

STUDENT & PARENT HANDBOOK

2025-2026 School-Year



AMERICAN
HERITAGE
CHARTER SCHOOLS



OUR MISSION IS TO DEVELOP THE HEARTS AND MINDS OF OUR STUDENTS THROUGH A RIGOROUS CORE CURRICLUM, WITH A PERSPECTIVE THAT CHERISHES TIMELESS VIRTUES AND THE AMERICAN SPIRIT.

STUDENT DEVELOPMENT: We foster student growth through powerful mentorships, purposeful co-curricular activities, and leadership opportunities.

HEARTS AND MINDS: Our goal is to develop the “whole” student (intellect, character, and personal talents) to enable success regardless of the student’ post-graduation plan.

RIGOROUS CORE CURRICULUM: Our programs are purposefully designed to promote high academic expectations, provide students with essential knowledge, and encourage an appreciation for the arts.

TIMELESS VIRTUES: We embrace time-tested, classically-inspired principles and values that are essential for people to live good and meaningful lives.

AMERICAN SPIRIT: We honor America’s unique history and founding principles, and we appreciate the many thought leaders and historical figures who have contributed to America’s enduring story.



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STUDENT HEALTH AND SAFETY

Emergency Cards

In order to protect the safety and health of students, it is important that Heritage Elementary School obtain emergency information from all families. Parents can help by completing and returning the emergency card to the school no later than the first week of school.

Emergency cards are used to ensure your child's safety. If a student needs to be dismissed during the school day, the school will only let him or her be signed out by a parent or by someone his/her parent or guardian has listed on the emergency card or on the authorized driver page in the registration packet.

Emergency cards are also used for the sake of each student's health. If a student becomes ill or is injured at school and the parent cannot be reached, someone his/her parent has authorized on the card will be contacted promptly. For this reason, it is very important for these cards to be kept up-to-date. Please come to the Main Office immediately when a change in information takes place. ***Any changes to the emergency card or designated drivers list must be made in person. No changes can be made by phone, email or fax.***

Arrival/Departure from School

Student safety is of utmost importance when arriving and departing from school. It is critical that we all model safe practices. We ask for student and parent support of the following policies and cooperation throughout the year to ensure the safety of all students.

- All students, parents, and staff must cross at the crosswalks.
- Do not drop off your student across the street from school and allow your student to jaywalk alone or with you holding his/her hand. This is an extremely dangerous practice. Use only the loading zone between the lunch tables to pick up and drop off students.
- Please observe and respect our 10 mile per hour speed limit.
- Parents will enter our campus through the west driveway and exit through our east driveway. These driveways are one-way only. Please do not attempt to drive against the flow of traffic or drop off students behind the buildings.
- Never talk or text on your cell phone when driving on campus.

Supervision of students on the Heritage Elementary campus begins at 7:35 a.m. Students are not allowed on the school grounds prior to 7:35 a.m. unless attending the YMCA before-school care program or teacher-assigned tutorial, if available. At the close of the day, students should depart promptly as supervision ends at 3:15 p.m. on Tuesday, Wednesday, Thursday, and Friday; 2:30 p.m. on Monday modified days; and 12:30 p.m. on minimum days. Students will only be allowed to leave with those people listed on the emergency card and authorized drivers list. Please inform the school office of any irregular transportation arrangements you make with or for your student. Do not leave students unattended on the school grounds before or after the hours of supervision. Parents will be contacted if their student is continually dropped off early or picked up late.

In the event that a student has not been picked up by 30 minutes after the conclusion of the school day, and a parent cannot be reached, the school reserves the right to contact the local police department to address the issue.

Please keep in mind that the chain blocking access to the front office will be up from 7:35 a.m.- 8:00 a.m. and 2:35 p.m. to 3:15 p.m. Please plan accordingly as the chain will not be moved for any reason other than an emergency vehicle needing access.

Parents who would like their students to walk directly (no stops allowed) home after school, must complete an Off Campus Authorization form at the Main Office. Students who walk home every day only require one permission slip at the beginning of the school year. Students who walk home periodically during the school year will need an Off Campus Authorization form completed each time they walk home. No student will be permitted to walk home without having a completed form on file. Students walking home will sign out at the Main Office directly after the school dismissal bell and are not permitted to remain on campus or walk back onto campus after signing out. Students attending tutorial or other after school activities should also sign out in the Main Office immediately after the activity or tutorial is completed.

Students may not walk to Escondido Charter High School, unless a parent is employed there. Students are not permitted to walk to any local businesses.

Note: Walking privileges can be revoked at any time due to failure to follow guidelines outlined on the walk-off permission slip, causing disruption, or for any other reason deemed inappropriate by administration.

Attendance

Regular daily attendance is essential to student learning, and absences should be avoided if possible. Good school attendance plays a critical role in the academic success or failure of every one of our students. Regular student attendance is an important part of our overall program for improving the academic performance of students. Achievement is adversely affected when a student has a high number of absences. Students who are absent from school for reasons other than illness are a primary concern because such absences often result in missed opportunities and may lead to low academic achievement. Parents are encouraged to avoid situations where a child requires an early release from school or is absent from school for avoidable reasons.

To ensure a smooth and productive end to the school day for all students, parents should not pick up their children during the last 30 minutes of the school day. This critical time is used for important end-of-day routines. Interruptions during this period can disrupt the learning environment and create challenges for both students and staff. Exceptions will be made only for pre-scheduled doctor's appointments.

Policy

At Heritage Elementary School, it is our policy to provide a letter notification to the parent(s)/guardian(s) following a student's fifth absence or tardy. After the ninth absence/tardy, the parent(s)/guardian(s) will be contacted by an administrator in order to discuss the attendance problem and possible solutions.

Students who have an excessive amount of absences or tardies may be required to attend Saturday School in order to make up for missed class time and to complete any missed assignments. Excessive absenteeism may result in recommendation for removal from Heritage Elementary School.

Please note: This absence/tardy policy refers to the entire course of the school year. Students will not begin at zero absences/tardies for the second semester. This policy includes both excused and unexcused absences.

Definitions

Excused Absence: An excused absence is one that occurs for reasons of illness, quarantine, family bereavement, medical appointment or legal business and is reported as such by the parent(s) or guardian.

Unexcused Absence: An unexcused absence is one that occurs with the permission of the student's parent(s) or legal guardian for reasons other than illness, quarantine, family bereavement, and medical or legal business. Examples of unexcused absences are: family trips, transportation problems, babysitting, and work.

Truancy: Any absence (including tardiness of more than 30 minutes) that is not reported and not authorized by the parent(s) or guardian is considered truant. Students whose parents fail to excuse an absence within three days following the student's return to school will be considered truant.

Please note: The state does not base ADA, average daily attendance, on whether an absence is excused or unexcused, only on whether the student is at his/her desk or not. Our school's funding is based on ADA. As such, please do not keep students home from school for frivolous reasons.

Student Illness

In order to maximize education opportunities for all students and minimize exposure to illness, students should only be in school when they can fully participate in the educational program. Therefore, any student exhibiting symptoms of sickness (e.g., over 100-degree fever, sore throat, persistent coughing, diarrhea, nausea, etc.) should stay home. Likewise, the Heritage Elementary administration will contact a parent and send a student home (or call an emergency contact) when a student exhibits symptoms of sickness. Students who are sick should be picked up within 30 minutes of the phone notification. If a student vomits at school or at home, he/she cannot return to school until 24 hours have passed without any further vomiting. If a student has a fever, he/she must remain fever-free for a period of 24 hours without the use of fever reducing medication before returning to school.

Absence Procedures

A parent or guardian should call the Main Office at (760) 737-3111 prior to 7:45 a.m. on the day of the student's absence. If leaving a phone message, please include:

- Your name
- Student's name and grade level
- Your relation to the student

- Reason for absence
- Phone number where parents can be reached in case there is a question.

