

SCHOOL SAFETY PLAN

2025-26

**Table of Contents**

[**INTRODUCTION 4**](#_heading=h.gjdgxs)

[**CAMPUS SAFETY AND SECURITY 4**](#_heading=h.30j0zll)

[**Entrances and Exits 4**](#_heading=h.1fob9te)

[**TRAFFIC AND PEDESTRIAN SAFETY 4**](#_heading=h.3znysh7)

[**Safe Passage To And From School 4**](#_heading=h.tyjcwt)

[**Responsibility of Administrator 4**](#_heading=h.1t3h5sf)

[**Traffic Patterns and Drop Off/Pick Up Points 5**](#_heading=h.2s8eyo1)

[**VISITORS POLICY 5**](#_heading=h.17dp8vu)

[**Parents and guardians visiting 5**](#_heading=h.3rdcrjn)

[**REGISTERED SEX OFFENDER POLICY 6**](#_heading=h.26in1rg)

[**EMERGENCY PREPAREDNESS 6**](#_heading=h.lnxbz9)

[**Fire Drill 6**](#_heading=h.35nkun2)

[**Civil Defense Drill 6**](#_heading=h.1ksv4uv)

[**Earthquake Duck & Cover Drill 6**](#_heading=h.44sinio)

[**Major Disaster Drill 6**](#_heading=h.2jxsxqh)

[Staff Responsibilities 6](#_heading=h.z337ya)

[Director 6](#_heading=h.3j2qqm3)

[Teachers 7](#_heading=h.1y810tw)

[Custodial Engineers 7](#_heading=h.4i7ojhp)

[Aides, Volunteers and Other Adults 7](#_heading=h.2xcytpi)

[Front Office 7](#_heading=h.1x0gk37)

[**EMERGENCY PROCEDURES 7**](#_heading=h.1ci93xb)

[**DISASTER PLANS 8**](#_heading=h.3whwml4)

[**Fire 8**](#_heading=h.qsh70q)

[**Earthquake 8**](#_heading=h.1pxezwc)

[∙](#_heading=h.49x2ik5) If indoors 8

[∙](#_heading=h.2p2csry) If outdoors 8

[**Flood/ Severe Weather 8**](#_heading=h.3o7alnk)

[**Electrical Failure 8**](#_heading=h.ihv636)

[**Gas Line Break 8**](#_heading=h.1hmsyys)

[**Water Main Break 8**](#_heading=h.2grqrue)

[**Chemical Spill/ Incident 9**](#_heading=h.1v1yuxt)

[**LOCKDOWN/SHOOTING INCIDENT 9**](#_heading=h.4f1mdlm)

[**BOMB THREAT 9**](#_heading=h.2u6wntf)

[**Explosion 10**](#_heading=h.3tbugp1)

[**DEATH/SUICIDE 10**](#_heading=h.28h4qwu)

[**SUICIDE PREVENTION 10**](#_heading=h.37m2jsg)

[**I.**](#_heading=h.4h042r0) **Grounds for In-School Suspension, Out-of-School Suspension and Expulsion 12**

[A.](#_heading=h.2w5ecyt) Enumerated Offenses 12

[B.](#_heading=h.1baon6m) In-School Suspension 17

[C.](#_heading=h.3vac5uf) Suspension Procedures 18

[D.](#_heading=h.2afmg28) Expulsion Procedures 19

[E.](#_heading=h.pkwqa1) Disciplinary Records 22

[F.](#_heading=h.39kk8xu) Expulsion Appeal 22

[G.](#_heading=h.1opuj5n) Expelled Pupils/Alternative Education 22

[**II.**](#_heading=h.48pi1tg) **Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities 22**

[H.](#_heading=h.2nusc19) Due Process Appeals 23

[I.](#_heading=h.1302m92) Special Circumstances 23

[J.](#_heading=h.3mzq4wv) Interim Alternative Educational Setting 23

[K.](#_heading=h.2250f4o) Procedures for Students Not Yet Eligible for Special Education Services 23

[**ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY 26**](#_heading=h.1mrcu09)

[**Students 26**](#_heading=h.2lwamvv)

[**Harassment, Intimidation or Bullying 27**](#_heading=h.111kx3o)

[**Employees – Sexual Harassment 28**](#_heading=h.3l18frh)

[A. Definitions 28](#_heading=h.206ipza)

[B. Sexual Harassment Prohibited 28](#_heading=h.4k668n3)

[C. Reporting, Investigation, and Sanctions 28](#_heading=h.2zbgiuw)

[D. Filing Complaints with State and Federal Agencies 29](#_heading=h.1egqt2p)

[**Employees – All Other Kinds of Discrimination or Harassment 29**](#_heading=h.3ygebqi)

[**Complaint Procedure 29**](#_heading=h.2dlolyb)

[**Liability for Harassment 30**](#_heading=h.sqyw64)

[**PREVENTION OF CHILD ABUSE POLICY 30**](#_heading=h.3cqmetx)

[**Reporting Problems at the School Site 30**](#_heading=h.4bvk7pj)

[**EMPLOYEE CONDUCT WITH STUDENTS 31**](#_heading=h.2r0uhxc)

[**Alcohol, Tobacco, and Controlled Substances 31**](#_heading=h.1664s55)

[**TRANSPORTATION OF STUDENTS 31**](#_heading=h.3q5sasy)

[**LANGUAGE 31**](#_heading=h.25b2l0r)

[**GIFTS 31**](#_heading=h.kgcv8k)

[**ATTIRE 32**](#_heading=h.34g0dwd)

[**BEHAVIOR 32**](#_heading=h.1jlao46)

[**SAFE SCHOOL PLAN SUPPORT CONTACTS 33**](#_heading=h.43ky6rz)

[**Emergency Contact Numbers 33**](#_heading=h.2iq8gzs)

[**Safe School Plan Certification 33**](#_heading=h.xvir7l)

[**Mandated Reporting/Notification 33**](#_heading=h.3hv69ve)

**ATTACHMENT A – SAFETY CALENDAR**

# INTRODUCTION

The Intellectual Virtues Academy, A Long Beach Public High School (“IVA High”) is committed to maintaining safe and secure campuses for all of its pupils and staff. To that end, this Comprehensive School Safety Plan covers IVA High’s policies and expectations regarding the practices in maintaining the security of the physical 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.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually.

# CAMPUS SAFETY AND SECURITY

## Entrances and Exits

The school Director and office manager will develop procedures so that students, staff, parents, and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

* Designating individuals to lock the school building and/or grounds when not in use
* Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
* Maintaining a practice of locking doors that are not being regularly used, even during school hours
* Posting signs requesting that visitors sign in at the main office
* Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
* Periodically testing the security system according the manufacturer or vendor instructions, to ensure it is functioning
* Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

# TRAFFIC AND PEDESTRIAN SAFETY

## Safe Passage To And From School

Youngsters must be prepared for safe travel to and from school. As a significant number of pedestrian fatalities are school-age children, it is critical that children understand the dangers of street travel and how to avoid needless tragedies.

