

HERITAGE JUNIOR HIGH SCHOOL

An American Heritage Charter School



PARENT/ STUDENT HANDBOOK 2026-2027

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Office Hours: 7:35 AM - 4:00 PM

Class Schedule: 8:05 AM - 2:10 PM (Monday)

8:05 AM - 3:05 PM (Tuesday- Friday)

Tutorial: 3:10 PM- 3:50 PM (Tuesday- Friday)

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Mission Statement

Our mission is to develop the hearts and minds of our students through a rigorous core curriculum with a perspective that cherishes timeless virtues and the American Spirit

The mission of the Heritage Junior High School is to improve student achievement through a rigorous classical learning curriculum, provide a safe and orderly learning environment, staff professional and engaging teachers, and impart important American values that will ensure students become effective citizens and leaders.

Heritage Junior High School believes that both parents and school share a dual responsibility in ensuring the education of our students, providing them the opportunity to develop both excellent scholarship and strong character.

MESSAGE TO STUDENTS

On behalf of the staff, I would like to welcome you to Heritage Junior High School. Seventh and Eighth grade is an important time for students as they grow both academically and personally. Heritage Junior High School is a top performing school that demands the best of its students. With hard work, dedication, and good choices, I know each of you will rise to the challenge and be the young leaders you are meant to be. I want to encourage you to take advantage of the opportunities this new school year offers. I am looking forward to a great school year!

Sincerely,

Shawn Roner
Executive Director
American Heritage Charter School

EMERGENCY CARDS

In order to protect the safety and health of students, it is important that Heritage Junior High School (HJHS) has certain information from parents. Parents can help by quickly completing and returning the emergency card to the Main Office 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 allow the student to be signed out by those adults the student's parent or guardian has listed on the emergency card. No student will be allowed into an automobile driven by anyone not authorized by a parent or guardian on the student's emergency card.

Emergency cards are also used for the sake of each child's health. If a student becomes ill or is injured at school, someone his/her parent has authorized on the card will be contacted promptly. For this reason, it is so important for these cards to be kept up to date. Please contact the office immediately when a change in information takes place. **Revisions to the Emergency cards must be made in person by the parent/guardian. Heritage Junior High School cannot accept revisions via phone calls or email.**

ATTENDANCE POLICY

Consistent school attendance plays a critical role in the academic success of every one of our students. Student attendance is a critical part of our overall program for improving the academic performance of HJHS students. Student 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 their student requires an early release from school or is absent from school for avoidable reasons.

The HJHS Attendance Policy is as follows:

IMPORTANT: When a student is absent from school, a parent or guardian **MUST** call or email the office prior to 8:15 AM.

Action after:

- 5th Absence - A letter and a copy of the HJHS Attendance Policy is mailed to the parent(s)/guardian(s).
- 10th Absence – Parent or Guardian will meet with an administrator to discuss the problem and possible solutions.
- Beyond the 10th absence, the student and parent or guardian will be required to meet with a sub-committee of the governing board to address consequences and/or actions in relation to excessive absences.

Note - This absence policy refers to the entire course of the school year. Students will **not** begin at 0 absences for the second semester.

ABSENCE PROCEDURES

When a student is absent from school, a parent must phone the Main Office at (760) 294-5599 or send an email to hjhsattendance@amhcs.org prior to 8:15 AM to indicate the reason for the absence. The office can request a doctor's note at any time, and a note from the child's doctor is required after three consecutive absences. The note must include the **DATE** 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 office with the circumstances for 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 may be considered truant.

School attendance is very important to ensuring your children's success. Please make every effort to ensure your children are at school every day.

Please note: Student absence is either excused or unexcused. Excused absences include illness, quarantine, family bereavement, medical appointments, or legal business. Unexcused absences include, but are not limited to, family trips, inclement weather, transportation problems, babysitting, work, and suspension from school.

It is the student's responsibility to make up homework, class work, and tests missed due to an absence. All missed work should be made up in a timely manner (usually one day extension for each day of excused absence).

Credit for work and tests missed due to absence is left to the teacher's discretion but is normally awarded as follows:

- Full credit is given if the absence was excused
- A ten (10) percent reduction is made for each day of an unexcused absence
- A minimum fifty (50) percent reduction is made for truancy (first day) plus an additional (10) percent reduction for each additional day of truancy.

If there is a need to take your child out of school for five or more days (a planned student absence), a Short-Term Independent Study Contract is required. Parents or guardians need to contact the Main Office at least ten (10) school days prior to the departure date for a planned absence to discuss the absence and initiate a Short-Term Independent Study Contract. In order for the absence to be considered excused, all assignments must be completed and returned to each teacher the day of the student's return to school.

TARDY POLICY

The Heritage staff believes that getting to class on time is very important. Parents and teachers must work together to help students learn the value and habit of being on time. Class begins when the bell rings. During the first few minutes of class, work starts and the teacher explains what students are expected to accomplish that day, the goals and objectives. **Thus, it is necessary for students to be in their seats and ready for instruction to begin at 8:05 AM and when the bell rings for the start of every following class.**

Important Note: Tardiness interrupts the on-going classroom procedure; tardiness has a detrimental effect on the learning environment for the entire class. When a student is tardy, the teacher has to stop instruction in order to provide work for the tardy student and also has to take time to correct attendance records.

The HJHS Tardy Policy is as follows:

When a student arrives late (tardy) to school (after the bell rings for the start of first period), that student **MUST** sign in at the Main Office and receive a tardy slip in order to be admitted into the classroom. This tardy policy refers to the entire school year - students will not begin at 0 tardies for the second semester. The following action is taken for students late to school:

- 3rd Tardy - Detention is assigned for the third tardy to first period and for all following tardies.
- 5th Tardy - A letter and a copy of the HJHS Tardy Policy is mailed to the parent(s) or guardian(s). Saturday School may be assigned.
- 10th Tardy - Parent(s) or Guardian(s) will need to meet with an on-site administrator to discuss the problem and possible solutions. Saturday School assigned.
- Beyond the 10th tardy, the student and parent(s)/guardian(s) may be required to meet with a sub-committee of the governing board to address consequences and/or actions in relation to excessive tardiness.

Note: Due to parking and traffic restrictions, HJHS will offer a one week “grace period” at the beginning of the first semester while families determine the timing and route that works best for them. This only applies to students marked tardy to first period.

Students late (not in their seat when the bell rings) for any class after the first period will be assigned a detention for each tardy.

APPOINTMENTS DURING SCHOOL HOURS

Should it be necessary to take your child out of school for a doctor or dentist appointment, you will need to come to the Main Office to pick up your child. Please plan ahead and allow yourself enough time before your appointment as we will not call your child out of class without the parent being present in order to avoid the student missing additional class instruction. HJHS has modified days on Mondays with dismissal at 2:10 PM. We request that you make appointments following student dismissal on Monday afternoons if at all possible.

CLASSROOM VISITS

In order to maximize consistency in the classroom, American Heritage Charter Schools encourages parents to address classroom concerns with the teacher and/or administration before scheduling a classroom visit. Parents must set up a conference with the HJHS Principal directly. Parents or guardians must check in at the Main Office and be issued a Visitor's Pass prior to going to the classroom.

Note: In order to make the most of the visit and make it possible to give full attention to your child's classroom activities, parents or guardians need to make other arrangements for siblings. Non-school age siblings will not be allowed on campus during the school day.

PARENT VOLUNTEERS

As a way of protecting students at HJHS, all volunteers must have a current TB test, volunteer paperwork, and a copy of his or her current driver's license on file in the office. Volunteering is based on the completion of paperwork and the approval of the school administration.

ANIMALS ON CAMPUS

For the safety of the students, staff members, and visitors to the school, all individuals must refrain from bringing dogs and other animals to school with the exception of service animals. Pets will not be permitted on campus for the purpose of show and tell.

SODA, CANDY, GUM TOY POLICY

Soda (including "energy drinks," "caffeinated beverages," and Slurpees), candy (**including "gum"**), and toys 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 administration may assign a detention for violations of this policy.