The Main Office can request a doctor's note at any time, and a note from the student's doctor is required after three (3) consecutive absences. The note must include the DATE(S) and REASON for the absence.

Please note that the student is considered truant for the period of absence until a parent or guardian contacts the Main Office with the circumstances of the absence. If the parent fails to inform the office of the reason for the absence within three days following the student's return to school, the student will be considered truant.

Policies for Making-up Missed Assignments and Tests

It is the student's responsibility (with parental support) to inquire about and make-up all work and tests he or she missed due to an absence. If a parent would like to obtain a student's work when he or she is absent, the parent must email the teacher to make the request.

All work missed due to absences must be made-up. There is a day-for-day extension of the due date for each day of an excused absence. This extension does not apply to long term or multiple day projects and unexcused or planned absences. In these cases, the work must be turned in on the assigned due date or immediately upon return to school.

Note that family bereavement will be considered an excused absence only for attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

Grade reduction for missed work will be left to the discretion of the teacher. No credit may be issued for missed work resulting from truancy. All tests missed due to absence must be made up promptly upon return to school. The student should contact his or her teacher to schedule a time to complete the test.

Short Term Study Contract

In order for a student to keep up with class work during a planned absence of five (5) or more days, an Independent Study Master Agreement (ISMA) must be completed. This study contract should be picked up in the Main Office and must be signed by both the student and parents. Please notify the Main Office a minimum of seven (7) school days before the absence in order to provide adequate time to draft the contract. All work assigned during the absence must be turned in immediately upon return to school. Contracts are not intended for vacations. Please plan your family vacations and personal time around our scheduled days off. Please contact the Main Office with questions.

Absences and After School Activities

If a student is absent for any reason, he or she will not be permitted to participate in school-sponsored after-school or evening activities, including but not limited to: plays, concerts, talent shows, fundraisers, dances, etc.

Tardies

The Heritage Elementary staff believes that coming to school on time is very important. Parents and teachers must work together to help students learn the value and habit of being on time.

During the first 15 minutes of class, the teacher sets the tone for the school day, outlines daily plans, and reviews expectations. Tardiness interrupts the on-going classroom procedure and has a detrimental effect on the learning environment for the entire class. Thus, it is necessary for students to be in their seats and ready for instruction to begin no later than 8:00 a.m. each morning.

Please note: If a student arrives late to school, a parent must walk his/her child into the office and sign the student in for the day.

Appointments During School Hours

Should it be necessary to take your student out of school for an appointment, you will need to come to the Main Office to sign out and pick up your student. Please plan ahead and allow yourself enough time before your appointment, as we will not call your student out of class without the parent being present in order to avoid the student missing additional class instruction. An email to the teacher providing advanced notice of an appointment during school hours is encouraged.

Medications

If students need to take medication during school hours, prescription or over-the-counter, our Board policy requires the parent and the student's physician complete a Medication Authorization and Plan form; this form authorizes school personnel to administer medication to the student during school hours as ordered by the physician and agreed to by the parent/guardian. School personnel cannot deviate from the instructions provided by the physician. If the time or dose changes, the school must receive a new, signed authorization form from the physician and the parent. Forms are available in the Main Office. A new form must be completed for each school year. The medication to be administered must be brought to school by the parent/guardian and accompanied by the completed Medication Authorization and Plan form. The medication must be in the original bottle and clearly labeled. All medication will be kept in a secure and appropriate storage location and administered per physician's instructions by appropriately designated staff.

It is against California law for students to possess any medication, prescription or over-the-counter, on a school campus, except for prescription auto-injectable epinephrine or inhaled asthma medication with proper authorization. Students may carry prescription auto-injectable epinephrine or inhaled asthma medication only with a doctor's authorization and a signed parent/guardian consent and release form on file in the office. Any pupil requiring insulin shots must establish a plan for administration of insulin shots with the Executive Director or School Nurse in consultation with the parent or guardian and the pupil's medical professional. Please consult with the Main Office on how to proceed with these individual needs.

Please note that sunscreen is not considered a medication and does not need a doctor's note or prescription to be used at school. Students are expected to apply sunscreen themselves. Cough drops are not permitted on campus.

At the end of the school year, all medications must be picked up by a parent or guardian. Those left after a specified date will be discarded. These procedures are designed to ensure the health and safety of all our students.

Head Lice

Students with head lice will not be permitted to attend/return to school until adequately treated with lice shampoo (ask your health care provider or pharmacist for a recommendation), and all lice and eggs (nits) are removed. In order to return to school, a parent/guardian **MUST** accompany the student to the office and remain until the student is cleared by the school nurse. It is very important that a case of head lice be reported to the school so that teachers and staff may take the necessary steps to prevent an infestation. Temperatures above 130 degrees Fahrenheit kill nits and lice; hence, all clothing, towels, bedding, hats, combs, and brushes should be washed and dried at the time the infested person is first treated--and again shortly after. Non-washables can be dry-cleaned or sealed in a plastic bag for two weeks. In addition, carpets and furniture must be vacuumed to remove any lice that may have survived.

ACADEMIC POLICIES AND CURRICULUM

Curriculum

Students at Heritage Elementary are challenged by a curriculum aligned with state standards and high-performance expectations. As our Mission Statement affirms, all academic programs place primary emphasis on reading comprehension, writing, and mathematics through a rigorous core curriculum. A back-to-basics approach provides students with opportunities to practice fundamental skills and knowledge, while emphasizing the value of hard work and perseverance. An emphasis on academics, service, and tradition are inherent to the curriculum at Heritage Elementary School.

Academic Standards

At Heritage Elementary School, students should strive to meet the following academic standards to promote academic success:

- I will arrive at school on time each day.
- I will put forth my best effort and stay on task in class.
- I will be prepared and have materials ready for class.
- I will have all class work and homework completed and turned in on time.
- I will respect the learning of my classmates and others.

Academic Honesty

Academic honesty is expected of all students at Heritage Elementary School. It involves creating and maintaining a relationship of trust between students, parents, and teachers. A violation of this trust is not taken lightly and will result in immediate academic (a grade of zero on the assignment or test) and disciplinary action (parental notification and detention(s) and/or Saturday School and/or suspension). Violations of academic honesty include the following:

- Cheating on any test or assignment, including homework. A student's work must be his or her own. Cheating includes knowingly providing answers to assignments, not just copying answers.
- Plagiarism, including the copying and misuse of published materials, as well as Internet information, and copying another student's work.
- Frequent absenteeism on test days and project due dates.

Grading Policy

The school year is divided into four (4) grading periods for reporting student progress, two of which are the semester final course grades. All courses, including music, art, and PE are included in GPA calculations. Grades are normally reported using the following grade scale (Grade levels 4 through 6):

A	Superior 90% to 100% 4 grade points	D	Below Average 60% to 69% 1 grade point
B	Above Average 80% to 89% 3 grade points	F	Failure Below 60% 0 grade points
C	Average 70% to 79% 2 grade points	I	Incomplete Incomplete, without final mark: to be replaced by a final mark of A-F

A grade of “C” or better is required to pass all courses or subject areas.

If a student receives an Incomplete (I) grade at the end of the semester, the teacher will specify the date by which the work must be made up. If the work has not been submitted by the date specified, the grade will be permanently changed to an “F” or another grade as designated by the teacher.

