeable about the laws and programs at issue in the complaints. Aspire may consult with legal counsel as appropriate.

Confidentiality and Non-Retaliation

Aspire will ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying remains confidential as appropriate.

Complaint Procedures

Step 1: Filing a UCP Complaint

A UCP complaint must be filed according to the procedures set forth herein.

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization, may file a UCP complaint. However, a complaint filed on behalf of a student may only be filed by that student or that student's duly authorized representative.

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed by a person who alleges that they personally suffered unlawful discrimination, harassment, intimidation, or bullying, or by a person who believes that an individual or any specific class of individuals has been subjected to the same.

A UCP complaint is written and signed. If a complainant is unable to put their complaint in writing due to a disability or illiteracy, Aspire will assist the complainant in the filing of the complaint. A signature on a UCP complaint may be handwritten, typed (including in an email), or electronically-generated. Complaints related to pupil fees and/or LCAPs may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Complainants are encouraged, but not required, to use the appropriate complaint form(s).

Complaints shall be filed with the Responsible Employee at the address or email address provided herein. A pupil fees complaint may also be filed with the Principal of the Aspire charter school where the complaint originated. The Responsible Employee will maintain a log of complaints and subsequent related actions to the extent required by oversight agencies.

Upon receipt of a complaint, the Responsible Employee (or designee) will evaluate the complaint to determine whether it is subject to this UCP and will notify the complainant within five (5) workdays if the complaint is outside the jurisdiction of this UCP.

The Responsible Employee (or designee) may also determine if interim measures are necessary pending the result of an investigation. If interim measures are determined to be necessary, Responsible Employee (or designee) will consult with the Principal of the Aspire charter school where the complaint originated or designee, prior to implementing any such measures. The interim measures shall remain in place until the Responsible Employee (or designee) determines that they are no longer necessary or until Aspire issues its final written Investigation Report, whichever occurs first.

Timing of Complaints and Investigation

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be filed no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred or the complainant first obtained knowledge of it. The time for filing may be extended by the Responsible Employee (or designee) for good cause upon written request from the complainant. Such extension shall be in writing and may not exceed ninety (90) days following the expiration of the six-month period.

All other complaints shall be filed no later than one (1) year from the date the alleged violation occurred, except this one-year timeline shall not apply to complaints regarding the educational rights of foster youth. For complaints regarding LCAP, the date of the alleged violation is the date when Aspire's governing board approves the LCAP or annual update.

Unless a UCP complaint is resolved through mediation as set forth below, Aspire will investigate the UCP complaint and issue a written Investigation Report to the complainant within 60 calendar days from the date of receipt of the complaint, unless the complainant agrees in writing to an extension of time.

Step 2: Mediation (Optional)

The Responsible Employee (or designee) and complainant may mutually agree to mediation. Any Aspire employee or member of Aspire's governing board or committee who has not been involved with the allegations in the complaint may be assigned by the Responsible Employee (or designee) to serve as mediator. The mediator will arrange for both the complainant and Aspire to present relevant evidence. The Responsible Employee (or designee) will inform the complainant that the mediation process may be terminated at any time by either Aspire or complainant, in which case the complaint will proceed directly to an investigation. If mediation resolves the complaint to the satisfaction of both parties, Aspire will implement any remedial measures and the complainant may choose to withdraw the complaint. If mediation does not resolve the complaint to the satisfaction of both parties or within the parameters of law, the Responsible Employee (or designee) shall proceed with their investigation of the complaint.

The use of mediation does not extend Aspire's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

In order to investigate the complaint, the Responsible Employee (or designee) shall have access to applicable school records and/or information related to the complaint allegations. As part of their investigation, the Responsible Employee (or designee) will do all of the following, in any order:

- Provide an opportunity for the complainant or complainant's representative and Aspire's representative to present information relevant to the complaint or investigative process;
- Obtain statements from individuals/witnesses who can provide relevant information concerning the alleged violation; • Review documents that may provide information relevant to the allegation; and
- When necessary, seek clarification on specific complaint issues.