LUNCH POLICY

HJHS will offer breakfast and lunch to all students Monday through Friday. All students are welcomed to participate. In the event that a student has forgotten his or her lunch, the student will be permitted to contact a parent in order to obtain a lunch or participate in our lunch program. To minimize disruption during class, students will not be notified of a dropped off lunch until lunch time. If your student is without lunch, please remind them to check in the office during break or lunch time to see if lunch has been delivered.

Reminder: Due to risk factors associated with allergies, and other dietary medical conditions, students are not allowed to share lunches with each other.

BIRTHDAY CELEBRATIONS

Birthday celebrations must be arranged with the teacher prior to the day of the celebration. Birthday celebrations (e.g. balloons, cupcakes, singing etc.) are only permitted to take place during the last 15-20 minutes of the school day outside at the lunch tables. No birthday celebrations are to take place during lunchtime. Food items brought onto campus for class celebrations must be store bought and arrive in their original packaging.

LOST AND FOUND

All items, particularly outer-wear, **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. In addition, lost and found reminders will be advertised periodically in the HJHS Newsletter for reclaiming. Unclaimed items will be disposed of periodically throughout the school year. HJHS has no liability for items lost, stolen or damaged on campus.

HJHS is not responsible for lost, stolen, or misplaced cell phones, headphones, or other electronic devices.

BICYCLES, SCOOTERS, SKATEBOARDS, AND SHOES WITH WHEELS

The law requires that students must wear a helmet when riding anything with wheels; therefore, all children riding bikes, scooters, skateboards, and shoes with wheels 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. Skateboards, scooters, and bicycles are considered a safety hazard and may not be ridden on campus. If brought to school, they must be stored in the area designated for bikes, skateboards and scooters and secured. These items should be removed at the end of the school day.

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., high fever, sore throat, persistent coughing, nausea, etc.) should stay home. Likewise, the Administration will contact a parent (or an emergency contact) and send a student home when a student exhibits symptoms of sickness. Students who are sick should be picked up within thirty (30) minutes of the phone notification. If a student vomits at school, he or she cannot return to school for a period of twenty-four (24) hours. A student should remain fever free for a period of twenty-four (24) hours before returning to school.

MEDICATION

If your student needs to take prescription or over-the-counter medication during school hours, our Board policy requires that the parent and the student's physician complete a medication authorization 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 filled out for each school year. The medication to be administered must be brought to school by the parent/guardian and accompanied by the completed authorization 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 in consultation with the parent or guardian and the pupil's prescribing physician.

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. We request that all sunscreen be kept in the Main Office so that it does not create a disruption 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.

TELEPHONE CALLS

The telephones in the offices, classrooms, and labs are for staff use only. Telephones are available for student use in the Main Office for emergency calls. It is up to the discretion of a teacher whether or not to permit a student to use the classroom phones. Students will not be allowed to make calls for forgotten items or for PE excuses. Students should make arrangements for pick-up after school or before they are dropped off at school.

CONTACTING TEACHERS

If a parent or guardian needs to contact a teacher, the most efficient way to do so is by email. Teacher email addresses are located on the HJHS website and in the teacher's course syllabus. All teachers' emails follow the same format (ex. Jane Doe - jdoe@amhcs.org). If a parent or guardian would like to speak with the teacher by telephone, you can only do so before or after instructional hours. The Main Office will not transfer calls to the teacher's classroom to avoid interrupting instruction. You may email requests for a teacher to call you.

COMPUTER AND TEXTBOOK FEES

All school computers and textbooks are identified by a barcode affixed to the item. Defacement of the barcode labels, computers, or books themselves will result in a partial fine or the full cost of replacement. Equipment and books must be returned in the same condition as when they were checked out. Damaged textbooks or equipment that requires replacement will be billed at cost to the parent or guardian of the student to whom the damaged item had been issued.

FIELD TRIP REQUIREMENTS

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

- have submitted a completed and signed Parent Permission Form
- have an Authorization for Consent for Treatment of a Minor form on file in the office
- be in good standing both academically and behaviorally; the Principal may cancel field trip privileges for academic or disciplinary reasons.
- not have field trip privileges suspended; field trip privileges may be revoked for a semester following disciplinary suspension

Note: A student who has been suspended for five (5) or more days must obtain the Principal's approval before attending any extracurricular field trip and school activities.

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 chartered bus or school vehicle for the safety and well-being of all students. Parent drivers are not permitted.

HOMework POLICY

Homework is essential to student growth and academic success. Students must develop the ability to work, read, and study independently in preparation for high school and college academics.

Homework assignments are determined by the teachers and individual teacher homework expectations should be outlined in their course syllabus. In general:

- Seventh and Eighth Grades – Homework should not exceed 8-10 hours per week. Students are expected to record their homework assignments in the student planner provided by the school. This is an important organizational skill that students must master and parents can assist them by asking to see their student's planner daily.
- All homework assignments are also available daily to the parents or guardians via the Home Study Document. This information is provided so that parents and guardians may assist and check with their student on the completion of their homework.

GRADING POLICY

Grades are intended to communicate a student's understanding of the standards and mastery of the grade level concepts and skills. To this end, HJHS grade reports reflect the students' academic progress and mastery of state standards and required skills. Our focus on academic rigor, high standards, and skill acquisition prepares students with the foundational base that they need to be successful in high school, college, and/or career.

The teacher will provide each student an explanation of the course objectives, grading and assessment policy, and other course information during the first week of school. This information is contained in the course syllabus.

The school year is divided into six (6) grading periods for reporting student progress and two (2) semesters for assigning permanent grades. The following grading scale will be used to record a student's academic progress:

A Superior 90% to 100% 4 grade points

B Above Average 80% to 89% 3 grade points

C Average 70% to 79% 2 grade points

D Below Average 60% to 69% 1 grade point

F Failure Below 60% 0 grade points

I Incomplete, without final mark: to be replaced by a final mark of A to F.

Note: A grade of "D" or better is required to earn credit for core courses or subject areas. Core courses or subject areas include: Academic Writing, Humanities, Mathematics, and Science. **However, an overall GPA of 2.0 ("C" average) is normally required for a student to be promoted to the next grade level. Physical Education is not included in the GPA calculation.**

ACADEMIC AWARDS

The academic education received by every student at HJHS is of paramount concern. To encourage academic excellence, the Principal will announce the recipients of the White Tiger Head Award (4.0 GPA), Director's Award (3.5 and above GPA) and Honors Award (3.2 and above GPA) at the beginning of each semester (based on the previous semester's final grades). Academic Excellence, Most Improvement, and Citizenship awards can also be earned.

Note: All GPA award recipients must have a passing grade in Physical Education.

Students earning the Tiger Head Award, Director's Award, and Honors Award, and other awards, will be recognized at a student assembly and awarded an academic award certificate.

End of the year academic achievement awards will be presented at the Awards Assembly on the last day of school. The Principal will receive award recommendations from the faculty at the end of the Third Grading Period of the Second Semester.

Academic subject awards are presented during the promotion ceremony to the selected promoting eighth graders.

LATE WORK

Learning to work to meet a deadline is an important skill that all students must master. Therefore, all assignments, projects, and assessments will be given specific due dates. The exception to this will only be for an excused absence in which case long term projects and assessments will be due upon the students return to school and short term assignments will receive a one day extension for each day of the excused absence. Credit for work and tests missed due to absence is left to teacher's discretion but normally awarded as follows:

- Full credit is given if the absence was excused.
- A ten (10) percent reduction is made for each day of an unexcused absence
- A minimum fifty (50) percent reduction is made for truancy (first day) plus an additional ten (10) percent reduction for each additional day of truancy

PROGRESS REPORTS AND REPORT CARDS

At the end of each grading period, the Principal will send an email to parents and guardians informing them that the grading period has closed and their student's grades have been updated for the grading period.

Note: Student grades will be updated frequently in the Synergy system in order for parents to view current progress through the parent portal of Synergy.