The primary grades (Grade levels K through 3) use the following skill-based grading scale:

- 4 - **Extending:** Student exceeds grade level performance standards expected at this point of the year.
- 3 - **Achieving:** Student is consistently meeting the grade level performance standards expected at this point of the year.
- 2 - **Progressing:** Student is approaching/partially meeting the grade level performance standards expected at this point of the year.
- 1 - **Beginning:** Student is not yet meeting grade level performance standards expected at this point of the year.
- NA- Not assessed during this reporting period

Honor Roll and Awards

The academic education received by every student at Heritage Elementary School is of paramount concern. To encourage academic excellence, students in grades 4 through 6 are recognized each semester for their academic achievement in all subject areas including math, science, social studies and language arts, physical education, music and art. For the purpose of GPA calculations for academic awards, the grades for the three (3) enrichment classes may be averaged to better reflect academic achievement in core subject areas. The Principal’s Award is for a semester GPA of 4.0, the Heritage Circle is for a semester GPA of 3.5 and above, and the Honors Award for a semester GPA of 3.2 and above (a grade of “C” or above is required in every course to be eligible for award consideration).

Students achieving the Principal’s, Heritage Circle, and Honor Awards will be recognized at a Student Assembly and awarded an Academic Award Certificate.

For students in grade levels K through 3, their individual classroom teachers will award them for academic achievement and growth.

Homework

Heritage Elementary believes that homework enhances students' education, allows parents to participate in their child's education, and establishes life-long patterns of learning at home. At the same time, we understand the importance of a student having the time to participate in extracurricular activities and spend time with the family. Teachers will only assign work that they believe is essential to a student's academic advancement.

The purpose of homework is to extend education through practice and reinforcement. It is an extension of the day's class work, not an introduction of new concepts.

In general, students will be assigned an average of:

Kindergarten	-0 to 1 hour <i>per week</i>
1 st -3 rd	-1 to 1.5 hours <i>per week</i>
4 th -6 th	-2 to 3 hours <i>per week</i>

Homework assignments include reading assignments, research projects, finishing incomplete class assignments, and practice in areas such as math, spelling, and writing.

Reading is fundamental to the academic success of students in all grades. The time spent reading should not be considered homework. Rather, reading should be encouraged for all students as part of the daily routine. Students should be reading a minimum of 15 minutes in grades K-3 (and 20 minutes in grades 4-6) at least four (4) days per week.

Please remember that this is just an approximation on the amount of homework students will receive. It is left to the discretion of the teacher to determine what students need to complete on any given day in order to support their learning. Students learn differently from each other and require different amounts of time to complete assignments. Teachers assign homework and class work based on the average amount of time students will need to complete the assignment, so the above averages will not be specific to your student. If you have a concern regarding homework, please speak to your child's teacher.

Parental Support

Parents play a critical role in supporting their child in homework completion. As a parent, please make every effort to:

- Help students plan their time so that their schedule allows sufficient study time on a regular basis.
- Provide a quiet, well-lighted place to work.
- Encourage the child and be understanding. In a positive way, insist that work be done.
- Help, but not complete the work for the student. Help the student understand the idea or concept, memorize the fact, or gain the skill.
- Check that homework has been completed and returned when due.
- Read with your children each day and as much as possible.

Homework Stars

K-6 students who complete all weekly homework assignments will receive a ticket to be placed in a drawing. Winners drawn will select a literature book of their choice from the Scholar's Bookshelf.

Late Work

Submitting completed work on time—that is, meeting expected timelines—is a critical life skill. In general, assigned work will not be accepted after the due date. For work and tests missed due to an absence, see the grading policy in the section on *Policies for Making-up Missed Assignments and Tests*. While a teacher's discretion may provide partial credit for late work, receiving partial credit for late assignments is not assumed.

Progress Reports, Report Cards, and Parent Portal

Progress Reports are sent home once per semester for all students in October and March.

For grade-levels kindergarten through grade 3, the Progress Report will reflect the grade level standards in each subject area. For grade levels 4 through 6, the Progress Report will consist of a letter grade in each subject area.

Detailed grade reports can be found on our Synergy System in the Grades Portal throughout the year. Each parent of a 4-6 grade student will be given a user name and password in order to check student progress throughout the semester. Teachers will update the system a minimum of once per week. It is recommended that the Progress Report be reviewed and any questions be directed to the applicable teacher.

At the end of the semester, a Report Card is mailed home with the final grade in each course or subject area.

Semester Final Examinations

In grades 4 through 6, final examinations are given in each subject area, typically during the last week of the semester. The schedule for these examinations will be announced a minimum of one week before the exams. In addition, written, closed book tests and other forms of student assessment are utilized throughout the semester. The course outlines provided by each teacher at the beginning of the school year specify the student assessment criteria for each course or academic area.

Tutorial

Tutorial will be provided by teachers on an as-needed basis. Students experiencing difficulty in a class or subject area may be invited by the teacher to attend tutorial. Schedules vary by teacher and grade level in grades K-6. In some cases, students may be assigned mandatory tutorial; failure to attend mandatory tutorial will result in disciplinary action.

All students must be picked up from tutorial directly following its conclusion as supervision beyond this time is not provided. Students will be picked up in the carline or exit through the “O” Period gate following tutorial.

Siblings will not be permitted to remain on campus to wait for their sibling who is in tutorial. All students must be picked up directly after school if not participating in a supervised after school activity. Loitering on campus is not permitted.

STUDENT CONDUCT

Introduction

The staff at Heritage Elementary School believes all students have the right to be educated in a safe and orderly learning environment free from disruptions. It is important for students to understand they have a choice to make regarding their behavior. Appropriate conduct benefits both the individual and others. Behavior is considered appropriate when students are diligent in study, neat and clean, careful with school property, respectful toward their teachers, courteous to other students, staff, and volunteers, and do not seek to bring inappropriate attention to themselves by appearance or actions.

Code of Conduct

Since Heritage Elementary School is a place of learning, order and discipline are critical for academic success. Therefore, student conduct, whether in a classroom or on the playground, must demonstrate respect for administrators, teachers, and other students. Students must also demonstrate a willingness to obey the teacher's course guidelines and classroom procedures. Inappropriate behavior will not be allowed to disrupt learning. Students are expected to adhere to following behavioral standards:

- I will follow classroom, playground, recess, lunch, and assembly rules.
- I will listen and follow directions the FIRST time given.
- I will keep my hands, feet, and objects to myself.
- I will respect the feelings and property of others.
- I will listen to and obey all adults at school.
- I will show pride in myself and in Heritage Elementary School.
- I will use respectful and appropriate language at all times.
- I will work to solve problems peacefully.

Character Education Program

All students at Heritage Elementary School participate in a character education program focused on helping students become exemplary citizens. Our program's foundation is based upon John Wooden's *Pyramid of Success*, a framework designed to show how developing specific character traits can make one successful in all avenues of life. Students participate in weekly and monthly lessons using books and activities with the purpose of encouraging students to think about their own actions and how they affect both themselves and others. Periodic awards will be given out to a student in each class who exemplifies the current month's character trait.

School Dress Policy/Guidelines

The manner in which people dress, makes a strong, definite statement about who they are and what they do. Because we want to make a positive statement about Heritage Elementary School, we have a school dress policy that is appropriate for our activities and learning. If you have any questions or are unsure about certain clothing articles, please contact the

administration for clarification. As a general rule of thumb, if you are unsure an item is appropriate, it is best not to send your student in the questioned garment.

The dress policy is designed to ensure that our students are well-prepared, both physically and mentally, for academic and social success. Students must maintain a clean, neat, and healthy personal appearance. School dress must be clean and in good repair. Slits, rips, or tears are not permitted. All school dress standards are subject to review/revision by the Heritage Elementary School governing board. Any requests for review or revision should be directed to the principal in writing.