School personnel will discuss the following safety issues with students and parents, distribute and post materials, as appropriate:

* Traffic and pedestrian safety
* Bicycle Helmet Law
* Bus Safety
* Safe Routes to School
* Drop-off, pick-up, and parking procedures
* Exiting and entering a car
* Seat belt law use

## Responsibility of Administrator

* Assess traffic, warning signs, school bus and parent loading zones, crossing guards, crosswalks, traffic signals, stop signs, etc.
* Confer with the local Department of Transportation in establishing safe pedestrian routes to and from school and appropriate student pick-up and drop-off points.
* Review, distribute and post “Back-to-School Safety Tips”.
* Recruit volunteers to participate in the Volunteer Crossing Guard program.
* Inform students, staff and parents of designated “Safe Routes”, student drop-off and pick-up points.
* Report continuing traffic non-compliance problems to local enforcement agencies.

## Traffic Patterns and Drop Off/Pick Up Points

IVA High is required to develop appropriate protocols to minimize traffic congestion and enhance pedestrian safety around the school site.

**Responsibility of Administrator**

* Administrator is to ensure through daily monitoring by designated staff that loading and unloading areas are “curbside” and designated to minimize student proximity to moving vehicles and that these areas are readily accessible to students.
* School personnel are to ensure that appropriate traffic and pedestrian signs are posted in the vicinity of the school.
* School personnel are to develop a student drop off and pick up plan and distribute plan to parents.
* All designated drop-off/pick-up points are safe and at “curbside”.
* Local Police Department is contacted for assistance relating to traffic enforcement during drop-off and pick-up times as necessary to ensure student safety and minimize traffic congestion.
* Proper supervision is provided at any bus loading and unloading areas.

**Releasing Students**

IVA High employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school. In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the Director, or designee before releasing the student.

# VISITORS POLICY

IVA High requires ALL visitors to register immediately upon entering any school building or grounds. Visitors shall sign in at the beginning of their visit, receive a visitor badge, and sign out at the end of their visit. Students from other schools as well as students who have ended their school day are not to be on campus unless accompanied by parents/guardians or with the permission of the site administrator.

In registering as a visitor, the sign-in form will include spaces for the following information:

* Name
* His/her purpose for entering school grounds
* Time in and out

**Parents and guardians visiting**

During the school day for any purpose other than picking up at or dropping off a child at the beginning or end of the school day as part of the normal school day schedule should also be requested to sign into the visitor log or a special log for parents. This applies to parents and guardians who are picking up a student early (e.g. for a medical reason) or dropping off a student late (e.g. tardy), as well as parents and guardians who are on campus to volunteer in their child’s classroom.

IVA High employees from school campuses and the Front Office will notify the Director upon arrival and should wear badges signifying that they are IVA High employees. However, formal visitor registration is at the discretion of the school Director or designee. The Director or designee may refuse to register any visitor if he or she reasonably concludes that the visitor’s/outsider’s presence would disrupt the school, students or employees, would result in damage to property, or would result in the distribution or use of a controlled substance. (Penal Code 627.4).

# REGISTERED SEX OFFENDER POLICY

For the protection of pupils while they are traveling to and from school, attending school, or at a school related activity, Directors and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of IVA High campus, or otherwise may be likely to attempt to visit IVA High for any reason whatsoever.

Information about registered sex offenders may be obtained from the California Attorney General’s Megan’s Law website, found at http://meganslaw.ca.gov, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

IVA High and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

# EMERGENCY PREPAREDNESS

It is the Director’s responsibility to have emergency procedures and schedule emergency drills throughout the year, and record the date and time of each drill. See Appendix A for schedule. The following are the following scheduled drills:

* **Fire Drill**: At least once per quarter, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
* **Civil Defense Drill**: A Civil Defense Drill should be conducted at least twice each school year following the (school’s or IVA High’s) Civil Defense Procedure.
* **Earthquake Duck & Cover Drill**: This drill should be performed twice per school year.
* **Major Disaster Drill**: This drill should be performed twice per school year so personnel are oriented to the Major Disaster Plan.
* **Alert Signals:** The ability to respond quickly and efficiently when a major disaster strikes is important so that we are to provide protection for students and school staff. In order to be better prepared, the staff, students and parents should be informed of their responsibilities following a major disaster. At the sound of the “Alert” signal:
* All students in transit between classrooms, in restrooms, etc., will walk to their assigned classrooms.
* Children on the playground or library will return to their assigned classrooms.
* Each teacher will stay in the classroom with his/her students.
* Each designee will report to the school office for instructions. At the sound of the “Take Cover” signal:
* Students will position themselves under desks or tables.
* Students on the playground or out of doors will drop, face down on the ground.
* Open all doors; leave windows as they are.
* The teacher should be ready with stories, songs, guessing games, etc., in case of an extended waiting period. At the “All Clear” signal:
* Children will resume their regular class activities.
* When a building is unsafe to resume classroom instruction or if the situation has made the streets and sidewalks hazardous, the superintendent (or designee) will declare the premises unsafe.
* If an evacuation is found necessary, the Director will post on a conspicuous place, the new location of the students. A notice or letter to parents designating a site as well as procedures should be included in the first day packet going home with students.

### Staff Responsibilities

In the event of a disaster or civil defense alert, individuals on the school site have the following responsibilities:

### Director

* Sound appropriate alarm to evacuate the building (fire drill) or take cover within the building (civil defense).
* Following fire drill procedures, check the building to ensure that all students, personnel and visitors have evacuated the building.
* Provide for administration of first aid and request other emergency assistance as needed.
* Keep IVA High Office and your local county office informed and, if necessary, set up telephone communications at a nearby residence or business.
* Give directions to police in search clearing procedures and take full responsibility for search.
* Coordinate supervision of students and all clean-up or security efforts.

### Teachers

* Carry out appropriate emergency procedures to ensure the safety and welfare of students.
* Supervise children and maintain calm and order.
* Make sure you have access to the classroom copy of the students’ emergency cards.

**Office Manager/Administrative Assistant/Front Office**

* Assist and take direction from the Director.
* Make sure first aid supplies are handy in case they are needed.
* Carry out other duties as assigned.
* In advance of emergencies, the Front Office should ensure there are adequate emergency supplies for each student.

### Custodial Engineers

* Shut off the valves for gas, water, electricity and air conditioning (if necessary).
* Open all gates and doors to assembly and exit areas.

### Aides, Volunteers and Other Adults

* Should assist teachers working with students to keep them safe, orderly and comfortable.