Report cards for all students are printed and issued at the end of each semester. The report card will relate the final grade earned for each subject area or course.

PROMOTION TO THE NEXT LEVEL COURSE OR GRADE

Promotion to the next level in a class or grade will be based on the student's academic performance, work effort, and mastery of the content and skills for the current course or grade. Advancement to the next level course or grade must be earned.

Note: Normally an overall GPA of 2.0 ("C" average of all courses) is required for promotion to the next grade level. Students who do not meet this requirement will normally be retained in their current grade. Physical Education is not included in the GPA calculation.

In order for a student to be promoted to high school (9th Grade), the student must normally have an overall GPA of 2.0 with a grade of "C" or higher in Mathematics, Science, Academic Writing, and Humanities.

PROMOTION CEREMONY

HJHS has a formal Eighth Grade Promotion Ceremony held during the last week of school. All students who complete the promotion requirements and are in good standing both academically and behaviorally may participate in the ceremony.

SPECIAL EDUCATION

Every student with Special Education needs has unique abilities and challenges. The goal of the HJHS Special Education program is to provide support for students to help them overcome or compensate for areas of deficit. Individual goals and methods of support will be determined in an Individualized Education Plan (IEP) meeting and in accordance with applicable law. Special Education services are provided by the Escondido Union School District.

PHYSICAL EDUCATION

All students must participate in Physical Education (PE). 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 multiple days of PE. Students will not be allowed to call home for PE excuses.

Like all classes at the HJHS, physical education is a mastery based class. Students must work to improve their physical fitness (medical conditions will be taken into account when evaluating student performance and effort) and pass assessments on content taught within the class. **A passing grade in Physical Education is a requirement for all GPA awards.**

All students must wear athletic (tennis or gym) shoes for PE. In addition, students are required to meet the school PE dress code during PE and to have a water bottle. Students must change back into school clothing that meets the dress code at the end of PE.

PE lockers are provided for the storage of personal items during PE. Students are responsible for providing a lock for their locker and securing all personal items during PE class. Students are not to share lockers with any other students or allow any other student access to their lockers. At the end of PE class, students should empty their lockers.

Lockers are subject to random searches throughout the school year and students are responsible for all items found in their locker. Students may not attach stickers or make any permanent markings or inappropriate symbols on, or in, any locker. In addition, lockers should be kept orderly and hygienic at all times – food, clothes, and trash must not be left in the locker. Finally, the school is not responsible for lost or stolen personal items.

CELL PHONE POLICY

Students may possess cellular phones provided that such devices do not disrupt the educational program or school activity. Students' cellular phones must be turned off and put away in their backpacks while on campus, unless permission to do otherwise is given by the Administration, staff member, or teacher.

Unauthorized use of cell phones while on campus will result in confiscation of the phone and assignment of a detention. The cell phone will not be returned to the student but must be picked up by the student's parent or guardian in the Main Office. Following dismissal at the end of the school day, students may use cell phones on campus with teacher permission to contact parents regarding pick-up/walk-off instructions. Students with cell phones shall not publish, display, transmit, or receive any material which they know or have reason to know is defamatory, inaccurate, abusive, obscene, profane, or potentially offensive to others. Additionally, students shall not use cell phones to engage in any illegal act, engage in gang activity, or transmit a threat, or engage in online harassment or bullying via social media or other digital means. Any violation of this policy is subject to 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 emails 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.

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, or attempted access, to unauthorized or inappropriate Internet sites. In support of the school’s Internet policies, the following guidelines have been established.

COMPUTER ETHICAL USE POLICY

1. **Personal Responsibility:** The student in whose name an email and or log-in account on the Heritage Junior High School (HJHS) Network is issued is responsible for its proper use at all times. Users shall maintain privacy of account names/numbers, passwords, and all personal information. They shall use the system only under their assigned account, and they shall make no attempt to log in through another person's account or access another person's files.
2. **Acceptable Use:** The use of school accounts must be in support of education and research and consistent with the educational objectives of the HJHS.
 - Users shall not publish, display, transmit, or receive any material which they know or have reason to know is defamatory, inaccurate, abusive, obscene, profane, or potentially offensive to others.
 - Users shall not use the school network to engage in any illegal act, engage in gang activity, or transmit a threat.
 - Transmission, receiving, or downloading of any material in violation of any U.S. or state regulations is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secrets.
 - Use for product advertisement, sales or purchases, political lobbying, or partisan political activities- except as an approved part of a course to teach students about the American political system in accordance with HJHS approved curriculum- is prohibited.
3. **Privileges:** The use of the information system is a privilege, not a right, and inappropriate use will result in cancellation of this privilege. The HJHS staff will determine whether a use is inappropriate under the Ethical Use Policy and Contract. The administration has the authority to deny, revoke, or suspend specific user accounts for violation of this Ethical Use Policy and Contract. An administrator may close an account at any time and for any duration as deemed necessary for violation of the Ethical Use Policy and Contract. All decisions made by staff and administration shall be final. Parents may ask for a meeting with administration to determine the best way to support student's acceptable behavior in line with the Ethical Use Policy and Contract.
4. **Network Etiquette:** Students are expected to abide by accepted rules of network etiquette. These rules include (but are not limited to) the following:
 - Be Polite and brave (*if you won't say it face to face, don't write it in an email – that is moral cowardice*). Never send or encourage others to send abusive messages.
 - Use appropriate language. Never swear; never use vulgarities or insults.
 - Do not reveal your (or any other person's) home address, phone number, or similar information of a personal nature.
 - Never agree to meet with anyone you have met online without your parent's or guardians' approval.
 - Electronic Mail (email) is not guaranteed to be private. Messages relating to or in support of illegal activities must be reported to school authorities, or law enforcement agencies.
 - Do not plagiarize works that you find on the Internet by presenting other persons, ideas, or writing as your own.

- All activities are monitored. The network is not private; there is no confidentiality.
 - Do not use the network in any way that would disrupt the use of the network by others.
 - Under no circumstances shall you share login information or attempt to access other students' accounts.
5. **Security:** Security on any computer system is a high priority, especially when the system involves many users. If you identify a security problem, immediately notify the teacher or adult in charge. Never demonstrate the problem to other users. Never use someone else's account and never give out your password to anyone. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network system.
 6. **Services:** The HJHS is not responsible for any damages consequential, incidental, or otherwise you may suffer arising from use of the information system, including damages arising as a result of the negligent or intentional action of HJHS. This includes loss of data for any reason. Use of any information obtained via the network is at your own risk. Students and parents or guardians of students who are minors understand that the HJHS does not have control of the information content that resides on the network and online services. Some systems may condone or permit the use of such material in the school environment. The HJHS specifically denies any responsibility for the accuracy or quality of information obtained through the network and online services.
 7. **Vandalism:** Users, or parents of users who are minors, will be held responsible for damage to hardware and/or software, pursuant to State law. Vandalism includes, but is not limited to, damage to or theft of system hardware or software; the altering of system software; the placing of unlawful information, computer viruses or harmful programs on or through the computer system in either public or private files or messages. The HJHS 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 (currently billed at \$95.00 per hour), fines, or imprisonment, as applicable.
 8. **Materials:** The HJHS reserves the right of access to any material stored in files which are accessible by others and may in accordance, with law, remove any material, which is obscene, defamatory or otherwise unlawful. Users will not use their account or access privileges to obtain, view, download, or otherwise gain access to such materials.
 9. **Account/Password:** The HJHS and American Heritage network system is intended for the exclusive use of its registered users, who are responsible for the use of their account/password. Any problems, which arise from the user's account, are the responsibility of the account holder. Misuse of the account or use of the account by someone other than the registered holder will be grounds for loss of privilege.

First Offense: Student receives a "0" for assignment or examination if applicable, is assigned a Detention or Saturday School, and a Parent conference by phone or in person.

Second Offense: Student receives a "0" for assignment or examination if applicable, is assigned a Saturday School or Suspension, and a Probation Use Network Contract.