CURRENT CLOTHING WITH HERITAGE LOGO IS ALWAYS PERMITTED

Shirts:

- Solid colored **navy blue, maroon, or white**, long or short-sleeved polo shirts. Peter Pan collared white blouses may be worn under jumpers.
- Turtlenecks in **navy blue, maroon, white** are allowed and may be worn under polo shirts.
- Shirts must reach below the waistband even when arms are raised above the head. At no time should a student's midriff be showing.
- Long or short-sleeved undershirts in **navy blue, maroon or white** must be tucked in at all times.
- Embroidered AHCS logo uniform polo shirts may be purchased in the online store.
- Heritage Spirit Wear or AHCS Spirit Wear may be only worn on Fridays.

Bottoms/Dresses:

Please note: All bottoms and dresses must be made of a uniform-type material.

No denim, jeans, cargo pants, or sweatpants are permitted.

- Pants, shorts, skirts, skorts, or jumpers or polo dresses in solid navy blue, tan (khaki), or current Heritage burgundy plaid.
- Pants, shorts, skirts, and skorts are to be worn on the waist with no portion of an undergarment showing. Clothing should be an appropriate fit and size for your student. Tight clothing is not appropriate for the school setting.
- Jumpers, shorts, skirts, skorts, and polo dresses must be modest length. Attire must be near the knee.
- Unseen shorts must be worn under jumpers, polo dresses, and skirts.
- Leggings or tights may not be worn as pants.

Shoes:

- Shoes must have a closed toe and heel, be securely attached to the foot, and be safe for playground activity.
- No high heeled shoes, foam-rubber clogs (i.e., Crocs), shoes with wheels (i.e., Heelys) or skate shoes.
- Shoes cannot be removed from feet.

Outerwear:

- Sweaters, sweatshirts, and windbreakers in solid navy blue, maroon, white, or AHCS branded. Winter coats and parkas, for outdoor use only, may be any color but must adhere to the "Dress for Success" guidelines.

PE Uniforms:

- Required for Grade 6 students only.
- Solid colored navy blue, maroon, or white t-shirts
- Solid colored navy blue, black, maroon, or gray athletic/gym shorts. Shorts length must reach near the knee.
- Athletic shoes required

Additional Attire:

- Socks may be a color or pattern of your choosing but must adhere to the “Dress for Success” guidelines (See Appendix A-1).
- Leggings and tights must be solid colored navy, maroon, or white and may only be worn under uniform bottoms.
- Baseball hats, visors, and beanies in solid navy blue, maroon, or white are permitted and can be only worn outside. School Spirit Wear hats or beanies with a Heritage logo are also permitted for outdoor use.
- Eccentricities of dress and personal grooming, such as body piercings, tattoos, and unnatural hair color, are not permitted.
- Jewelry may not be excessive or a potential weapon or distraction. Only small hoop or stud earrings are acceptable.
- Sweatbands, scarves, tiaras, and bandanas are not permitted. Headbands are permitted but may not have excessive embellishment (i.e. animal ears, antennae).
- For school spirit days and free dress days, please refer to the “Dress for Success” guidelines (Appendix A-1).

In the event that a student violates the Heritage Elementary School Dress Code Policy, parents may be contacted to bring in a uniform that is compliant.

Technology

The extensive use of technology is an integral part of the Heritage Elementary curriculum. As with Internet use, which is discussed below, computer systems are provided to instruct students in computer software applications, support academic research, and enhance student learning in specific curricular areas. Computers are not provided for entertainment, playing games, exchanging personal notes, or any other use not associated with assigned class work. Students may only access those files or settings authorized by the teacher. Any violation of these guidelines may result in the immediate loss or restriction of computer access. It should also be noted that student computer files are open to the public and may be randomly accessed by school administrators and teachers to check for unauthorized use.

Internet Use

Internet access is provided for student academic use. This capability provides a valuable tool for students to conduct research in support of the school’s curriculum. Internet access is not provided as a source of entertainment or amusement in the form of music, games, or other non-academic activities such as access to unauthorized or inappropriate Internet sites.

In support of the school's Internet policies, the following guidelines have been established:

- Internet access for students must be authorized by a teacher and must be for a specific academic purpose directly related to the curriculum.
- No downloading of music or files is permitted without the approval of the teacher.
- If unauthorized downloading or other Internet abuse occurs, it will be considered a computer violation and may result in the loss of computer privileges for the remainder of the semester.

Please reference Appendix A-2 for further information about appropriate internet and network use.

Prohibited Items

Electronic entertainment devices such as radios and other types of portable media players are permitted on campus but must be turned off during school hours (8:00 a.m. to 2:45 p.m.), unless permission to do otherwise is given by a school administrator or teacher for academic purposes. Gaming consoles or devices are not permitted on campus.

Weapons of any type, or items that could be used as or look like weapons, are prohibited and are not to be brought to school. Examples of prohibited weapons include but are not limited to:

- | | |
|-----------------|----------------------|
| • Water pistols | • Lighters |
| • Knives | • Guns |
| • Chains | • Clubs |
| • Ammunition | • Spiked Accessories |

Certain prohibited items may be allowed on campus for academic activities if permission is requested in writing by a parent or teacher and pre-authorized by a program administrator. These items are for use only at the authorized activity and must be secured until the authorized event. Without prior authorization, prohibited items will be confiscated and only returned to the student's parent or guardian. In addition, the offender will be disciplined accordingly.

Cell Phone and Electronic Devices Policy

Students may carry cellular phones, provided that such devices do not disrupt the educational program or school activity. Cellular phones must be turned off and put away while on campus, unless permission to do otherwise is given by the principal or a school-wide emergency occurs. Inappropriate use of cell phones or smart watches while on campus will result in confiscation of the device, and it will need to be picked up by a parent in the Main Office. Students will be assigned detention if they are seen with cell phones on campus aside from the aforementioned circumstances. Following the dismissal bell, students may only use cell phones on campus to contact parents regarding pick-up/walk-off instructions. Photos and video may not be taken on campus by students without prior administrative approval.

In order to carry electronic devices such as Kindles, iPads, Nooks, etc., students must receive prior administrative approval from the principal. Heritage Elementary is not responsible for lost, damaged, stolen, or misplaced cell phones or electronic devices.

Toys, Trading Cards, and Personal Items

To maintain a focused and respectful learning environment, students are not permitted to bring toys, trading cards (such as Pokémon or sports cards), or other personal collectible items (including resin figures or animal figurines) to school. These items can be distracting in the classroom, cause unnecessary conflicts among students, and may be lost or damaged.

Exceptions may be made under the following circumstances:

- Designated events such as stuffed-animal days, show-and-tell, or other teacher-approved classroom activities.
- Teacher or administrator approval for educational purposes or class incentives.

Any toys or personal items brought without permission may be held by the teacher or front office and returned to a parent or guardian at the end of the day. Repeated violations may result in further consequences.

Bicycles, Scooters, Skateboards, and Shoes with Wheels

Skateboards, roller blades, scooters, and bicycles are considered a safety hazard and may not be ridden on campus. If brought to school, they must be locked in the area designated for bikes, scooters, and skateboards located just inside the “Zero Period Gate.” These items should be removed at the end of the school day. Heritage Elementary School cannot be held responsible for lost or stolen items.

The law requires that students must wear a helmet when riding anything with wheels, therefore, all students riding bikes, scooters, and skateboards to and from school must wear a helmet. When on the school grounds and near crosswalks, students are to walk their bikes, scooters, and skateboards as they come and go. If students wear shoes with wheels, the wheels need to be removed while on campus.

Discrimination and Harassment

It is a basic human right for each person to be able to conduct his or her educational activity in an atmosphere free of fear, threats, bullying, and teasing. Therefore, harassment or discrimination of any kind, either verbal or physical, will not be tolerated.

Zero Tolerance Policy

Each person on campus at Heritage Elementary School expects a safe and supportive learning environment. To promote this environment, the school has established a zero-tolerance policy regarding physical violence, weapons, and all controlled substances. Violations will result in immediate disciplinary action and a report to the police department.