# EMERGENCY PROCEDURES

All classrooms should have emergency exit charts posted near the door(s). In the case of an emergency, every adult should be aware of his/her role and responsibilities and follow these procedures:

* Director assesses the situation.
* Director notifies all staff members of the emergency via PA, fire alarm, and/or megaphone.
* Assigned person calls 911.
* Assigned person notifies IVA High Director
* Director or assigned person meets with emergency crews.
* Assigned person(s) ensures all classrooms, hallways and restrooms on the first floor are empty after escorting students to their assigned location.
* Assigned person(s) ensures all classrooms, hallways and restrooms on second floor are empty after escorting students their students to assigned location
* Assigned person(s) ensures the cafeteria and gym are empty.
* Assigned person(s) greet, organize and comfort students outside the building.
* Each teacher takes role and Lead Teachers pick up the names of any missing students and report these names to the emergency crew chief and the Director.
* Assigned person(s) will direct students who need first aid to an assigned location.
* Director determines, in consultation with the emergency crews, whether to release students to their homes or to return students to classes and makes announcements via megaphone.
* If students and staff are dismissed for the day, an assigned person(s) will be responsible for securing the building against vandalism and theft.
* All classroom teachers will ensure that students are released to guardians’ care.
* In the case that counseling services are subsequently needed by any students, the Director and an assigned person will coordinate that effort.
* In the case that media coverage is an issue, the Director and an assigned person will control and organize press releases and media requests.

For comprehensive roles and responsibilities, please refer to IVA High’s Emergency Operations Plan.

**First Aid**

The First Aid area should be located at an assigned place and properly stocked at all times. The First Aid team will consist of individuals assigned by the Director or designee.

# DISASTER PLANS

Whenever there is any type of disaster, the primary concern is the safety of the students. The following general guidelines will offer assistance in a variety of disaster situations. Each teacher should also display Disaster Plan guidelines prominently in each classroom. For more comprehensive plans, please refer to IVA High’s emergency operations plans. Additional and summarized plans are as follows:

##

## Fire

* Director and/or office manager will determine the location of the fire.
* Office manager will phone 911, picks up emergency card binder and student medication and leaves the building prepared to phone parents of any injured child.
* Director will sound the fire alarms.
* Staff will follow emergency procedures previously described.
* Students should leave the room in a single file, walk briskly but carefully, and stay in their class group when they reach their designated spot.

##

## Earthquake

* **If indoors**:
	+ All drop down to the floor and duck and cover.
	+ Turn away from windows.
	+ Take cover under a desk or table or against an interior wall.
	+ Cover head with arms or hold to the cover and be prepared to move with it.
	+ Hold the position until the ground stops shaking.
	+ When initial shaking stops, the Director or office manager sounds alarms to evacuate the building.
	+ Staff to follow emergency procedures previously described.
* **If outdoors**:
	+ Move away from buildings, poles and overhead wires.
	+ Lie down or crouch low to the ground.
	+ Look out for dangers that demand movement.
	+ Be prepared to duck and cover again due to aftershocks.
	+ Staff to follow emergency procedures previously described.

##

## Flood/ Severe Weather

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

##

## Electrical Failure

* Director and/or designee notify the electrical company
* Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored.

##

## Gas Line Break

* Director and/or designee notify Local Gas Company.
* Director and/or designee notify the Fire Department.
* Staff to follow the emergency procedures previously described.

##

## Water Main Break

* Director and/or designee notifies the water department.
* The Designee shuts off water.
* Director or notifies the police.
* Director determines if it is necessary to follow the emergency procedures.

**Water Contamination**

* Instruct teachers to move students away from drinking fountains and sinks.
* Notify the school office and IVA High Director/s.
* Have the designee turn off pressure to drinking fountains and sinks.

##

## Chemical Spill/ Incident

If Indoors**:**

* Block or rope off area – DO NOT TOUCH ANYTHING.
* Evacuate room and TURN OFF air conditioning system.
* Notify the school Director or office of the incident - contact 911 if necessary.

If Outdoors**:**

* Upon hearing of a chemical leak (usually from the fire department or other city office) the Director will determine if students should be evacuated.
* Move away from buildings, poles and overhead wires.
* Close doors and windows and TURN OFF air conditioning system.
* If it is necessary to leave the site, move crosswind, never more directly with or against the wind, which may carry fumes.
* Give first aid.
* Staff to follow the emergency procedures previously described.

# LOCKDOWN/SHOOTING INCIDENT

If a shooting takes place the first priority is to shelter students and staff. On hearing shots or an announcement from Director:

* Teachers close and lock all classroom doors and windows immediately.
* Teachers take roll.
* Teachers calmly direct students to duck under their desks.
* Director calls 911.
* Director assigned the person to ensure students are not in the hallways or bathrooms. Students found in these areas are immediately escorted to a secure classroom or office.
* Office personnel close and lock all office doors and windows immediately.
* Nobody leaves their secure sites until emergency crew members escort them to safety.
* Director will control and organize the media.
* Assigned person(s) will ensure that counseling services are available as soon as possible.

# BOMB THREAT

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:

* Notify the Director immediately.
* Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).

**If there is a citing of a suspicious object, the person would:**

* Notify the Director immediately.
* Do not touch the object but note any identifying features to describe it to the Director and emergency crews.

**In all cases:**

* If the Director determines to evacuate, staff follows emergency procedures previously described.
* Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
* If you see any suspicious object, steer clear of it and report it to the Director and the emergency crew chief.
* Follow all emergency crew and bomb squad directives.

##

## Explosion

If indoors:

* All drop down to the floor and duck and cover.
* Turn away from the windows.
* Take cover under a desk or table or against an interior wall.
* Cover head with arms of hold to the cover.
* Hold the position until directed to the building.
* Staff to follow the emergency procedures previously described.

If outdoors:

* Move away from buildings, poles and overhead wires.
* Lie down or crouch low to the ground.
* Look out for dangers that demand movement.
* Staff to follow emergency procedures previously described.

#  DEATH/SUICIDE

 **Staff Member Locating Victim:**

* Shall phone 911.
* Shall notify Director in the event of a death or suicide on campus.

**Director**

* Director will notify teachers to keep students in their classrooms until informed otherwise.
* Director will control and organize the media.

**Supporting Staff**

* Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
* Assigned person(s) will ensure that counseling services are available as soon as possible.

#

# SUICIDE PREVENTION

Assisting students who express suicidal wishes or engage in suicidal behaviors is essential to maintaining a safe and healthy environment for students.

* An administrator shall respond to reported incidents of students expressing suicidal wishes or engaging in suicidal behaviors.
* A preliminary assessment and referrals, as appropriate, will be completed by the designated “administrator”, including a review of risk factors.
* Parents must be informed of the student’s actions or expressions of intent.

Please see Suicide Prevention Policy for more details.