Third Offense: Student receives a "0" for assignment or examination if applicable, Suspension, and referral to the HJHS Board.

SCHOOL EMAIL AND PASSWORDS

Students will be issued a school email, access to a number of programs, and cloud storage for documents. Students are responsible for all content in their accounts. **Passwords must never be shared for any reason except with parents.** Any breaches of password security must be reported to the school immediately.

The school reserves the right to access any school account or school computer at any time. Active use of school computers may be monitored at any time.

HERITAGE JUNIOR HIGH 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 Junior High 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 if an item is appropriate, it is best not to send your child in the questioned garment.

The dress policy is designed to ensure that our students are well-prepared, both physically and mentally, for 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 K-8 Charter School governing board. Any requests for review or revision should be directed to the board in writing.

Shirts:

- Solid colored **navy blue, white, or maroon** long or short-sleeved polo shirts.
- Turtlenecks and undershirts in **navy blue, white, or maroon** 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.
- Undershirts in **navy blue, maroon or white** must be tucked in at all times.
- All AHCS Spirit Wear may **only** be worn on Fridays.

Please note: all bottoms must be a uniform type material. No denim, jeans, sweats, leggings, cargo pants or sweatpants are permitted.

Bottoms:

- Pants, shorts, skirts, skorts in solid **navy blue or khaki/tan**.
- Skorts/skirts may also be **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.
- Shorts, skirts, and skorts must be modest in length. Attire must be near the knee.
- Leggings or tights may not be worn as pants.

Shoes:

- Shoes must be flat with a closed toe and closed heel and be securely attached to the foot. (Sandals and/or Crocs are not considered appropriate footwear).
- Preferably plain, **white, black, brown, or navy blue**.
- Students must wear matching pairs of shoes and single colored shoelaces at all times.
- Shoes must be worn at all times.
- Boots may be worn but must have a heel no more than 2 inches in height. (UGG Boots or slippers are not considered appropriate footwear)

Outerwear:

- Only **solid** colored sweaters, sweatshirts, windbreakers and jackets in **navy blue, maroon, white**.
- **Solid** color (any color) outdoor coats such as raincoats, heavy, winter coats, and parkas may be worn outdoors but removed when indoors.
- Logos are allowed but must be school appropriate and no larger than 2 inches by 2 inches.

PE Uniforms:

- Solid colored **white**, T-shirts.
- Solid colored **navy blue or black** athletic/gym **knee length** shorts.
- Brand logos (ie., Nike) are permitted but must be no larger than 2 inches by 2 inches.
- Athletic shoes are recommended.
- Please launder PE uniforms regularly.

Additional Attire:

- Socks may be a color or pattern of your choosing but must adhere to the “Dress For Success” guidelines.
- Leggings and tights must be solid colored **navy blue, black, or white** and may be worn under uniform bottoms.
- Clothes or accessories with sparkles, spikes, studs, or glitter are **not allowed**.
- Baseball hats, visors, and beanies in solid **navy blue, maroon or white** are permitted outside but must be removed inside and during class. School spirit wear hats or beanies with a Heritage or AHCS logo are also permitted for outdoor use.
- Eccentricities of dress and personal grooming, such as body piercing and unnatural hair color, **are NOT permitted**. Extreme variations in hair color are not permitted.
- Makeup is not permitted on campus at any time and should not be put on during school hours. Makeup items out during class time will be confiscated.
- Jewelry must not be excessive or a potential weapon or distraction. Only one bracelet and one necklace may be worn at a time. Only small hoop or stud earrings are acceptable.
- Sweatbands, gloves, scarves, tiaras, and bandanas are not permitted. Headbands are permitted but may not have excessive embellishment (example: animal ears, antennae).

***In the event a student violates the Heritage Junior High School Dress Code Policy, parents will be contacted to bring in an acceptable uniform. Thank you for your support.**

The examples below are the most commonly worn clothing items. Please contact the administration offices if you have questions about specific clothing items.

POLO COLORS

<u>Solid</u> Navy Blue 	<u>Solid</u> Maroon 	<u>Solid</u> White 
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BOTTOMS

Solid Navy Blue



Solid Khaki (tan)



Maroon Plaid



FREE DRESS DAYS STUDENT DRESS CODE: “Let’s Dress for Success”

In order to meet one of the goals of the American Heritage Charter School’s mission statement, and 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, pink, 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 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 are not permitted.

→ Shoes must be worn at all times. Sandals are allowed, but must be securely attached to the foot. Footwear worn in the science labs must be of closed-toed design.

Please note: this list is not meant to be exhaustive; rather, it outlines the general expectations of student dress during school or school-sponsored activities

For any dress code violation, every effort will be made by the staff to fix the violation. If the situation cannot be remedied, a parent will be called.*

First Offense: Warning and student fixes the dress code violation

Second Offense: Student receives a detention and fixes the dress code violation

Third Offense: Saturday School and fixes the dress code violation

Fourth Offense: Suspension with Probation Contract. Exclusion from all school activities for the remainder of semester and fixes the dress code violation while on campus.

**Any non-uniform confiscated item must be picked up in the office by the student's parent or guardian. If not picked up by the end of each semester, the item will be donated.*

STUDENT DROP-OFF AND PICK-UP PROCEDURES

Due to the configuration of the campus, student drop-off and pick-up is congested. Every effort will be made to facilitate these procedures, but please be patient and drive slowly to ensure student safety. Students are to be dropped off only in the designated drop off zone directly in front of HJHS. **DO NOT** park your vehicle during drop off or pick up nor drop-off or pick-up your student in front of Escondido Valley Community Center. Parents who would like to park and walk with their student on campus, should utilize the designated Visitor Parking spaces.

Student drop-off begins at 7:35 AM. There is no adult supervision before this time. Students will be held in the front of the school until 7:35 AM. Gates will open for students to report to the back of the building at 7:35 AM.

Students must be picked-up within 15 minutes of the conclusion of the school day. In the event that a student has not been picked-up by this time and a parent or guardian cannot be reached, the school reserves the right to contact the local police department to address the issue. With parent permission, students may wait at or in front of the East Valley Community Center.

At the dismissal of school, students will be released to be picked up by their parent/guardian, or to depart the campus. Parents/Guardians should make certain to arrange with their students their after school transportation plans. Students attending tutorial or other school activities will also be released at the conclusion of the activity to be picked up by parent/guardian or depart campus. Students are not to loiter on campus after dismissal. HJHS is not responsible and cannot control where the student goes after they leave campus.

Students planning on waiting to be picked up at the Escondido Valley Community Center will wait in the drop-off zone until excused by staff after dismissal. Parents may walk onto the front of campus to pick up their students. Please enter and exit campus utilizing the crosswalk.

HJHS is a closed campus. Once a student is on campus for the school day, they may not leave for any reason unless they are signed out by a parent or guardian or have a signed field trip permission slip.

DISCIPLINE

HJHS remains committed to the goal of establishing a safe and orderly learning environment that is conducive to student academic achievement. Moreover, the Heritage Board of Principals and school personnel 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 HJHS policies and state laws.

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

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

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

Discipline includes, but is not limited to, advising and counseling students, conferring with parents, detention during and after school hours, Saturday School, the use of alternative educational environments, suspension, and expulsion. A student may be disciplined (including suspension and expulsion) for prohibited misconduct if the act is related to a school activity or school attendance occurring at the school or at any other school or school sponsored event including, but not limited to:

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

Student Responsibilities:

The HJHS believes that it is important for students to understand that they have a choice to make regarding their actions and that appropriate conduct benefits both themselves and others. Students are encouraged to express their individuality as long as this expression does not infringe upon the rights of others or disrupt the learning environment. Behavior is considered appropriate when students are diligent in study, neat and clean, careful with school property, respectful towards their teachers, courteous to other students, staff and volunteers, and do not seek to bring inappropriate attention to themselves. Students are expected to be punctual and regular in attendance and to remain on school premises in accordance with school rules. They are further expected to refrain from profane, vulgar or abusive language.