Unacceptable Behavior

In addition to the items discussed above, disrespect to a staff member and the use of vulgar or blasphemous language will not be tolerated. Also, any display of affection beyond handholding is not acceptable behavior during school or at school activities.

DISCIPLINE

Introduction

Heritage Elementary School remains committed to the goal of establishing a safe, orderly, and non-disruptive environment that is conducive to student learning. The Heritage K-8 Charter School Board of Directors and school staff believe that discipline based on the worth and dignity of each student is a positive form of guidance. All staff members, therefore, will implement an effective school-wide discipline plan in accordance with American Heritage Charter School's policies and state laws.

The primary objective of the discipline plan is to teach the following concepts for living:

- Respect for the rights, dignity, and safety of all individuals.
- Respect for the law and observance of school district policies, procedures, and local regulations.
- Respect for public and private property.

The responsibility of maintaining a positive school climate is shared by parents, students, and school staff. Each is expected to work cooperatively toward this goal. Parents, students, and school staff are also expected to deal effectively with behavioral concerns. To facilitate parental involvement in disciplinary matters, Heritage Elementary School will work to establish cooperative communication between parents and the school in order to provide information and involve parents in the disciplinary process.

Discipline includes, but is not limited to, advising and counseling students, conferring with parents, detention during and after school hours, using alternative educational environments, loss of privileges, suspension, and expulsion. A student may be disciplined (including suspension and expulsion) for prohibited misconduct if the act is related to school activity or school attendance occurring at the school or at any other school or a school-sponsored event including but not limited to: 1) while on school grounds; 2) while going to or coming from school; 3) during the lunch period, whether on or off the school campus; 4) during, going to, or coming from a school-sponsored activity.

Detention

Detentions are assigned for minor disciplinary infractions, including but not limited to such offenses as classroom disruptions, dress code violations, and tardiness. The parent/guardian will receive a referral with detention information, and this referral must be signed and returned. Detention is to be served after the regular school day, normally from 2:45 p.m. to 3:30 p.m. for grades 3-6. During the detention session, students will be assigned written work to complete. If the assignment is not completed in a manner deemed acceptable by the overseeing teacher or administrator, then the student may be required to attend an additional day of detention to correct or redo the assignment. If a student cannot remain at school for an assigned detention, a parent or guardian must contact the principal or assistant principal in advance to reschedule the detention. Failure to appear for a detention or arriving late for detention will result in the assignment of an additional detention session.

Saturday School

Saturday School is assigned to students for disciplinary infractions such as excessive absences, truancy, defiance, academic dishonesty, and reoccurring behavioral problems. Saturday School is usually held approximately once per month from 8:30 a.m. to 10:30 a.m. Failure to serve an assigned Saturday School will result in further disciplinary action.

Searches and Seizures

In order for public schools to establish a safe and secure learning environment free from weapons, drugs, and other dangerous contraband, the law provides school officials with wide latitude to search students. When an administrator has reasonable suspicion that a student may be in possession of a prohibited item, the student will be searched in accordance with state law and district policy. Searches include but are not limited to student searches, lockers, purses, and backpacks. Under no circumstances will a search of individual students include strip searches. Moreover, the administration expects that students will be cooperative at all times during searches as school personnel will make every effort to respect the student's right to privacy and freedom from unreasonable searches and seizures. After a search has been completed, a written report will be made by an administrator and placed in the student's file and the parent or legal guardian of the student searched will be notified.

Suspensions and Expulsions

As a result of serious disciplinary infractions, students may be suspended from school for a maximum of five days at any one time. For the most serious disciplinary infractions, students may be expelled or removed from American Heritage Charter Schools and, therefore, must seek an education in another school or district. Students may be suspended or expelled for any of the actions listed in Appendix A-3.

Suspensions: A suspension is a temporary removal from school or regular classroom instruction by the program administrator or designee for violating school rules. The Executive Director of the American Heritage Charter Schools, or his designated representative, will review within one working day all suspension and expulsion actions.

- Suspension shall be preceded, if possible, by an informal conference conducted by the program administrator or designee with the student and his or her parent and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the administrator.
- Prior to suspension, students will be afforded due process, which will include a student hearing (except in cases of emergency) at which point the program administrator or designee will (a) present oral or written notice of the charges against the student, (b) explain the evidence, (c) and give the student a chance to present his or her side of the story.
- Suspension requires the approval of the program administrator or designee.
- Suspended students must remain at home during school hours and may not attend any school sponsored activities such as sporting events, dances, or plays.

Expulsions: An expulsion is the long-term removal of a student from attendance in any program in the district. The Board of Directors approves or disapproves all expulsion recommendations.

- The program administrator or designee makes a recommendation for expulsion to the Board of Directors.
- An expulsion recommendation requires the approval of a Pre-Expulsion Review Panel and the Executive Director.
- The student is entitled to a formal hearing before the Board of Directors. In cases in which the student is recommended for expulsion by the Pre-Expulsion Review Panel, the student and parent or guardian will receive written notice of the hearing which will include: (a) the date, times, and place of the hearing; (b) the specific charges upon which the proposed expulsion is based; (c) copies of all relevant disciplinary rules; (d) obligation to notify any school or district the student plans to attend; (e) opportunity to appear in person and employ and be represented by counsel; (f) the right to inspect and obtain copies of all documents to be used at the hearing; (g) opportunity to confront and question all witnesses and question all evidence presented.

Parents, guardians, or students who are 18 years old or older may appeal a suspension or expulsion to the Board of Directors, which has the right to rescind or modify the suspension or expulsion. Relevant board policies regarding suspensions and expulsions will be made available to all parent/guardians upon request.

Parent Responsibilities

California law holds parents liable for any willful student misconduct that results in the death or injury of any student or persons employed by or volunteering for the school. Parents are also liable for any defacement, injury, or loss of property belonging to the school or to a staff member.

Students with Disabilities

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for discipline, including suspension and expulsion, and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. Heritage Elementary School will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the school has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

PARENT INFORMATION

Parental Involvement

It is imperative to a student's success to have parents involved in his/her school community. Please be sure to read all paper and digital communications to be informed about what is happening at Heritage Elementary School and to watch for opportunities to volunteer.

Volunteers

Parents are encouraged to volunteer and be involved in their student's classroom at Heritage. As a way of protecting students, all volunteers must have completed the volunteer paperwork and a copy of his or her current driver's license on file in the Main Office. We reserve the right to request fingerprinting and background checks at parent's/guardian's expense. A new volunteer form must be filled out at the start of each school year. Volunteering is based on the approval of paperwork and the school administration. All classroom volunteers must be scheduled with the classroom teacher. If notices of volunteers are not submitted by the teacher to the Main Office, volunteers will not be allowed on campus. The Main Office will not disturb the classroom to inquire about the need of a volunteer. Volunteers must dress in school appropriate attire. In order to make the most of your time and make it possible to give your full attention to the classroom activities, parents need to make other arrangements for siblings. Children/students who do not attend Heritage Elementary School will not be permitted on campus during classroom hours.

Parent volunteer opportunities may be limited or prohibited during periods of Remote Learning and/or Hybrid Learning.

Contacting Teachers

If a parent needs to contact a teacher, the most efficient way to do so is by email. Teacher emails are located on the class syllabus or by contacting the front office. If a parent would like to speak with the teacher by telephone, he or she can only do so before school or after school. The Main Office will not transfer calls to classrooms during school hours as to avoid interrupting instruction. You may request a teacher to call you by email.

Parent-Teacher Conferences

Parent Conferences will be conducted at the mid-semester grading period during the first semester. These conferences allow the parent, the student, and the teacher, to celebrate achievements, to highlight student strengths, and to develop year-long goals to remedy areas of relative weakness. This also allows time for students to continue making specific improvements in their progress before receiving report cards. Conferences typically last between 10-20 minutes depending on the student's grade level.