**LEARNING CONTINUITY PLAN**

Providing continuity of learning is important when unexpected events happen. The following table will be followed in case classes needed to be conducted remotely.

|  |  |  |
| --- | --- | --- |
| Week 1 - Prep | Week 2 – Initial Execution | Week 3 to end: Full Execution |
|

|  |
| --- |
| ● All classes prepare and send home a timetable of activities ● Class schedules for the following week are published on the school website and sent out through emails and IVA’s newsletters● Admin will conduct a parent information session outlining the work expectations for the week and go over this plan ● Teachers send a daily welcome to all students and outline the learning for the day through emails and newsletter, and their contact details for questions/feedback. ● Teachers will make individual contact with each student by email  |

 |

|  |
| --- |
| ● Zoom classes begin to be used where appropriate. ● Teachers conduct a class catch-up/check-ins with students at least twice per day including a daily wrap up. ● Teachers deliver classes according to a modified timetable suitable to the context of the school  |

 |

|  |
| --- |
| ● Teachers conduct a class catch-up/check-ins with students at least twice per day including a daily wrap up. ● Zoom used regularly with appropriate grade levels for direct instruction and feedback ● Teachers send a daily welcome to all students and outline the learning for the day through the schools chosen system, and their contact details for questions/feedback ● Students engage in a combination of synchronous and asynchronous learning  |

 |

**DISCIPLINE POLICY**

IVA High believes that students learn best in an environment of clear expectations about behavioral and community norms that allows them to feel safe and nurtured. IVA High supports students to achieve behavior expectations through relationships built through advisory and a close-knit community among students and staff. Additionally, the intellectual virtues model develops the problem-solving and conflict resolution skills to help students proactively solve problems and avoid disciplinary incidents. Moreover, the DSS will be responsible for PD to establish cultural norms among staff, and inculcate restorative justice measures. IVA High believes that these measures will mitigate the need to resort to suspension and expulsion practices.

In order to maintain a positive learning community, IVA High has developed a comprehensive set of student discipline policies which in many respects are consistent with California Education Code Section 48900’s requirements for school districts. As a public charter school, IVA High develops its own specific procedures for student suspension and expulsion. These policies will be fully detailed in IVA High’s Family Handbook. Each family receives a copy of these policies and is required to verify that they have reviewed them with their children at the time of enrollment or at the beginning of the school year.

In developing its policies and this charter element, IVA High reviewed policies and enumerated offenses applicable to district-run schools and those utilized by other charter schools locally and around the state. Further, IVA High consulted with a legal specialist in this area to ensure that our policies and enumerated offenses are appropriate and serve the best interests of our entire school community, as well as each individual student and her or her parents (guardians). Ultimately, our enumerated offenses align closely with those in the Education Code applicable to school districts. Policies regarding suspension or expulsion conform to applicable state and federal laws regarding all students, including Individuals with Disabilities Education Act (IDEA) and its amendments, Section 504 of the Rehabilitation Act, AB 602, and the ADA. IVA High’s Head of School bears primary responsibility for overseeing all student discipline discussed below, though the Director and the DSS also have the authority to suspend students.

This Discipline, Suspension and Expulsion Policy (“Policy”) has been established to align in most material respects with Education Code Section 48900 *et seq.,* although IVA High is exempt from those and several other statutory provisions applicable to school districts (Ed. Code section 47610.) IVA High will review policies and procedures surrounding suspensions and expulsions at least once annually and, as necessary, modify the Policy accordingly. The Policy shall serve as the Charter School’s policy and procedures for student suspension and expulsion, and may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

IVA High staff shall enforce disciplinary rules and procedures fairly and consistently among all students. The Policy and its procedures will be printed and distributed as part of the Family Handbook and will clearly describe discipline expectations.

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

The discipline policy is based on a progressive system. Each incident is addressed individually, though previous activities may be taken into account in order to determine the severity of the discipline assigned. Discipline usually begins with a meeting between the student and the DSS or his/her designee. Following this meeting, several actions may occur, including but not limited to:

1. Warning, both verbal and written
2. Loss of privileges (e.g. extra-curricular activities)
3. Notices to parents by telephone or letter
4. Request for parent conference (including teachers, counselors, or administrators)
5. Behavior contract
6. Detention
7. Suspension (including in-school suspensions)
8. Expulsion

For students who are truant, tardy, or otherwise absent from assigned school activities, alternatives to suspension or expulsion are attempted first.

Suspension, including supervised suspension as described in Ed. Code Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct.  IVA High may document the other means of correction used and place that documentation in the pupil's record, which may be accessed by parents upon request. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, 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 the Enumerated Offenses listed below, or that the pupil's presence causes a danger to persons.

Other means of correction include, but are not limited to, the following:

(1) A conference between school personnel, the pupil's parent or guardian, and the pupil.

(2) Referrals to a school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.

(3) 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.

(4) Referral for a comprehensive psychosocial or psycho-educational 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)).

(5) Enrollment in a program for teaching prosocial behavior or anger management.

(6) Participation in a restorative justice program.

(7) A positive behavior support approach with tiered interventions that occur during the school day on campus.

(8) 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.

(9) A requirement to perform community service on school grounds or, with written permission of the parent or guardian of the student, off school grounds, during the student's non-school hours.  For the purposes of this section, “community service” may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs (only as per Ed. Code Section 48900.6).

No pupil shall be involuntarily removed by IVA High for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform him or her of the right to a hearing adjudicated by a neutral officer before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder exercises the right to a hearing, the pupil shall remain enrolled and shall not be removed until IVA High issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions for disciplinary reasons.

## Grounds for In-School Suspension, Out-of-School Suspension and Expulsion

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to:

* while on school grounds
* while going to or coming from school
* during the lunch period, whether on or off the school campus
* during, going to, or coming from a school-sponsored activity.

A single suspension may not be issued for more than 5 consecutive school days. The total number of days for which a student, including students with a 504 Plan, may be suspended from school shall not exceed 20 days in any school year. Students with an IEP shall not be suspended for more than 10 school days in any school year.

### Enumerated Offenses

**Suspension Offenses**: Students *may* be suspended for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except self-defense.
3. Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Director or the designee of the Director.
4. Unlawfully possessed, used, sold or 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.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property, including electronic files and dates, or private property.
8. Stole or attempted to steal school property or private property.
9. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
12. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
13. Knowingly received stolen school property or private property.
14. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
15. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
16. 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.
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. Engaged in, or attempted to engage in hazing.  For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.  For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
19. Made terroristic threats against school officials and/or school property.  For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
20. Committed sexual harassment, as defined in Education Code Section 212.5.  For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment.
21. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code.
22. Intentionally engaged in harassment, threats or intimidation directed at school personnel or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or students by creating an intimidating or hostile educational environment.
23. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
24. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
	* + 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
			2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
			3. Causing a reasonable student to experience substantial interference with his or her academic performance.
			4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
25. “Electronic Act” means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
26. A message, text, sound, or image.
27. A post on a social network Internet Web site including, but not limited to:
	1. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
	2. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
	3. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
28. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
29. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
30. Any other serious violation of IVA High’s student rules of conduct or behavioral expectations.

For a pupil subject to discipline under this section, the Director or the Director’s designee may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5. Alternatives to suspension or expulsion shall be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. IVA High does not impose mandatory suspension. Rather, suspensions are discretionary. Suspension shall be imposed only when other means of correction fail to bring about proper conduct.