Parent and Guardian Responsibilities:

Parents and guardians are expected to comply with all laws governing the conduct and education of their children and to cooperate with and support school authorities regarding their children's behavior. California law holds parents and guardians liable for any willful student misconduct which results in the death or injury of any student or persons employed by or volunteering for the school. Parents and guardians are also liable for any defacement, injury, or loss of property belonging to the school or to a staff member.

DETENTION AND SATURDAY SCHOOL

Detention and Saturday school are assigned for disciplinary infractions, including but not limited to such offenses as classroom disruptions, dress code violations, computer use violations, and tardiness. Detention is to be served on Friday after the regular school day from 3:10 PM to 3:50 PM. Saturday school will be held from 8:00 AM to 11:45 AM. Parents will be notified by the school of when the detention or Saturday School will be served. During the detention or Saturday School session, students will be assigned work to complete. If a student cannot remain at school for an assigned detention or Saturday School, a parent or guardian must contact the Main Office in advance to reschedule. Failure to appear for a detention or Saturday School will result in an additional detention and/or Saturday School being assigned, or suspension.

HONOR CODE

HJHS commits itself to pursuing excellence with honor. All students are expected to refrain from cheating, plagiarizing, lying or stealing. Depending on the severity of the Honor Code violation, consequences may include:

- Detention
- Saturday School
- A zero on the assignment (if applicable)
- Suspension with Probation Contract

Cheating encompasses, but is not limited to, the following:

- Willful giving or receiving of an unauthorized, unfair, dishonest, or unscrupulous advantage in school work over other students.
- Attempted cheating or cheating.
- Some examples are: deception; copying from another student or allowing the copying of an individual assignment; passing test or quiz information; illegally exceeding time limits on timed tests, quizzes, or assignments; unauthorized use of study aids, notes, books, data, or other information; computer ethical use violations; sabotaging the projects or experiments of other students; submitting copied work from another student as his or her own work; submitting work on behalf of another student, copying another student's examination in class; obtaining and using examination answers from another student or other source.

Plagiarizing encompasses, but is not limited to, the following:

- Presenting as one's own, the works or the opinions of someone else without proper acknowledgement.
- Borrowing of the sequence of ideas, the arrangement of materials, or the pattern of thought of someone else without proper acknowledgement.
- Some examples are: having a parent or another person write an essay or do a project which is then submitted as one's own work; failing to use proper source citations and bibliography.

Lying encompasses, but is not limited to, the following:

- Willful and knowledgeable telling of an untruth or falsehood as well as any form of deceit, attempted deception, or fraud in an oral or written statement.
- Some examples are: lying or failing to give complete information to a teacher; feigning illness to gain extra preparation time for tests, quizzes, or assignments due.

Stealing encompasses, but is not limited to, the following:

- Taking or appropriating without the right or permission to do so and with the intent to keep or make use of wrongfully, the school work or materials of another student or the instructional materials of a teacher.
- Some examples are: stealing copies of tests or quizzes, illegitimately accessing the teacher's answer key for tests or quizzes or the teacher's computer or password; stealing the teacher's edition of the textbook; stealing another student's homework, notes, or handouts, or equipment, stealing personal or school property.

Students Will:

- Avoid situations which might contribute to cheating, plagiarizing, lying, and stealing.
- Avoid unauthorized assistance on all school work.
- Document borrowed materials by citing sources.
- Avoid plagiarizing by:
 - a. using quotation marks for statements taken from others

- b. acknowledging information, ideas, or patterns of thought borrowed from any source
- c. consulting faculty about any questionable situations

In addition, students are encouraged to speak to any student they observe violating the Honor Code about the seriousness of the infraction.

UNACCEPTABLE BEHAVIOR

In addition to the items discussed above, disrespect to a staff member and the use of vulgar, obscene, or disrespectful language will not be tolerated. **Also, any display of affection between students is not acceptable behavior during school or at school activities.** Discipline for unacceptable behavior is based on Administrator's discretion and may include:

First Offense: Detention

Second Offense: Saturday School

Third Offense: Suspension with Probation Contract for Defiance, and possible exclusion from school extracurricular activities for remainder of semester.

SEARCHES AND SEIZURES

The 4th Amendment of the United States Constitution protects individuals from unlawful searches. However, the law allows school officials to conduct searches of students under certain limited circumstances. 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, vehicles, 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.

If a student has engaged in conduct that causes an administrator to have reasonable suspicion that the student has committed, or is about to commit a crime or has violated statutory laws or school rules, then the administrator may conduct a search of that student. When conducting a student search based on reasonable suspicion, school officials will adhere to the following practices:

- Conduct the search only if there are clear and specific reasons for suspicion and there are facts that connect the student to a specific incident of misconduct. • Jackets, purses, pockets, backpacks, bags, and containers in the student's possession may be searched to the extent reasonably necessary.
- Under no conditions may a body or strip search be conducted.
- Searches based on reasonable suspicion must be conducted in a private area where the search will not be visible to other students or staff (except for a school administrator or designee witness, also of the same sex).

ANTI-BULLYING POLICY

HJHS is committed to providing a safe working and learning environment; will not tolerate bullying or any behavior that infringes on the safety or well-being of students, employees, or any other persons within the HJHS' jurisdiction; and will not tolerate retaliation in any form when bullying has been reported. School policy requires all personnel to promote among students and staff mutual respect, tolerance, and acceptance. "All students and staff have the inalienable right to attend a campus which is safe, secure and peaceful." [Article 1, Section 28(c) of the California State Constitution]. 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, bullying, harassment, or discrimination of any kind, either verbal or physical, will not be tolerated.

Bullying is defined as aggressive behavior that involves an imbalance of real or perceived physical or psychological power among those involved. Typically, the behavior is repeated over time and includes the use of hurtful words and/or acts. Bullying behaviors may include, but are not necessarily limited to, the following:

- Verbal: Hurtful name-calling, teasing, gossiping, making threats, making rude noises, racial and ethnic "jokes," or spreading hurtful rumors.
- Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
- Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, biting, spitting, or destroying property.
- Emotional (Psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- Cyber bullying: Sending insulting or threatening messages by phone, e-mail, websites or any other electronic or written communication. Creating false messages, websites, etc. impersonating another person.

Administrators and staff are responsible for creating an environment where the school community understands that bullying is inappropriate and will not be tolerated. Students also take responsibility for helping to create a safe environment:

- Do not engage in or contribute to bullying behaviors, actions, or words. Treat everyone with respect.
- Be sensitive as to how others might perceive your actions or words.
- Report bullying behavior to a trusted adult.
- Never engage in retaliatory behavior or ask for, encourage, or consent to anyone taking retaliatory actions on your behalf.

For assistance with issues related to bullying, contact a staff member immediately.

Depending on the severity of the action, consequences for bullying can include:

- Detention
- Saturday School
- Suspension with Probation Contract for Defiance
- Exclusion from all school extracurricular activities
- Expulsion

ZERO TOLERANCE POLICY

Each person on campus at the HJHS expects a safe, orderly, 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.

PROHIBITED ITEMS

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:

Water pistols, Clubs, Lighters
Knives, Spiked Accessories, Ammunition
Chains, Razor Blades, Guns

Certain prohibited items may be allowed on campus for academic activities if they are requested in writing by a parent or teacher and pre-authorized by the Principal. 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.

SUSPENSION AND EXPULSION POLICY

As a result of serious disciplinary infractions, students may be suspended or expelled from school, pursuant to a policy established and approved by the School's Board of Directors. This policy applies to all students at American Heritage Charter Schools, and is found in Attachment 1, which is attached and incorporated by reference.

Attachment 1

Heritage Junior High School Student/Parent Handbook

Acknowledgement Form

I, the undersigned parent or guardian, affirm that I have been notified of the key aspects of the Heritage Junior High School policies and procedures including those governing student attendance, conduct and discipline, academic standards and grading, computer use and ethics, and grade level promotion. I have reviewed in detail and understand the policies and procedures in the HJHS Student/Parent Handbook and agree to abide by the policies and procedures contained therein.