The following are a few suggestions that will help you get the most from your parent-teacher conference:

- Be prepared: come with a list of questions or topics you want to cover.
- Consult your student: ask if there is anything bothering him/her about school, in the classroom, or on the playground.
- Be ready to support: Ask the teacher how you can help; find out what you can do specifically at home to help your student do his/her best in school!

After the conference, maintain contact with the teacher through volunteering or personal notes and emails. A short note to the teacher asking about your student's progress, expressing concerns, or making a comment or compliment is appreciated. If your student comes home excited about a new project in class, let his/her teacher know!

GENERAL INFORMATION

American Heritage Charter Schools (AHCS) Contacts

Main Office
(760) 737-3154

Executive Director
Shawn Roner
sroner@echs.org

Business Managers
Jonathan Takagi
jtakagi@echs.org

Heritage Elementary School Contacts

Main Office
(760) 737-3111

Principal
Marc Gilbertson
mgilbertson@amhcs.org

Assistant Principal
Lisa Cook
lcook@amhcs.org

Receptionist
Marcela Robles
mrobles@amhcs.org

Administrative Assistant
Myra Weldon
mweldon@amhcs.org

Lottery Intake Coordinator
Elena Sanchez
esanchez@amhcs.org

Deb Bresko
Academic Advisor
dbresko@amhcs.org

School Nurse
Janelle Garcia
nurse@amhcs.org

Campus Visitors

Any person who is not a student or staff member must check into the Main Office to obtain a pass before moving about the campus. Any item dropped off for a student during the course of the school day must be brought to the Main Office. This includes books, papers, lunches, and clothing. A staff person will determine the appropriate time for delivery of any items and/or the need to pull the student out of class.

Lunch/Snack Policy

Students should arrive at school with a nutritious snack and a lunch. There is no refrigerator on campus for student lunches. The staff cannot microwave lunches for students or provide spoons and forks. Students are not allowed to bring a knife to cut up their food. In the event that a student has forgotten his/her lunch, every effort will be made by the teacher to contact a parent in order to obtain a lunch. If a parent cannot be reached, the emergency contacts will be contacted. Students are not permitted to share, trade, or sell lunch/snack items with other

students. To ensure an organized learning environment and to promote healthy eating habits among our students, we discourage parents from dropping off lunches, especially fast food, during the school day.

Glass containers, soda, candy, sunflower seeds with shells, and gum are not permitted on campus. If a lunch is delivered with soda or candy in it, they will be removed from the lunch. These items will be confiscated from students if they are seen on campus and may be referred for disciplinary action. Gum chewing is never allowed on campus.

*Periodically, a teacher may use small candies as a reward or incentive for in class activities. Please notify your student's teacher if you do not wish your child to receive these types of rewards/incentives.

Birthday Celebrations

Birthday celebrations must be arranged with the classroom teacher and should create minimal disruption to classroom instruction. If a student would like to bring treats to share with his or her classmates, we recommend store-bought, healthy snacks such as yogurt covered pretzels, mini muffins, apple slices, chocolate covered raisins, fruits, etc. Careful consideration should be given to food allergies in a class before bringing any food or drink to school for sharing. We do not have freezer or refrigerator space to store items throughout the day. The Main Office will not accept deliveries from outside vendors (i.e., flowers, balloons, etc.) Also, latex balloons are never allowed on campus. In the event a parent wants to bring a balloon for an event such as kindergarten promotion, foil balloons will be the only ones permitted.

Lost or Damaged Books

Students are responsible for all books issued to them by the school. This includes textbooks and library books. All school textbooks and library books are identified by a bar code affixed to the back cover or inside cover of the book. Defacement of the barcode labels or books themselves will result in a partial fine or the full cost of replacing the book. The following guidelines will be used for the payment of lost or damaged books:

- Books that are lost or damaged beyond use: payment is the current full cost of a new replacement book.
- Books that have pages damaged, but are still serviceable: partial payment depending on the amount of damage to the book.

Note: Students will be held responsible for the full price of any school equipment and/or supplies that are lost, damaged or destroyed through negligence, abuse, misuse, irresponsibility, or theft while in the possession of or use by the student. This includes art supplies, technology (including laptops/chargers), and lab equipment.

Lost and Found Items

All items, particularly outerwear and lunch boxes, should be clearly labeled (using permanent marker) with the student's name to facilitate return. If a student is missing an item, please visit the lost and found located at the bottom of the stairway by the office and/or check with your student's teacher. In addition, lost and found items may be advertised periodically in the

Heritage Notes for reclaiming. Unclaimed items will be disposed of or donated to charity at the end of each month. Heritage Elementary claims no liability for items lost, stolen, or damaged on campus. Items that are unlabeled should not be taken from the lost and found unless a student is sure it belongs to him/her.

Telephone Calls

The telephones in the offices, classrooms, and labs are for staff use only. They may be made available to students for emergency use only at the discretion of Heritage Elementary School staff members.

Field Trip Requirements

In order to earn the privilege to go on a field trip or class outing, a student must:

- Have submitted a completed, signed Parent Permission Form.
- Have an Authorization for Consent for Treatment of a Minor form on file in the Main Office.
- Not have field trip privileges suspended.

Misconduct at a school function or field trip will result in having the privilege of attending future school functions and/or field trips suspended.

Transportation for all field trips will be provided by bus or school van for the safety and well-being of all students. Parent drivers are not permitted. Parent chaperones must dress in school-appropriate attire. Uniforms must always be worn on field trips (with the exception of 6th-grade camp and the 5th-grade JA BizTown field trip. Free dress day passes may not be redeemed on field trip days.

Physical Education

All students must participate in physical education. A parent or guardian can excuse a student for one day of PE with a note. A doctor's note is required to excuse a student from two or more consecutive days of PE. Students will not be allowed to call home for PE excuses.

All students must wear athletic (tennis or gym) shoes for PE. In addition, students in grade 6 are required to wear the school PE uniform during PE.

PE Lockers

Sixth-grade students will be assigned PE lockers to facilitate changing into their PE uniforms. All lockers must be locked when the assigned student is not present at the locker. Therefore, each student is also issued a lock, which remains with the locker at the end of the school year. If a student damages or loses the assigned lock, he or she will be required to purchase a replacement lock from the school. Students may not attach stickers or make any permanent markings or inappropriate symbols on, or in, any locker. PE lockers may not be issued during a Hybrid Learning schedule.

Under no circumstances should a student supply their locker combination to another individual. If a student believes that another student has obtained their locker combination, he or she may speak with the PE instructor in order to obtain a different lock.

Animals on Campus

For the safety of all individuals, students, staff members, and visitors to school, all visitors must refrain from bringing dogs, cats, and other animals to school at any time, including before and after school hours, with the exception of seeing-eye dogs. This includes carrying a pet on campus during drop-off or pick-up times. Animals will not be permitted on campus for the purpose of show and tell. Students and/or staff members may have fears of or allergies to animals. Please respect our students and staff.