Refusal by the complainant or their representatives to provide the Responsible Employee (or designee) with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate or obstruction of the investigation, may result in dismissal of the complaint because of a lack of evidence to support the allegation.

Refusal by Aspire to provide the Responsible Employee (or designee) with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate or obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Step 4: Principal Review

The Principal of the Aspire charter school where the complaint originated has discretion to evaluate the complaint and/or the Responsible Employee's (or designee's) proposed decision before a final written decision is issued. If the Principal elects to do so, then based on all the evidence obtained during the investigation, the Principal may approve, modify, or reject the Responsible Employee's (or designee's) proposed decision and issue a final decision that meets the requirements set forth herein. The Principal may also decide not to review the complaint, in which case the Responsible Employee's (or designee's) decision shall be final.

Step 5: Final Written Decision (Investigation Report)

The Responsible Employee (or designee) shall prepare and send to the complainant a written report of the investigation and final decision (the "Investigation Report") within sixty (60) calendar days of receipt of the complaint, unless the complainant agrees to extend this date. Aspire's Investigation Report shall be written in English and, when required by law, in the complainant's primary language.

The Investigation Report shall include:

1. The finding(s) of fact based on the evidence gathered;
2. Conclusion providing a clear determination as to each allegation as to whether Aspire is in compliance with the relevant law;
3. If Aspire finds merit in the complaint, the corrective actions required by law;
4. Notice of the complainant's right to appeal Aspire's Investigation Report to the CDE, except when Aspire has used its UCP to address a non-UCP complaint; and
5. Procedures to be followed for initiating an appeal to the CDE.

In addition, any Investigation Report on a complaint of discrimination, harassment, intimidation, or bullying based on state law shall include a notice that the complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

An Investigation Report shall not include student information protected under the Family Educational Rights and Privacy Act or any private employee personnel information, including but not limited to the nature of the disciplinary action taken against a student or employee. If a student or employee is disciplined as a result of the complaint, the Investigation Report shall simply state that effective action was taken and that the student or employee was informed of Aspire's expectations.

If Aspire finds merit in a complaint regarding pupil fees, physical education instructional minutes, or LCAP, the remedy will go to all affected pupils and parents/guardians. Aspire, in good faith, will engage in reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid any unlawful pupil fee within one year prior to the filing of the complaint.

Appeal Process

A complainant may appeal Aspire's Investigation Report by filing a written appeal within thirty (30) calendar days of the date of the Investigation Report to the California Department of Education ("CDE"). This appeal to the CDE must specify and explain the basis for the appeal, including at least one of the following:

1. Aspire failed to follow its complaint procedures;
2. Relative to the allegations of the complaint, the Investigation Report lacks material findings of fact necessary to reach a conclusion of law;
3. The material findings of fact in the Investigation Report are not supported by substantial evidence;
4. The legal conclusion in the Investigation Report is inconsistent with the law; and/or
5. In a case in which Aspire found noncompliance, the corrective actions fail to provide

a proper remedy.

The appeal must be sent to CDE with: (1) a copy of the locally filed complaint; and (2) a copy of Aspire's Investigation Report.

Appeals of decisions regarding discrimination, harassment, intimidation, and/or bullying, and regarding provision of accommodations to lactating students should be sent to:

California Department of Education Education Equity UCP Appeals Office

1430 N Street Sacramento, CA 95814

916-319-8239

Appeals of decisions regarding LCAP should be sent to:

California Department of Education Local Agency Systems Support Office

1430 N Street Sacramento, CA 95814

916-319-0809

Appeals of decisions regarding pupil fees or all other educational program complaints should be sent to:

California Department of Education Categorical Programs Complaints Management Office

1430 N Street Sacramento, CA 95814

916-319-0929

The CDE may directly intervene in the complaint without waiting for action by Aspire when one of the conditions listed in Title 5, California Code of Regulations, § 4650 exists, including cases in which Aspire has not taken action within sixty (60) days of the date the complaint was filed with Aspire. A direct complaint to CDE must identify the basis for direct filing of the complaint, which must include evidence that supports such a basis.