Parent or Guardian Signature

Date

Print Name

Relationship to Student

I, the undersigned student, affirm that I have been notified of the key aspects of the HJHS policies and procedures including those governing student attendance, conduct and discipline, academic standards and grading, computer use and ethics, and grade level promotion. I have reviewed in detail and understand the policies and procedures in the HJHS Student/Parent Handbook and agree to abide by the policies and procedures contained therein.

Student Signature

Date

Print Name

Grade

Google Workspace For Education Parent or Guardian Consent

At Heritage K-8 Charter School, we use Google Workspace for Education, and we provide and manage a Google Workspace for Education account for your child. Google Workspace for Education is a set of education productivity tools from Google including Gmail, Calendar, Docs, Classroom, and more used by tens of millions of students and teachers around the world. Students may also use “additional services” such as Youtube, Earth, Maps, Chrome Web Store, Google play store, Blogger, and others which require parent or guardian consent. At Heritage K-8 Charter School, students will use their G-Suite accounts to complete assignments, communicate with their teachers, sign into their Chromebooks, and learn 21st century digital citizenship skills.

For answers to common questions about what Google can and can’t do with your child’s personal information please read the terms of use.

After reviewing, please sign below to indicate that you’ve read the notice and give your consent. If you don’t provide your consent, we will not allow your student to use “additional services”. Students without access to these services, may have a reduced experience with greater barriers to learning.

I acknowledge that Heritage K-8 Charter School will create/maintain a Google Workspace for Education account for my child according to the terms of use.

Thank you,

Full name of student

Printed name of parent/guardian

Signature of parent/guardian

Date

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.

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.

Safe Place to Learn Act, Harassment, Intimidation, Discrimination, Bullying and Retaliation Policy

AMERICAN HERITAGE CHARTER SCHOOLS

The following policy has been adopted by the Board of Directors of Escondido Charter High School (hereinafter “Charter School”).

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

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality (including language use restrictions), ancestry, race or ethnicity (including ancestry, color, ethnic group identification and ethnic background, race is inclusive of traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, including, but not limited to, such hairstyles as braids, locks and twists), religion (including religious dress and grooming practices), religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, immigration status, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as “misconduct prohibited by this Policy.”

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

Moreover, the Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which the Charter School does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. The Charter

Uniform Complaint Policy

AMERICAN HERITAGE CHARTER SCHOOLS

The following policy has been adopted by the Board of Directors of Escondido Charter High School and Heritage K-8 Charter School (hereinafter “School”), effective August 10, 2022.

It is the policy of Escondido Charter High School to maintain a positive and productive working and educational environment. The School does not discriminate in its programs and activities against any characteristic that is contained in the definitions of classes of persons found in California Education Code sections 200 and 220, Government Code section 11135, including any actual or perceived characteristic as set forth in Penal Code section 422.55, as amended (“Protected Groups”), and provides equal access to community and youth groups. The School is primarily responsible to ensure that it is compliant with all applicable federal and state laws and regulations. There are some circumstances, however, when employees or students may take issue with other employees or students, or someone may believe that a violation of federal or state law is occurring in certain educational programs. The School encourages complainants to first address the issue with the other person directly using conflict resolution skills when possible.

Types of Complaints to be Filed Using the UCP:

If, however, the complainant does not feel comfortable with this approach or the complaint relates to any of the topics below, the complainant must use the complaint procedure identified below. The School will investigate complaints and seek to resolve them in compliance with this policy:

- Harassment, discrimination, intimidation, or bullying based upon the above-identified characteristics, or any other legally protected category, in its programs or activities, federal or state laws, or regulations governing educational programs;
- Improper student fees;
- Noncompliance with the rights or accommodations of pregnant, lactating and parenting students;
- Failure to provide counseling and other resources to students who identify with a Protected Group.
- Failure to comply with statutes relating to foster care pupil records transfers or foster care pupil education;
- Failure to comply with State statutes relating to the education of homeless students, students in foster care, former juvenile court school students, students who are children of a military family, or migratory students;
- A complaint that the School has not complied with the requirements of Education Code sections 47606.5 (annual update to goals and annual actions) or 47607.3 (outcomes for pupil subgroups), as applicable;

AMERICAN HERITAGE CHARTER SCHOOLS

TITLE IX SEXUAL HARASSMENT POLICY AND GRIEVANCE PROCEDURES

Title IX is a federal civil rights law that protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. While many associate Title IX strictly with equity in access to sports and facilities irrespective of sex, it also applies to sexual harassment, including sexual violence.

Title IX regulations found in 34 C.F.R. Part 106 require extensive standards and grievance procedures for complaints of sexual harassment. This Title IX policy is intended to comply with those standards and procedures. The Title IX regulations apply to complaints of sexual harassment made by employees or by students.

Title IX regulations define sexual harassment more narrowly than the school's code of conduct or employee handbook. Some complaints of sexual harassment will not fall within the sexual harassment definitions of Title IX's regulations but will fall within the sexual harassment definitions within the student code of conduct or employee handbook. Each complaint a school receives alleging sexual harassment should be examined to determine which grievance procedures need to be followed. Some complaints might implicate multiple grievance procedures.

Definitions

Accused means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the School's Title IX Coordinator or any official of the School who has authority to institute corrective measures on behalf of the School, or to any other employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the School with actual knowledge is the individual accused of harassment ("Accused"). The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the School. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in 34 C.F.R. § 106.8(a).

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances over which the School exercised substantial control over both the accused and the context in which the sexual harassment occurs.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against an accused and requesting that the School investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the School with

Disclosure of Directory Information

Directory information includes personal information about a student that Heritage K-8 Charter School (hereinafter “School”) may make public. Directory information includes a student’s name, address, telephone number, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and the most recent previous educational agency or institution attended by the student.

The following are potential recipients of the directory information:

- American Heritage Charter Schools staff
- Representatives of other educational institutions
- Colleges and universities (high school students)
- Law enforcement
- Local school districts
- YMCA and other afterschool programs and vendors
- Armed Services (high school students)

The natural parent, guardian, or individual acting as a parent in the absence of a parent or a guardian (hereinafter “parent”) has the right to refuse to let the School designate any or all of the types of information listed above as directory information for their student. Within fourteen (14) days of receiving this notice, any parent(s) who does not want his or her student’s directory information made public without prior written consent must inform the School in writing. This parental notice must identify what student directory information (any or all) is subject to the prior written consent requirement.

Parental Rights under the Family Educational Rights and Privacy Act (hereinafter “FERPA”)

Under the Family Educational Rights and Privacy Act (hereinafter “FERPA”), parents have the right to:

- Inspect and review the student’s education records;
- Seek amendment of the student’s education records that the parent believes to be inaccurate, misleading, or otherwise in violation of the student’s privacy rights;
- Consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA and the Code of Federal Regulations authorize disclosure without consent; and
- File with the Department of Education a complaint concerning alleged failures by the School to comply with the requirements of FERPA and its promulgated regulations.

In order to inspect and review the student’s education records, parents shall submit a request to review education records in writing to the School’s principal. If upon review, a parent discovers

any information or notation that is factually inaccurate, an unsubstantiated personal conclusion or inference, a conclusion or inference outside of the observer's area of competence, not based on the personal observation of a named person with the time and place of the observation noted or misleading or in violation of the student's right of privacy, that person may request, in writing, that the School amend the record. The request must be submitted within thirty (30) days of the discovery of the inaccurate or misleading information or a violation of the student's right of privacy.

Declarations and Assurances

The School forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll. The School may disclose records to public institutions with a legitimate educational interest under 34 CFR Sec. 99.31, as amended. The School will not release information to third parties for immigration enforcement purposes, except as required by law or court order. Unless the School is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, the School shall notify parents – and receive their written consent – before it releases a student's personally identifiable information.