“Dress for Success”

STUDENT DRESS CODE

In order to meet one of the goals of the American Heritage Charter School’s mission statement – which is to provide *“a safe and orderly learning environment”* – clothing, jewelry, and other accessories must be appropriate to the educational environment and should not bring inappropriate attention to the student or cause a distraction in class. Therefore, the following guidelines apply to student dress when at school or school-sponsored events:

- Students must maintain a clean, neat and healthy personal appearance. Clothing must be clean and in good repair.
- Eccentricities of dress or personal grooming, such as body piercing and unnatural colored hair, are not permitted. A few examples of “unnatural colored hair” are: blue, green, and purple, etc.
- Head coverings, including hats of any kind, are not to be worn in any educational environment including assemblies, classrooms, labs and offices. AHCS recognizes an exception to this rule for head coverings worn for religious beliefs or protection from the sun when outdoors.
- Pants are to be worn on the waist with no portion of an undergarment showing. Slits, rips, or tears in pants are not permitted. Leggings, yoga pants, pajamas, or tights may not be worn as pants.
- Shorts and skirts should be modest in length and appearance. This means such attire must be no shorter than mid-thigh.
- All tops must have sleeves or cover the shoulder. (No tank tops, spaghetti straps, or off-the-shoulder tops.) Tops that are see-through, or show any part of an undergarment, are not acceptable school clothing. Tops showing cleavage are not permitted. Clothing that exposes bare midriffs is not permitted.
- Body piercing, other than earrings, is not permitted. Earrings must not create a safety issue. A few examples of this are safety pins, large loops, long dangles, spikes, etc.
- Clothing or jewelry with logos that promote gangs, drugs, alcohol, tobacco, sex, or violence is not permitted.
- Shoes must be worn at all times. Footwear worn in the science labs must be of close-toed design.

**If a student violates the Heritage Elementary School Dress Code Policy, parents may be contacted to bring in a uniform that is compliant. Excessive dress code violations will result in disciplinary action.*

Information Systems Acceptable Use and Internet Safety Policy

The following policy has been adopted by the Board of Directors of both Escondido Charter High School and Heritage K-8 Charter School (hereinafter "School").

The provisions of this policy shall comply with the Children's Internet Protection Act ("CIPA").

School-owned or operated electronic data processing systems and technology (hereinafter "Information Systems") include but are not limited to; computers, hand-held data processing systems, electronic mail, voicemail, Internet access, software, telephone systems, radio equipment, document transmission systems, and any other electronic communication.

School Information Systems are provided to employees in order to carry out business on behalf of the School.

School Information Systems are provided to students in support of education and the use thereof must be consistent with the educational objectives of the School.

All School-owned Information Systems remain the property of the School.

The use of School Information Systems is a privilege, not a right, and inappropriate use will result in the cancellation of this privilege.

As required by CIPA and the Protecting Children in the 21st Century Act, the School shall educate employees and students regarding appropriate online behavior, including proper interaction with other individuals via social networking, websites and in chat rooms, as well as how to avoid and properly respond to cyberbullying. Education will be provided through such means as professional development training for employees, and required coursework for students.

The School shall maintain security practices designed to prevent unlawful activities including "hacking" and unauthorized access to its Users personal information.

While using School Information Systems, employees, students and others (hereinafter "User") shall have no expectation of privacy. Communications (including any attached messages or data) made using School Information Systems are subject to review, inspection, and monitoring by the School. The School reserves the right to access to any data stored on its Information Systems and may, in accordance with the law, remove any material which is obscene, defamatory, unlawful or otherwise objectionable.

All professional employees of the School (pedagogical and administrative staff) shall be responsible to monitor usage of the Information Systems in accordance with this policy, the Ethical Use Policy, and CIPA.

To the extent practicable, Technology Protection Measures (“Internet Filters”) shall be used to monitor and filter School-provided Internet services. As required by CIPA, Internet Filters shall be applied to visual and textual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, Internet Filters may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes. Procedures for the disabling or otherwise modifying of any Internet Filters shall be the responsibility of the IT Manager, or his/her designated representatives. Any attempt to bypass, defeat or circumvent the Internet Filters, without the prior approval of the IT Manager, is punishable as a violation of this policy.

The User, in whose name an on-line services account is issued on the School Information Systems, is responsible for its proper use at all times. All on-line services account Users shall maintain privacy of account names/numbers, passwords, and all personal information. Users shall use the system only under their assigned account and no attempt shall be made to log in through another User’s account or access another User’s files.

Users may be required to provide all passwords used in connection with the School’s Information Systems to the Information Technology (IT) Manager for lawful investigations or in the event a User’s passwords must be changed. In addition, all Users are required to safeguard their passwords to limit unauthorized access to computers, electronic communication systems, or data by students and others. Employees who do not safeguard their passwords from unauthorized use, or who allow students to access computers using their passwords, will be subject to discipline, up to and including termination.

Users may not use School Information Systems for any of the following:

- Publishing, displaying, transmitting, or receiving any material which they know, or should have reason to know, is defamatory, inaccurate, abusive, obscene, profane, sexually oriented, or potentially offensive to others,
- Posting of anonymous messages or forging of e-mails or other messages,
- Personal attacks on others, and/or statements intended to injure or humiliate others,
- Any act of intimidation, cyber bullying, or harassment of another person,
- Unauthorized online disclosure, use, or dissemination of personal identification information of minors,
- Statements expressing animus towards any person or group by reason of race, color, religion, national origin, gender, sexual orientation, or disability,
- Any activity, or transmission of material, that violates United States, State of California, or local laws, which includes, but is not limited to copyrighted materials, threatening or obscene materials, gang-related materials or activities, or materials protected by trade secret,
- Unauthorized access or “hacking” of School-owned or other Information Systems,
- Product advertisement, sales, purchases, political lobbying, or partisan political activities, except as an approved part of a School course about the American political system in accordance with School-approved curriculum

The School is not responsible for any damages consequential, incidental, or otherwise, that Users may suffer arising from use of the School's Information Systems; including, but not limited to, damages arising as a result of the negligent or intentional action of the School. This includes loss of data for any reason. Use of any information obtained via the network is at the User's own risk.

The School does not have control of all information content that resides on the School Information Systems and Internet services. The School specifically denies any responsibility for the accuracy or quality of information obtained through School Information Systems and the Internet

Users, or parents of Users who are minors, will be held responsible for damage to the School, pursuant to State law, including, but not limited to: damage to Information Systems, the altering of system software; uploading unlawful information, computer viruses, or harmful programs on internal or external computer networks in a public or private capacity. The School reserves the right to remove files, limit or deny access, or to pursue legal remedies for loss sustained, including, but not limited to, replacement of hardware and/or software and related labor charges, fines, or imprisonment, as applicable.

Suspension and Expulsion Policy

AMERICAN HERITAGE CHARTER SCHOOLS

The following policy has been adopted by the Board of Directors of both Escondido Charter High School and Heritage K-8 Charter School (hereinafter "School"), effective in August 2025.

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the School. When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. School administrators have reviewed the suspension and expulsion policies of the School prior to preparing the procedures and the list of enumerated offenses for which a pupil may/must be suspended or expelled. This policy and these procedures have been prepared to provide due process to all students. The list of offenses and procedures provide adequate safety for students, staff, and visitors to the School and serves the best interests of the School's pupils and their parents/guardians.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This policy will clearly describe discipline expectations, and it will be printed and distributed as part of the Student Handbook which is provided to each student at the beginning of the school year.

The School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this policy is available on request at the Principal's office.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion. Suspended or expelled students shall be excluded from all School and School-related activities unless otherwise agreed during the period of suspension or expulsion.

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

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education

students except when federal and state law mandates additional or different procedures. The School will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A student has the right to be free from the use of seclusion and behavioral restraints of any form imposed as a means of coercion, discipline, convenience, or retaliation by staff. This right includes, but is not limited to, the right to be free from the use of a drug administered to the student in order to control the student's behavior or to restrict the student's freedom of movement, if that drug is not a standard treatment for the student's medical or psychiatric condition. School staff may use seclusion or a behavior restraint only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive. School staff shall avoid, whenever possible, the use of seclusion or behavioral restraint techniques.