Depending on the severity and seriousness of the offense and past conduct of the pupil, the Head of School may recommend an expulsion instead of a suspension. That determination is within the professional discretion of the Head of School for the following list of discretionary expellable offenses, as well as suspension offenses.

**Mandatory Suspensions:**

There are no mandatory suspensions at IVA High other than those pending expulsion as enumerated under Non-Discretionary Expellable Offenses, below. All students who are considered for suspensions are afforded the same due process rights.

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except self-defense.
3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
11. Knowingly received stolen school property or private property.
12. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
13. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
14. 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.
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
16. Engaged in, or attempted to engage in hazing.  For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.  For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
17. Made terroristic threats against school officials and/or school property.  For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
18. Committed sexual harassment, as defined in Education Code Section 212.5.  For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
19. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code.  This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
22. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
	* + 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
			2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
			3. Causing a reasonable student to experience substantial interference with his or her academic performance.
			4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
23. “Electronic Act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
24. A message, text, sound, or image.
25. A post on a social network Internet Web site including, but not limited to:
	1. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
	2. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
	3. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
26. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
27. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
28. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the DSS or designee’s concurrence.
29. Any other serious violation of IVA High’s student rules of conduct or behavioral expectations.

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

1. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Head of School or designee’s concurrence.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with [Section 11053) of Division 10 of the Health and Safety Code.](https://www.lexis.com/research/buttonTFLink?_m=5ab3e4e549f77ead83459be814063a94&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5bCal%20Ed%20Code%20%a7%2048915%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=4&_butInline=1&_butinfo=CA%20HEALTH%20SAF%2011053&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAb&_md5=316ce46fdd6497b1fc10d545aa0bbbf5)
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive

If it is determined by a Hearing Officer that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled.

The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device.

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

### In-School Suspension

For In-School suspension, the student remains on campus for the length of the suspension. During in-school suspensions, teachers provide the students with assignments to complete by the end of the school day. If the student has questions about the assignments, the Head of School or other certificated personnel provide support. During the day of the suspension, the student’s teachers address behaviors that may have contributed to the student’s in-school suspension. In addition to completing assigned work, the student is required to complete a reflection addressing why the behavior occurred and what can be done in the future to ensure that the offense is not repeated.

### Suspension Procedures

Suspensions shall be initiated according to the following procedures:

#### Conference

Suspension shall be preceded, if possible, by a conference conducted by the Head of School or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Head of School.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

#### Notice to Parents/Guardians

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

#### Suspension Time Limits/Recommendation for Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Head of School or designee, the pupil and the pupil’s guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing.

This determination will be made by the Head of School or designee upon either of the following determinations: 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil’s suspension will be extended pending the results of an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil’s parents, unless the pupil and the pupil’s parents fail to attend the conference.

### Expulsion Procedures

#### Authority to Expel

A student may be expelled following a hearing before a Hearing Officer on the recommendation from the Head of School. At a minimum, the Hearing Officer will comply with the “neutral officer” requirements under Education Code section 47605(b)(5)(J)(ii)(II). The Hearing Officer will be a certificated employee and neither a teacher of the pupil nor a member of the IVA Board of Directors. The Director will appoint the Hearing Officer. If an eligible employee is not available, the Director may appoint a certificated individual from another school, so long as confidentiality is ensured consistent with state law and FERPA. The Hearing Officer may expel a student found to have committed an expellable offense.

A student and his or her parents may appeal an expulsion decision by the Hearing Officer to the Charter School’s Board, which will make the final determination.

#### Hearing Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. If requested by the student, and unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Head of School determines that the pupil has committed an expellable offense and recommends the student for expulsion.

The Hearing Officer will hold a hearing on the case, and will make a determination whether to expel. The hearing shall be held in a confidential setting.

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

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

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

IVA High may determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the Hearing Officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil. The Hearing Officer shall be guided by the following principles:

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five calendar days’ notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The school will also provide the victim a room separate from the hearing room for the complaining witness’ use prior to and during breaks in testimony.
3. At the discretion of the Hearing Officer, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The Hearing Officer may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Hearing Officer may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the Hearing Officer from removing a support person whom the Hearing Officer finds is disrupting the hearing. The Hearing Officer may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the school shall present evidence that the witness’ presence is both desired by the witness and will be helpful to the school. The Hearing Officer shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the Hearing Officer shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the Hearing Officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Evidence of specific instances of a complaining witness’ prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

#### Record of Hearing

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

#### Presentation of Evidence

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

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses.

The decision of the Hearing Officer shall be in the form of written findings of fact regarding the expulsion. The final decision by the Hearing Officer shall be made within ten (10) school days following the conclusion of the hearing.

If the Hearing Officer decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program at the school.

#### Written Notice to Expel

The Head of School or designee following a decision of the Hearing Officer to expel shall send written notice of the decision to expel, including the Hearing Officer’s adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. Notice of the student’s or parent/guardian’s obligation to inform any new district in which the student seeks to enroll of the student’s status with the Charter School.
3. Notice of any appeal options
4. Information about alternative placement options

The Head of School or designee shall send a copy of the written notice of the decision to expel to the student’s district of residence and the authorizer. This notice shall include the following:

1. The student’s name
2. The specific expellable offense committed by the student

### Disciplinary Records

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

### Expulsion Appeal

If a pupil is expelled, the pupil or the pupil's parent or guardian may, within ten (10) calendar days following the written notice to expel, file a written appeal, requesting the Board reconsider the expulsion determination. The Board of Directors will consider the appeal in closed session at its next regularly scheduled board meeting or as soon as practicable. The Board will consider all information and evidence contained in the record from the expulsion hearing. The Board will inform the parent and student in writing within five (5) calendar days of its decision. The decision of the Board of Directors is final.

### Expelled Pupils/Alternative Education

The school will help provide the parent necessary information and a list of placement options. Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

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

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

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

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

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

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

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

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

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

### Due Process Appeals

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

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

### Special Circumstances

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

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

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

### Interim Alternative Educational Setting

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

### Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School’s disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred. The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

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

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

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

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

**DRESS CODE/UNIFORM POLICY**

To promote unity and dignity, IVA High requires students to follow the Dress Code. This Dress Code is meant to give students some flexibility and versatility while also giving clear guidelines about what is acceptable so that our work and interactions at school are focused on teaching, learning, and community building. In order to develop a **cohesive community,** we find it important to align ourselves with a collegial and college bound culture.