Educational Record

An education record is any written or computerized document, file, entry, or record containing information directly relating to a student that is compiled and maintained by the School. Such information includes but is not limited to:

- a. Date and place of birth; parent and/or guardian's address, and where the parties may be contacted for emergency purposes.
- b. Grades, test scores, courses taken, academic specializations, and school activities;
- c. Special education records;
- d. Disciplinary records;
- e. Medical and health records;
- f. Attendance records and records of past schools attended;
- g. Personal information such as, but not limited to, student identification numbers, social security numbers, photographs, or any other type of information that aids in identification of a student. Please note that, as of January 1, 2017, the School shall not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians, unless otherwise required to do so by state or federal law.

Circumstances or Conditions for Release of Student Information to Outside Entities

The School will disclose education records, without consent, to the following parties:

- a. School employees who have a legitimate educational interest as defined by 34 C.F.R.

Part 99;

- b. Contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions may be considered school officials provided that: 1) the outside party performs an institutional service or function for which the school would otherwise use employees; 2) is under the direct control of the school with respect to the use and maintenance of records; and 3) is subject to the requirements of 34 C.F.R. § 99.33(a) governing the use and redisclosure of personally identifiable information.
- c. Other schools to which a student seeks or intends to enroll;
- d. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
- e. Appropriate parties in connection with a student's application for, or receipt of, financial aid, if it is necessary to determine eligibility, amount of aid, conditions for aid, or enforcing of the terms and conditions of the aid;
- f. Organizations conducting certain studies for the School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
- g. Accrediting organizations in order to carry out their accrediting functions;
- h. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
- i. Individuals who have obtained lawful court orders or subpoenas, with prior notice to parents, with some exceptions;
- j. Persons who need to know in cases of health and safety emergencies;
- k. State and local authorities within a juvenile justice system, pursuant to specific State law.
- l. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by the School with respect to that alleged crime or offense. The School may disclose the final results of the disciplinary proceeding, regardless of whether the School concluded a violation was committed.
- m. If the School participates in the federal Lunch Program, the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purpose of conducting program monitoring, evaluations, and performance measurements of the School, provided the data is reported in the appropriate form provided by law.
- n. An agency caseworker or other representative of a State or local child welfare agency or tribal organization who has the right to access a student's case plan, when such agency or organization is legally responsible, in accordance with State law, for the care and protection of the student, provided those records will not be disclosed by such agency or organization, except as required by law.
- o. Other disclosures as provided by applicable law.

which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the School.

The phrase “**document filed by a complainant**” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the School) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.

Accused means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School's education program or activity; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the accused before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School must maintain as confidential any supportive measures provided to the complainant or accused, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

General Response to Sexual Harassment

If the School has actual knowledge of sexual harassment in an education program or activity of the School against a person in the United States, the School must respond promptly in a manner that is not deliberately indifferent. A School is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

A School's response must treat complainants and respondents equitably by offering supportive measures to a complainant, and by following a grievance process that complies with those

processes identified herein before the imposition of any disciplinary sanctions or other actions that are not supportive measures against an accused.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

Response to a Formal Complaint

In response to a formal complaint, a School must follow a grievance process outlined below. With or without a formal complaint, a School must comply with the School's General Response to Sexual Harassment process identified above.

Emergency Removal

The School may remove an accused from the School's education program or activity on an emergency basis, provided that the School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the accused with notice and an opportunity to challenge the decision immediately following the removal.

Administrative Leave

The School may place an accused non-student employee on administrative leave during the pendency of a grievance process identified below.

Grievance Process for Formal Complaints of Sexual Harassment

Discrimination on the Basis of Sex

The School's treatment of a complainant or an accused in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under title IX.

Grievance Process Generally

The School shall treat complainants and those accused equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the accused, and by following a grievance process that complies with this policy before the imposition of any disciplinary sanctions or other actions that are not supportive measures against an accused. Remedies are to be designed to restore or preserve equal access to the School's education program or activity. Such remedies may include the same individualized services described above as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the accused.

The School shall require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a complainant, accused, or witness.

Title IX Coordinator: Any individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or any person designated by the School to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or those

accused generally or an individual complainant or accused. The School shall ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the School's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The School shall ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth below. The School also shall ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth below. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Presumption: The School shall include a presumption that the accused is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Time Frames: The School shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the School offers informal resolution processes, and a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the accused of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Disciplinary Sanctions and Remedies: Following the determination of responsibility, the following reflect the range of possible disciplinary sanctions and remedies the School may implement: **[List here the possible range of disciplinary sanctions and remedies, including those for employees, students, and those making false accusations.]**

Standard of Evidence: For all formal complaints of sexual harassment against students, employees, and faculty, the standard of evidence to be used to determine responsibility is the clear and convincing evidence standard.

Appeals: A complainant or accused aggrieved by any decision under this policy shall have 5 business days to appeal any ruling that does not meet the requirements of this policy.

Supportive Measures: Supportive measures (defined above) shall be made available to complainants and those accused.

Privileged Evidence: When making a determination of responsibility, the School will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Notice of allegations: When the School receives a formal complaint, the School will provide written notice to the parties who are known. Such written notice will contain the following:

- 1) Notice of the School's grievance process, including any informal resolution process;
- 2) Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined above, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

The written notice shall include a statement that the accused is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.

The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties of any provision in the School's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School decides to investigate allegations about the complainant or the accused that are not included in the notice provided above, the School must provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint:

The School shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined above even if proved, did not occur in the School's education program or activity, or did not occur against a person in the United States, then the School must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under title IX and implemented regulations; such a dismissal does not preclude action under another provision of the School's code of conduct.

The School may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the accused is no longer enrolled or employed by the School; or specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal described above, the School must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

Consolidation of Formal Complaints. A School may consolidate formal complaints as to allegations of sexual harassment against more than one accused, or by more than one complainant against one or more accused, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one accused, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

Investigation of a Formal Complaint. When investigating a formal complaint and throughout the grievance process, the School shall:

- 1) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the School and not on the parties provided that the School cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent to do so for a grievance process under this policy. If a student is under the age of 18, the School must obtain the voluntary, written consent of the student's parent/guardian/education rights holder.
- 2) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- 3) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- 4) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or the accused in any meeting or grievance proceeding. Any restrictions regarding the extent to which an advisor may participate in the proceedings will apply equally to both parties.
- 5) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 6) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the School does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The School must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
- 7) Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if a hearing is required under this policy or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Hearings.

Matters involving employees may or may not include a hearing, as described in the employee handbook. Matters involving students will include the hearing procedures outlined in the suspension and expulsion policy.

If a hearing is required, after the School has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the accused committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the accused and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination Regarding Responsibility.

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility applying the standard of evidence described above.

The written determination must include—

- 1) Identification of the allegations potentially constituting sexual harassment as defined above.
- 2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- 3) Findings of fact supporting the determination.
- 4) Conclusions regarding the application of the School's code of conduct to the facts.
- 5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the accused, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the complainant; and
- 6) The School's procedures and permissible bases for the complainant and the accused to appeal.

The School shall provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals.

The School shall offer both parties an appeal from a determination regarding responsibility, and from the School's dismissal of a formal complaint or any allegations therein, on the following bases:

- 1) Procedural irregularity that affected the outcome of the matter;
- 2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

3) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against a complainant or an accused generally or the individual complainant or accused that affected the outcome of the matter.

The School may offer an appeal equally to both parties on additional bases, if such procedures are set forth in the initial notice to the accused party.

As to all appeals, the School shall:

- 1) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- 2) Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- 3) Ensure that the decision-maker(s) for the appeal complies with the conflict of interest and bias standards set forth above;
- 4) Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5) Issue a written decision describing the result of the appeal and the rationale for the result; and
- 6) Provide the written decision simultaneously to both parties.

Informal Resolution. The School may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this policy. Similarly, the School may not require the parties to participate in an informal resolution process under this policy and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the School may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the School—

- 1) Provides to the parties a written notice disclosing: The allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 2) Obtains the parties' voluntary, written consent to the informal resolution process; and
- 3) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Recordkeeping.