Civil Law Remedies

A complainant may pursue available civil law remedies under state or federal discrimination, harassment, intimidation, or bullying laws. 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.

Pupil Fees

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by

a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

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.

The Local Control Accountability Plan

The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools.

Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to California Education Code § 52060(d).

The UCP Annual Notice

We ensure annual dissemination of a written notice of our complaint procedures to all students, employees, parents or guardians of its students, school and district advisory committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

Our UCP Annual Notice shall also include information regarding the requirements of *EC* Section 49010 through 49013 relating to pupil fees and information regarding the requirements of *EC* Section 52075 relating to the LCAP.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

In order to identify appropriate subjects of state preschool health and safety issues, we also have a notice that is posted in each California state preschool program classroom in each school notifying parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the *California Code of Regulations* that apply to California state preschool programs pursuant to *HSC* section 1596.7925 and (2) where to get a form for a state preschool health and safety issues complaint Filing UCP Complaints.

When Filing Pupil Fees UCP Complaints

A pupil fees complaint may be filed with the principal of a school or Regional Superintendent of Equitable Instruction or his or her designee.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

A pupil fees complaint shall be filed no later than one year from the date the alleged violation occurred.

When Filing State Preschool Health and Safety Issues UCP Complaints

UCP complaints regarding state preschool health and safety issues pursuant to HSC section 1596.7925 shall include the following statements:

File with the preschool program administrator or his or her designee.

A state preschool health and safety issues complaint pursuant to HSC section 1596.7925 about problems beyond the authority of the preschool program administrator shall be forwarded in a timely manner, but not to exceed 10 working days to the appropriate local educational agency official for resolution.

A state preschool health and safety issues complaint pursuant to *HSC* section 1596.7925 may be filed anonymously. A complainant who identifies himself or herself is entitled to a response if he or she indicates that a response is requested. A complaint form shall include a space to mark to indicate whether a response is requested. If Section 48985 of the Education Code is otherwise applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed.

A complaint form for a state preschool health and safety issue pursuant to *HSC* section 1596.7925 shall specify the location for filing a complaint. A complainant may add as much text to explain the complaint as he or she wishes.

When Filing All UCP Complaints

We will provide an opportunity for complainants and/or representatives to present evidence or information.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by Aspire Public Schools to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may

result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The complaint will be investigated and a written report with a Decision will be issued to the complainant by us within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

This report will contain the following elements:

- i. The findings of fact based on the evidence gathered.
- ii. Conclusion of law.
- iii. Disposition of the complaint.
- iv. The rationale for such a disposition.
- v. Corrective actions, if any are warranted.
- vi. Notice of the complainant's right to appeal our Decision to the CDE.
- vii. Procedures to be followed for initiating an appeal to CDE.

UCP Complaint Investigation

The staff member, position, or unit responsible to receive and investigate UCP complaints and ensure our compliance in our agency is:

Regional Director of Student Services or Designee

1001 22nd Ave
Oakland, CA 94606
510-434-5000
BA_TitleIX@aspirepublicschools.org

Regional Director of Student Services or Designee

3311 E. Morada Lane
Stockton, CA 95212
209-647-3047
CV_TitleIX@aspirepublicschools.org

Regional Director of Student Services or Designee

5901 E. Slauson Avenue
Commerce, CA 90040
323-837-9920
LA_TitleIX@aspirepublicschools.org

The staff member, position, or unit responsible to receive and investigate UCP complaints and ensure our compliance in our agency is knowledgeable about the laws and programs

assigned to investigate.

Aspire Public Schools will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in *EC* Section 200 and 220 and Government Code (GC) Section 11135, including any actual or perceived characteristics as set forth in Penal Code (PC) Section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity we conduct, which is funded directly by, or that receives or benefits from any state financial assistance.

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

All complainants are protected from retaliation.