∙  Fostering a sense of self-respect

∙  Supporting students to be leaders

∙  Maintaining a serious commitment to academics

∙  Promoting a safe community for all our students

**Other Specifics**

* Being part of and supporting a gang free community means that we will be in solidarity around not wearing clothing that can be gang related.
* Outerwear must follow the above guidelines or be kept in a locker until the student leaves campus.
* Students must follow the teacher’s rules.
* Undershirts worn beneath clothing must follow the dress code.
* Underwear may not be visible – no sagging pants, no exposed bras.
* If a student has a question about whether an item of clothing is in dress code, they may bring it

to school to be approved in advance.

|  |  |  |
| --- | --- | --- |
| **TOPS*** T-Shirts/Sweatshirts:

 -IVA High T-shirts/spirit wear -College logo   OR* Polo or button down shirt:

 -Must have a collar and sleeves -Solid colors only **Don’ts*** No brand logo or the logo must be smaller than a quarter in size
* Shirts must be respectable length, buttoned properly with no midriff showing
* No skin tight or see through clothing
* No pajamas
 | **BOTTOMS*** Solid colors ONLY
* Long pants – includes Capri or pedal pushers
* Shorts – mid-thigh to knee length
* Skirts – mid-thigh to knee length (slits can be no more than 3 inches above knee)
* Shorts, jeggings, or leggings – under skirts only

**Dresses** * Solid colors
* Mid-thigh to knee length

**Don’ts*** No light denim, sweats, yoga pants or overalls
* No torn, frayed, holes, sequins or embroidery
* No sagging: No more than 1 inch larger than waist size (underwear cannot be visible).
* Red or blue cannot be the dominant color worn on both top and bottom
 | **HATS & SHOES****Hats** * No hats
* No hoods covering head

**Shoes*** Appropriate for school
* Closed toe
* No slippers
 |

**Consequences**

Students who come to school out of dress code will not be admitted to class. They will be given three options to resolve the issue:

* 1. A parent/guardian will be called to alert them of the dress code infraction and be asked to bring a change of clothes for the student.
	2. A parent/guardian will be called to alert them of the dress code infraction and to give permission for the student to go home and change.
	3. A student may borrow clean clothes from the school, to be returned after school is dismissed.

Staff will use the Behavior Intervention Process to work with students to support them to meet the school’s expectations. Students who defy the dress code repeatedly will face additional discipline, such as behavior contracts and suspensions.

Exceptions to the options listed will only be granted by the Director in extenuating circumstances. Students who are given an exception will be issued a pass for the day.

**Support for Families to Meet the Dress Code**

If at any time a family has difficulty supplying the above clothing for their child, please speak to the Principal or the student’s Advisor so that we can help solve the problem to acquire appropriate clothing.

**Professional Dress Code**

To teach professionalism, IVA High has a formal dress code that students follow on special days. This Professional Dress Code teaches students what clothing is appropriate for more formal situations, such as office environments, interviews, and presentations.

These days will be communicated to students with at least one week’s notice.

* Dress pants, skirts, or dresses – patterns are permitted red and blue are allowed as long as they are not the dominant color; skirts and slits in skirts must be no more than three inches above the knee
* Collared button-down dress skirts or dress blouses – patterns are permitted; red and blue are allowed; shirts cannot be skin tight
* Sweaters
* Shoes, accessories, and jackets

If a student has a question about whether an item of clothing is considered professional dress, they can bring it to school to be approved in advance.

**Free Dress Day**

Common sense guidelines for dressing modestly apply. Free Dress one day a month or at the discretion of the Director.

**Physical Education Uniform**

Students are required to wear a Physical Education (PE) Uniform during their PE course. Since students may be exiting the campus building to participate in physical activities, students must wear an IVA High PE shirt, shorts or pants for identification and safety. Items can be purchased on a donation basis from the Front Office, or from the Athletic Director during specific hours. Students are expected to launder their clothes on a weekly basis.

# ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

IVA High is committed to providing a cooperative and comfortable work and education environment free of discrimination and harassment of any kind. Accordingly, IVA High forbids discrimination against any employee, applicant for employment, or student, on the basis of sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability. IVA High will not tolerate discrimination or harassment activity by any of its employees, non-employee volunteers, or any other person subject to the control of school authorities. Furthermore, all programs and activities at IVA High shall be free from discrimination and harassment with respect to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability. This policy is intended to be consistent with, and intended to be, enforced in conformity with the California Fair Employment and Housing Act and Title VII of the Civil Rights Act of 1964, which prohibits harassment in the workplace, as well as multiple sections of the Education Code.

##

## Students

All students shall have equal opportunities in admission and access to the educational program, guidance

and counseling programs, athletic programs, testing procedures, and other activities. Eligibility for choral

and cheerleading groups shall be determined solely on the basis of objective competencies. School staff

and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance

and supervision.

In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards should be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in IVA High. Staff shall be alert and immediately responsive to student conduct that may interfere with another student's ability to participate in or benefit from school services, activities or privileges. Students who harass or discriminate against other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in discrimination or harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed or discriminated against should immediately contact the Director or designee. The student and/or parent may file a complaint verbally or in writing under IVA High’s “Discrimination/Harassment Student/Parent Complaint Procedure.” Upon receipt of a harassment complaint the President/Chief Executive Officer or designee will be notified. Complaints of harassment will be investigated immediately according to the procedures set forth in IVA High’s “Discrimination/Harassment Student/Parent Complaint Procedure.”

IVA High’s “Anti-Discrimination and Anti-Harassment Policy” and the Discrimination/Harassment Student/Parent Complaint Procedure” will be reviewed with students at the beginning of each school year, either in the classroom or in student assemblies. At the start of each school year, this policy will be mailed or given to parents/guardians.

## Harassment, Intimidation or Bullying

**Definitions & Guidance:**

Our school provides a safe and secure learning environment that is free from harassment, intimidation or bullying (HIB). Especially vulnerable students who have been the alleged targets of HIB may need special protection to ensure their emotional and physical safety is secure during investigations and/or after sanctions have been imposed on aggressor students.

This safety plan template raises key issues for you to consider to assist in the protection of a vulnerable student and in the writing of a safety plan. It is understood that each situation is different and that additional considerations may be included.

It is recommended that this Student Safety Plan be completed by the school’s existing safety, discipline or student support team. Examples of such groups include a school’s Care Team, Student Intervention Team (SIT), 504 Implementation Team, Multidisciplinary Intervention Team (MDT), or HIB Prevention-Intervention Team. It is also recommended that the targeted student and a member of the targeted student’s family be involved in the development of the plan.

The plan involves two components: the actions schoolstaffwill engage inand the actions the studentwill engage in. The plan has a definite start and a proposed end date. It is meant to cover the entire school day, from the time a student boards a bus in the morning until he/she departs the bus at the end of the day. The targeted student needs to be safe during before-school and after-school activities, and protected from any new bullying done by others in support of the initial aggressor or in retaliation for reporting or discipline actions.

The plan designates a Primary Staff Contact for the targeted student. This person might be the staff person to whom the student first reported the HIB, or with whom the student feels most comfortable. It might also be his/her homeroom teacher, counselor or another classroom teacher.