School staff shall not do any of the following:

- Use seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation.
- Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.
- Use a physical restraint technique that obstructs a pupil's respiratory airway or impairs the pupil's breathing or respiratory capacity, including techniques in which a staff member places pressure on a pupil's back or places his or her body weight against the pupil's torso or back.
- Use a behavioral restraint technique that restricts breathing, including, but not limited to, using a pillow, blanket, carpet, mat, or other item to cover a pupil's face.
- Place a pupil in a facedown position with the pupil's hands held or restrained behind the pupil's back.
- Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the pupil or others.

A. Grounds for Suspension and Expulsion of Students

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

B. Suspension Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, including those defined in Health and Safety Code 11053-11058, or any alcoholic beverage or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, including those defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to School property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5, as amended.
 - k) Knowingly received stolen School property or private property, which includes but is not limited to, electronic files and databases.

- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288, 289, or former section 288a, or committed a sexual battery as defined in Penal Code 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a School disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or School-sanctioned events.
- q) Made terrorist threats against School officials and/or School property, which includes but is not limited to, electronic files and databases.

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

- r) Committed sexual harassment.

(For purposes of this section, “sexual harassment” shall mean:

Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the school or educational setting, under any of the following conditions:

- (i) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual’s participation, academic status, or progress.
 - (ii) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
 - (iii) The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
 - (iv) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the School.)
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in California Penal Code Section 422.6, as amended.
 - t) Intentionally harassed, threatened or intimidated school personnel or volunteers, and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment.
 - u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, or cyber sexual bullying.

For purposes of this section, these terms shall mean the following:

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

1. Placing a reasonable pupil¹ or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of "cyber sexual bullying" including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording

¹ "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

- of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - w) Discriminated against, harassed, intimidated, and/or bullied any person or groups of persons defined in California Penal Code Section 422.55, including immigration status, and Education Code section 220, as amended. This policy applies to all acts related to school activity or school attendance occurring within the school.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, knife, 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 Principal’s or designee’s concurrence.

A student in kindergarten or any of grades 1 to 8, inclusive, shall not be suspended on the basis of having 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 (the “Act”), and those Acts shall not constitute grounds for a student enrolled in kindergarten or any of grades 1 to 12 to be recommended for expulsion.

A student enrolled in grades 9 to 12, inclusive, shall not be suspended for any of the Acts.

A certificated or classified employee may refer a student to school administrators for appropriate and timely in-school interventions or supports from the list of other means of correction specified in Education Code section 48900.5(b) for any of the Acts.

A school administrator shall, within five business days, document the actions taken in response to the referral identified above and place that documentation in the student’s record to be available for access, to the extent permissible under state and federal law. The school administrator shall, by the end of the fifth business day, also inform the referring certificated or classified employee, verbally or in writing, what actions were taken and, if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.

The above list is not exhaustive and depending upon the offense, a pupil may be suspended or recommended for expulsion for misconduct not specified above.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or School employee who referred the student to the Principal or designee. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or 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 the School campus for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action, the evidence against him or her, the other means of correction that were attempted before the suspension, if any, and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within two (2) School days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

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

2. Notice to Parents/Guardians

At the time of suspension, the Principal 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 wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

If a suspension is accompanied by a recommendation for expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to explain why the suspension will be extended pending an expulsion hearing. If the Pre-Expulsion Review Panel (defined below) recommends expulsion, the student's suspension will continue automatically, until after the decision of the Board in a formal expulsion hearing.

A determination to continue a suspension will be made by the Principal or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process because the behavior leading to the suspension is likely to continue; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended until after a decision at an expulsion hearing.

D. Expellable Offenses

1. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, including those defined in Health and Safety Code 11053-11058, or any alcoholic beverage or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, including those defined in Health and Safety Code 11053-11058, or any alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to School property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal School property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
 - k) Knowingly received stolen School property or private property, which includes but is not limited to, electronic files and databases.

- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288, 289, or former section 288a, or committed a sexual battery as defined in Penal Code 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a School disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or School-sanctioned events.
- q) Made terrorist threats against School officials and/or School property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of School property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in section B. 1. s), above.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in California Penal Code Section 422.6, as amended.

- t) Intentionally harassed, threatened or intimidated school personnel or volunteers, and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers, and/or student(s) by creating an intimidating or hostile educational environment.
 - u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in section B. 1. v), above.
 - v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - w) Possessed, sold, or otherwise furnished any knife or 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 Principal or designee's concurrence.
2. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated School employee, with the Principal or designee's concurrence.

If it is determined by the Governing Board that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy. Readmission after one year is subject to the rules of Section N, below.

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

firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

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

E. Authority to Expel

A student may be expelled either by the Board after a hearing before the Board, or after the recommendation of a review panel (described in the next section), which will be assigned by the School's Executive Director at the School's option, and then a hearing before the Board.

F. Expulsion Procedures

Students recommended for expulsion may also be recommended by the School administration for consideration by a review panel to determine whether the student should be expelled. This "Pre-Expulsion Review Panel" should consist of at least two School administrators, and the School's Executive Director. The Pre-Expulsion Review Panel may recommend that the Board expel any student found to have committed an expellable offense. This panel is at the option of the School, and in addition to a hearing before the School Board of Directors.

In the event the Pre-Expulsion Review Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. A recommendation by the Pre-Expulsion Review Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Written notice of the Pre-Expulsion Review Panel determination, if any, shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the Board hearing. The law also requires that a notice of the Board hearing must be sent to the student and parent or guardian prior to expulsion. Upon mailing the notice of the Board hearing to the student's address on file with the School, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place the expulsion hearing will be held before the Board;
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 and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to present testimony, evidence and witnesses and 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.

G. Record of Hearing

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

H. Presentation of Evidence

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

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Pre-Expulsion Review Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as such term is defined in this policy, above, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Pre-Expulsion Review Panel shall be in the form of a written recommendation to the Board, who will make a final determination regarding the expulsion.

If the Pre-Expulsion Review Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Final Decision by the Board of Directors.

Unless postponed for good cause, the Board hearing shall be held no later than thirty (30) school days after the Principal or designee determines that the pupil has committed an expellable offense.

J. Written Notice to Expel

Following a decision of the Board to expel, the Principal or designee shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall include the following:

- Notice of the specific offense committed by the student
- 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 School.

The Principal or designee shall send a copy of the written notice of the decision to expel to the District. This notice shall include the following:

- The student's name
- The specific expellable offense committed by the student.

K. No Further Appeal

Following the Board of Directors' decision to expel a student, the decision of the Board is final, and there is no further right of appeal.

L. Disciplinary Records

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

M. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

N. Rehabilitation Plans

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

O. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the School environment. The Principal shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

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

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

Q. Additional Procedures for Students with Disabilities

A pupil identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to regular education pupils except when federal and state law mandates additional or different procedures. the School will follow the IDEA, Section 504, and all applicable federal and state laws when imposing any form of discipline on a pupil identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such pupils. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

1. NOTIFICATION OF SELPA

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

2. SERVICES DURING SUSPENSION

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



Heritage Elementary School

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3. PROCEDURAL SAFEGUARDS/MANIFESTATION DETERMINATION

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the 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:

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

If the 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 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:

- Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- 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
- Return the child to the placement from which the child was removed, unless the parent and the School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

4. DUE PROCESS APPEALS

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the 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 School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 USC Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the School agree otherwise.

5. SPECIAL CIRCUMSTANCES

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

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

- 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;
- 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
- Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at School, on School premises, or at a School function.

6. INTERIM ALTERNATIVE EDUCATIONAL SETTING

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

7. PROCEDURES FOR STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION SERVICES

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the district's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the School had knowledge that the student was disabled before the behavior occurred.

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

- 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 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.
- The parent has requested an evaluation of the child.
- The child's teacher, or other School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the Principal of special education or to other School supervisory personnel.

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

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

The School shall not be deemed to have knowledge of 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.