We advise complainants of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

Aspire Public Schools does not allow discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived race, color, ancestry, nationality/national origin, immigration status, ethnic group identification/ethnicity, age, religion, marital status/ pregnancy/ parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, medical information or association with a person or group with one of more of these actual or perceived characteristics.

Aspire school personnel will take immediate steps to intervene when safe to do so if he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

UCP Complaint Resolution

If Aspire Public Schools finds merit in a complaint regarding Pupil Fees; Local Control and Accountability Plan (LCAP); and/or Physical Education Instructional Minutes (grades one through eight), the remedy shall go to all affected pupils and parents/guardians.

If we find merit in a complaint regarding Reasonable Accommodations to a Lactating Pupil; Course Periods without Educational Content (grades nine through twelve); and/or Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district, and pupils in military families, the public school or LEA shall provide a remedy to the affected pupil.

We ensure an attempt shall be made in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

We shall report summarized data on the nature and resolution of all state preschool health and safety issues complaints on a quarterly basis to the county superintendent of schools and our board.

The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of our board.

The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints.

We are aware that all complaints and responses are public records.

UCP Complaint Appeal Process

An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

A complainant may appeal our Decision of a UCP complaint to the State Superintendent of Public Instruction (SSPI) or his or her designee at the CDE (here and after known as SSPI) regarding all specified federal and state educational programs subject to the UCP.

To appeal our Decision of all UCP complaints except State Preschool Health and Safety Issues the complainant must file a written appeal within 15 days of receiving the Decision to the SSPI.

To appeal our Decision of State Preschool Health and Safety Issues only the complainant must file a written appeal within 30 days of receiving the Decision to the SSPI.

This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of our Decision are incorrect and/or the law is misapplied.

In addition the appeal shall be sent to CDE with:

1. A copy of the original locally filed complaint; and
2. A copy of our Decision of this original locally filed complaint.

A complainant not satisfied with the resolution of the preschool program administrator or the designee of the district superintendent has the right to describe the complaint to our board at a regularly scheduled hearing.

The SSPI shall comply with the requirements of 5 CCR section 4633 and shall provide an Investigation Report to the State Board of Education describing the basis for the complaint, our response to the state preschool health and safety issues complaint and its remedy or proposed remedy.

Federal and State Laws Cited:

20 *United States Code (U.S.C.)* section 6301 et seq. 34 *Code of Federal Regulations (CFR)* sections 299.11

California *Education Code (EC)* sections 200, 220, 222, 234.1-234.5, 262.3, 8235.5, 8200-8493; 8500-8538, 32280-32289; 33315,, 35186, 46015, 47606-47606.5, 47607.3, 48645.5, 48645.7, 48853, 48853.5, 48985, 49010-49013, 49069.5, 51210, 51223, 51225.1, 51225.2, 51228.1-51228.3, 52060-52075, 52300-52462, 52500-52616.4, 54440-54445, 64001, 65000.

California *Government Code (GC)* sections 11135, 17581.6(f). California *Penal Code (PC)* section 422.55.

California *Welfare and Institutions Code (WIC)* sections 300

Student Family Handbook Acknowledgement Form

Our signatures below indicate that we have received, read for understanding, and agree to follow the policies and guidelines found in the Student Family Handbook 2022-2023.

Student Name (please print)

Grade Level

Date

Student Name (please print)

Grade Level

Date

Student Name (please print)

Grade Level

Date

Student Name (please print)

Grade Level

Date

Parent/Guardian Signature

Date

Family Concern Documentation Form

Your Name _____ Name of Student _____

Address _____

Telephone _____ (day) _____ (evening)

School Site _____

Description of Concern:

Please describe your desired solution:

Signature _____ Date _____

Please mail, fax or deliver to your school site or Regional Office

1001 22nd Avenue, Oakland, CA 94606

(t) (510) 434-5000

(f) (510) 434-5010

Date received by Aspire School or Regional Office _____

Date copy provided to School Principal: _____