## Employees – Sexual Harassment

IVA High forbids discrimination against any employee, applicant for employment, or student, on

the basis of sex. IVA High will not tolerate sexual harassment activity by any of its employees. This

policy similarly applies to non-employee volunteers or any other person subject to the control of

school authorities.

### A. Definitions

 (1) Conduct of a Sexual Nature - Conduct of a sexual nature may include, but is not limited to, verbal,

visual or physical sexual advances, including subtle pressure for sexual activity; touching, staring,

looking up and down, pinching, patting, or brushing against; comments regarding physical or

personality characteristics of a sexual nature; sexually-oriented "kidding," "teasing," double entendres,

explicit or suggestive messages, cartoons, pictures and jokes, and any harassing

conduct to which an employee would not be subjected but for such employee's sex.

(2) Unwelcome Conduct of a Sexual Nature.

(a) Verbal, visual or physical conduct of a sexual nature may constitute sexual harassment

when the allegedly harassed employee has indicated, by his or her conduct, that it is

unwelcome.

(b) An employee who has initially welcomed such conduct by active participation must give

specific notice to the alleged harasser that such conduct is no longer welcome in order

for any such subsequent conduct to be deemed unwelcome.

(c) IVA High prohibits any conduct of a sexual nature directed toward students by teachers or

others to whom this policy applies, and shall presume that any such conduct is

unwelcome.

### B. Sexual Harassment Prohibited

(1) For the purposes of this policy, unwelcome sexual advances or requests for sexual favors, and

other unwelcome conduct of a sexual nature, constitute prohibited sexual harassment if:

(a) Submission to the conduct is made either an explicit or implicit condition of employment

(as an illustration, and not as a limitation, where a person’s continued employment is

conditioned upon or impacted by prohibited sexual-based factors);

(b) Submission to or rejection of the conduct is used as a basis for an employment decision

affecting the harassed employee; and

(c) The conduct substantially interferes with an employee's or student’s performance, or

creates an intimidating, hostile, or offensive work or school environment, regardless of

whether the employee’s continued employment or compensation is affected.

(2) Specific Prohibitions--Administrators and Supervisors.

(a) It is sexual harassment for a manager or supervisor to use his or her authority to solicit

sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in

preferential treatment.

(b) Administrators and supervisors who either engage in sexual harassment or tolerate such

conduct by other employees shall be subject to sanctions, as described below.

(3) Specific Prohibitions--Non-managerial and Non-supervisory Employees: It is sexual harassment

for a non-administrative and non-supervisory employee to subject another such employee to any

unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject

to sanctions as described below.

(4) Specific Prohibitions--Employees and Students: It is sexual harassment for an employee to

subject a student to any conduct of a sexual nature. Employees who engage in such conduct

shall be subject to sanctions.

### C. Reporting, Investigation, and Sanctions

 (1) It is the express policy of IVA High to encourage victims of sexual harassment to report such

claims. IVA High understands that victims of harassment are often embarrassed and reluctant to

report acts of harassment for fear of being blamed, concern about being retaliated against, or

because it is difficult to discuss sexual matters openly with others. However, no employee of

IVA High should have to endure harassing conduct, and therefore the School encourages

everyone to promptly report any incidents of harassment so that corrective action can be taken.

(a) Employees who feel that their superiors are conditioning promotions, increases in wages,

continuation of employment, or other terms or conditions of employment upon agreement

to unwelcome conduct of a sexual nature, are encouraged to report these conditions to

the appropriate administrator. If the employee's direct administrator or supervisor is the

offending person, the report shall be made to the next higher level of authority.

(b) Employees are also urged to report any unwelcome conduct of a sexual nature by

superiors or fellow employees if such conduct interferes with the individual's work

performance, or creates a hostile or offensive working environment.

(c) Students are urged to report any conduct of a sexual nature by school employees or

others to whom this policy applies to a school counselor or administrator.

(2) Every reported complaint of harassment will be investigated promptly and thoroughly by IVA High. Typically the investigation will include interviewing the complainant, anyone who may have

knowledge of the alleged harassment, and the alleged harasser. Once the investigation is

completed, IVA High will notify the complainant of the results of the investigation. IVA High will

make every effort to handle the investigation in as confidential a manner as possible consistent

with a thorough, fair and proper investigation. IVA High will not tolerate reprisals or retaliation

against anyone as a result of the good-faith reporting of charges of sexual harassment.

(3) In determining whether alleged conduct constitutes sexual harassment, the totality of the

circumstances, the nature of the conduct, and the context in which the alleged conduct occurred

have to be investigated.

(4) Any employee found to have engaged in sexual harassment shall be subject to sanctions,

including, but not limited to, warning or reprimand, suspension, or termination. Conduct of a

sexual nature directed toward students shall be reported as child abuse for investigation by

appropriate law enforcement and/or other authorities.

### D. Filing Complaints with State and Federal Agencies

 In addition to notifying IVA High of harassment or retaliation, aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including the United States Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH), which have authority to conduct investigations of facts. Aggrieved parties are advised that statutory deadlines apply for the tender of complaint to either the EEOC and/or the DFEH and that if complaints are not timely filed they may be barred by law. If the EEOC and/or the DFEH believe that a complaint is valid and settlement efforts fail, aggrieved parties may seek an administrative hearing. Aggrieved parties may also be entitled to file a lawsuit in Federal or state court. Administrative agencies and the courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest EEOC or DFEH office at the locations listed on IVA High’s employment law poster or by checking the state government listings in the local telephone directory.

##

## Employees – All Other Kinds of Discrimination or Harassment

Prohibited harassment on the basis of race, ethnic group, color, national origin, ancestry, religion,

physical or mental disability, marital status, medical condition, sexual orientation, veteran status, age, or

any other protected basis, includes behavior similar to sexual harassment, such as:

* Verbal conduct such as threats, epithets, derogatory comments, or slurs;
* Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
* Physical conduct such as assault, unwanted touching, or blocking normal movement; and
* Retaliation for reporting harassment or threatening to report harassment.

## Complaint Procedure

IVA High’s complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee has not lost a job or some economic benefit.

Employees who believe they have been harassed on the job, or who become aware of the harassment of others are encouraged to inform the offender that this behavior is unwelcome. They should also immediately provide a written or verbal complaint to your supervisor, manager, Human Resources, or any other member of management as soon as possible. The complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, etc.).

All incidents of prohibited harassment that are reported will be investigated. IVA High will immediately undertake or direct an effective, thorough, and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser(s). If IVA High determines that prohibited harassment or other conduct that violates an IVA High policy has occurred, the organization will take effective remedial action commensurate with the circumstances.

Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated, appropriate disciplinary action, up to and including immediate termination, will be taken. Whatever action is taken against the wrongdoer will be communicated to the employee who complained. Applicable law prohibits retaliation against any employee who complains of prohibited harassment or who participates in an investigation.

## Liability for Harassment

 Any employee of IVA High whether an employee, supervisor, or manager who is found to have engaged in prohibited harassment is subject to disciplinary action, up to and including immediate discharge from employment. Any employee who engages in prohibited harassment, including any supervisor or manager who knew about the harassment but took no action to stop it, may be held personally liable for monetary damages. IVA High does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one’s duties. Accordingly, to the extent permitted by law, IVA High reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

# PREVENTION OF CHILD ABUSE POLICY

IVA High is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

Reporting Suspected Abuse/Neglect While the responsibility of enforcing legal prohibitions against child abuse and neglect lies with the protective agencies such as the local police department and Children’s Protective Services, IVA High’s child care designees (including teachers, administrative officers, certificated personnel, etc.) are mandated reporters of known or suspected child abuse/neglect and are required to fulfill this legal responsibility. Every child care designee of IVA High must sign a “Child Abuse Reporting” form indicating they understand their responsibilities to report known or suspected child abuse/neglect.

##

## Reporting Problems at the School Site

IVA High maintains zero tolerance for abuse. Every member of the IVA High community must participate actively in the protection of its students.

IVA High will monitor the school buildings and grounds:

* All unused rooms, storage areas, and closet doors should be kept locked at all times;
* All unused buildings and areas must be designated, posted and enforced as off-limits to children;
* All students are required to remain in areas that are easily viewed by employees;
* Interior doors should be left open and unlocked when rooms are in use
* Blinds should be left open to allow informal monitoring by a passerby.

All reports of suspicious or inappropriate behavior with students will be taken seriously. The Director or designee will conduct an immediate investigation concerning the alleged act or omission. If at any point in gathering information about the allegedly suspicious, inappropriate or illegal behavior, a concern arises that there is a possibility of abuse of any kind, appropriate law enforcement and/or local child protection services will be contacted immediately and a report will be filed. If at any point any policy violations with students are confirmed, employees will be subject to disciplinary action, including but not limited to, administrative leave, termination and/or criminal prosecution. IVA High will cooperate will any and all law enforcement and/or governmental entities in the implementation and enforcement of this policy.

# EMPLOYEE CONDUCT WITH STUDENTS

IVA High employees are responsible for conducting themselves in ways that preserves the safety of students and that prevents either the reality of or perception of inappropriate interaction with students.

In general, all IVA High employees will treat all children with respect and consideration equally, regardless of sex, race, religion, culture or socio-economic status. Employees will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity.

## Alcohol, Tobacco, and Controlled Substances

All IVA High employees are prohibited from the use, possession, or distribution of alcohol, tobacco products, or any illegal controlled substances while in the presence of students or at any time on school grounds. They are also prohibited from being under the influence of alcohol or any illegal controlled substances while in the presence of students or at any time on school grounds.

# TRANSPORTATION OF STUDENTS

IVA High employees may occasionally be in a position to provide transportation for students. The following guidelines should be observed in such circumstances:

a) With the exception of emergency situations related to medical necessity, employees should avoid transporting students without the written permission of his or her parent or guardian;

b) If written permission is not possible, the employee should make a written record of any verbal permission granted by the parent or guardian;

c) Students should be transported directly to their destination and no unauthorized or unnecessary stops should be made;

d) Employees will avoid unnecessary and/or inappropriate physical contact with students while in vehicles;

e) Drivers who are assigned to transport students must be at least 21 years old and must abide by standards related to insurance and other legal requirements;

f) The employee should make a written record of the trip, including departure and arrival times and locations and students involved; and

g) Whenever possible, two IVA High employees should collectively engage in the transportation activity.

# LANGUAGE

Employees will not speak to students in a way that is or could be construed by any observer as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees are to refrain from swearing in the presence of students. Employees are cautioned against initiating sexually oriented conversations with students, except in the context of IVA High's health education or advisory curriculum. Employees are not permitted to discuss their own sexual activities with students.

# GIFTS

Money will not be given to students. Gifts will not be given to individual students, except as an award related to a previously announced academic competition; or as a group award given to all participants in celebration of classroom or school accomplishment or special event.

# ATTIRE

Employees must be appropriately and professionally dressed in the presence of students. IVA High has adopted its own dress code for employees and employees will be expected to follow that code.

# BEHAVIOR

One-to-one counseling with students will be done in a public place insofar as possible, where private conversations are possible but occur in full view of others. Employees will refrain from intimate displays of affection towards others in the presence of students, parents, and other personnel. Employees are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc.) on school grounds or in the presence of students.

Some forms of physical contact between adults and children are appropriate and that other forms are inappropriate, illegal, or have been used by adults to initiate inappropriate or illegal contact with children. All IVA High employees are prohibited from using physical punishment in any way for behavior management of students. No form of physical discipline is acceptable.

#

# SAFE SCHOOL PLAN SUPPORT CONTACTS

## Emergency Contact Numbers

Long Beach Utility: 562-570-2000

Long Beach Public Works: 562-570-2726

Long Beach Engineering: 562-570-6634

Long Beach Environmental Services: 562-570-2876

## Safe School Plan Certification

Date: January 15, 2025

School Name: Intellectual Virtues Academy (aka IVA High)

SUPPORT STATEMENT: This document was developed and approved using a collaborative process

respectful of representation/input from all stakeholder groups. Signatures below also indicate that we

have reviewed and compiled with the legislated requirements for safe schools.

**REQUIRED SIGNATURES - PRINT NAME - SIGNATURE**

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

Director/Designee: James McGrath, Founding Director Date

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

Teacher: Date

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

Classified Representative: Megan Gomes Date

**ADDITIONAL PARTICIPANTS**

## Mandated Reporting/Notification

California Safe School Assessment (CSSA) Reporting The California Safe Schools Assessment (CSSA) Program was created by the California Legislature to provide consistency among school districts throughout the State in the collection and reporting of information relating to school crime on campus. Schools are required to maintain an internal reporting system that will ensure the submission of accurate data that reflects the current state of school safety on local campuses.

Responsibility of Administrator:

* At every school site, one person shall be designated as the CSSA Site Recorder. The recorder may be a Director, assistant Director, school dean of student discipline coordinator.
* The Site Recorder shall be trained in the CSSA reporting process using Illuminate.
* Responsibility of Site Recorder:
* The Site Recorder shall record and report the occurrence of all crimes as listed in California Safe Schools Assessment - Reporting School Crime / Incidents
* The Site Recorder shall crosscheck completed CSSA reports using Illuminate with suspensions, opportunity transfers, expulsions and other disciplinary proceedings to ensure that all reportable incidents have been recorded.

**ATTACHMENT A – SAFETY CALENDAR**

**Staff Training Schedule**

Initial General Safety Training TBD

 Mandated Reporter Training TBD

 Earthquake/Fire Safety TBD

 Lockdown Safety TBD

 Safety Plan Training TBD

**Drill Schedule**

Earthquake (Great CA Shakeout) & Fire Drill TBD

 Lockdown & Fire Drill TBD

Fire Drill TBD

Fire Drill TBD