- 1) A School must maintain for a period of seven years records of—
 - (A) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript of any hearing (if applicable), any disciplinary

sanctions imposed on the accused, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education program or activity;

(B) Any appeal and the result therefrom;

(C) Any informal resolution and the result therefrom; and

(D) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The School must make these training materials publicly available on its website, or if the School does not maintain a website the School must make these materials available upon request for inspection by members of the public.

(ii) For each response to a formal complaint required by this policy, the School must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If a School does not provide a complainant with supportive measures, then the School must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

- Other violation of state or federal law regarding safety planning requirements, physical education, instructional minutes, and/or pupil instruction.

Types of Complaints Not Covered by the UCP

Many complaints do not fit within the above-listed complaints to be made through the UCP. Some of these include, but are not limited to:

- Classroom assignments
- Grades and graduation requirements;
- Hiring and evaluation of staff;
- Homework policies and practices;
- Provision of core curricula subjects;
- Student advancement and retention;
- Student discipline;
- Student records;
- Employment complaints;
- Open meetings and board meetings; and
- Other general education requirements

Procedures:

Each site leader has the responsibility to maintain a work place and educational environment free from any form of sexual or other unlawful harassment, discrimination or conduct. Unlawful discrimination or harassment may be based upon actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, age or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other category protected by law. Consequently, should the Principal become aware of any conduct that may constitute discrimination, harassment or other prohibited behavior, immediate action will be taken to address and remediate such conduct.

Making a Complaint:

Any person who has experienced or is aware of a situation that relates to a complaint made in accordance with this policy (as identified above), has a responsibility to report the situation immediately to one of the following individuals:

for Escondido Charter High School: Lesley Clifton, Principal, 1868 E. Valley Parkway,
Escondido, CA 92027, 760-737-3154, ext. 158

for Heritage Junior High School: Jason Gaylord, Principal, 2245 E. Valley Parkway, Escondido, CA 92027, 760-737-3154, ext. 519

for Heritage Elementary School: Marc Gilbertson, Principal, 1845 E. Valley Parkway, Escondido, CA 92027, 760-737-3154, ext. 407

for Heritage Flex Academy: Sandi Knapp, Principal, 2269 E. Valley Parkway, Escondido, CA 92027, 760-737-3154, ext. 620

for all School Support Staff: Jonathan Takagi, Business Manager, 1868 E. Valley Parkway, Escondido, CA 92027, 760-737-3154, ext. 176

Employees who believe they have been the victim of any employment discrimination should follow the complaint procedures identified in the employee handbook. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, the School will assist the complainant in filing the complaint.

When making a UCP complaint, if the employee or student is not comfortable contacting the Principal or site leader, or if that individual is not available, the employee or student should contact Shawn Roner, Executive Director, 1868 E. Valley Parkway, Escondido, CA 92027, 760-737-3154, ext. 158, who has been designated to handle inquiries regarding UCP complaints. A UCP Complaint Form may be obtained from the Business Manager.

Anonymous Complaints:

Any employee or student who believes that there has been a violation of state or federal law as articulated above, or an improper imposition of student fees, should make a written complaint to the Principal. Students making a complaint of improper fees or complaints that the School has failed to comply with Education Code sections 47606.5 or 47607.3, may make the complaint anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the applicable Education Codes.

Six Month Limit on Certain Complaints:

Complaints relating to discrimination (other than employment discrimination) must be filed within six (6) months of the alleged discrimination or when the complainant first obtained knowledge of the alleged discrimination, unless an extension has been obtained from the Executive Director or his/her designee. Such extension by the Executive Director or his/her designee shall be made in writing. The period for filing may be extended by the Executive Director or his/her designee for good cause for a period not to exceed ninety (90) days following the expiration of the six (6) month time period. The Executive Director shall respond immediately upon a receipt for extension.

Informal Resolution:

If the parties mutually agree, the complainant and the School may resolve the matter through mediation or otherwise informally. If mediation fails to resolve the matter, or the parties do not agree to mediate the matter, the formal complaint procedure identified below shall be followed.

Investigation of Complaints:

If the complaint alleges wrongdoing involving a a complaint required to be filed under the UCP, the School will complete an investigation and submit to the complainant a written decision regarding the complaint within sixty (60) days of receipt of the complaint. During the investigation, the complainant, his/her representative or both, will have the opportunity to present the complaint and evidence or information leading to evidence to support the allegations of the complaint. The sixty- (60) day timeframe may be extended by the written consent of the complainant.

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

Complaints will be handled as discreetly as possible, consistent with the need to investigate effectively and promptly resolve the matter.

The Executive Director will be knowledgeable of the laws/programs that he/she is assigned to investigate. If the complaint alleges employment discrimination, the Board of Directors will send it to the Civil Rights Department (the “Department”) for investigation as required by law.

Written Decision:

The Executive Director shall prepare a written decision, which decision shall contain the following: 1) findings of fact based on the evidence gathered; 2) conclusions of law; 3) disposition of the complaint; 4) the rationale for such disposition; 5) the corrective actions, if any are warranted; 6) notice of the complainant’s right to appeal the School’s decision to the California Department of Education; and 7) the procedures to be followed for initiating an appeal to the Department of Education. Within sixty (60) days of receipt of the complaint, the Executive Director will send a copy of the written decision to the complainant.

Appeal of School’s Decision

Appeal to CDE: Except for complaints regarding instructional materials and teacher vacancies or misassignments, a complainant may appeal a decision to the California Department of Education (“CDE”) by filing a written appeal within fifteen (15) days of receiving the decision, and after exhausting all available administrative remedies at the school level. The complainant shall specify the basis for the appeal and whether the facts are incorrect and/or the law is

misapplied. The appeal should be accompanied by a copy of the locally filed complaint and a copy of the School's decision. If the CDE determines the appeal raises issues not contained in the local complaint, the CDE will refer those new issues back to the School for resolution. If the CDE determines that the decision failed to address an issue raised by the complaint, the CDE will refer the matter to the School to make the necessary findings and conclusions on any issue not addressed. The School will have twenty (20) days to make those findings.

Any employee found to have participated in improper harassment or discrimination will be subject to disciplinary action, up to and including possible dismissal. Any student found to have participated in improper harassment or discrimination will be subject to disciplinary action, up to and including possible suspension or expulsion.

Dissemination

The School will send to students, employees, parents or guardians of its students, school advisory committees, and other interested parties a notice of rights under this policy on an annual basis. Upon request, a copy of this policy will be made available free of charge and is also available on the School's website.

School will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

If the School possesses information that could indicate immigration status, citizenship status or national origin information, the School shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status or national origin information, the School shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

Each year, the School shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs. The School shall also train teachers, staff and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training shall provide School personnel with the skills to do the following:

- Discuss the varying immigration experiences among members of the student body and school community;
- Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
- Identify the signs of bullying or harassing behavior;
- Take immediate corrective action when bullying is observed; and
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

Safe Place to Learn Act, Harassment, Intimidation, Discrimination, Bullying and Retaliation Coordinator (“Coordinator”):

Escondido Charter High School
Lesley Clifton, Principal
1868 E. Valley Parkway, Escondido, CA 92027
760-737-3154, ext. 158

Escondido Charter High School Support Staff
Jonathan Takagi, Business Manager
1868 E. Valley Parkway, Escondido, CA 92027
760-737-3154, ext. 176

Definitions

Harassment: Harassment is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, a student because of his/her membership (or perceived membership) in any protected group or on any other prohibited basis. The harasser can be a student, a School official or employee, or someone who is not an employee of the School, such as a vendor or parent.

Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, name calling, degrading or ridiculing another person or group
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes epithets or demands
- Physical assault or stalking
- Displays or electronic transmission of derogatory, demeaning or hostile materials
- Graphic and written statements, which may include use of cell phones or the Internet

Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by the School.

Sexual Harassment: Sexual harassment is a form of harassment based on sex, including sexual harassment, gender harassment and harassment based on pregnancy, childbirth or related medical conditions. It generally involves unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of violations:

- Unwanted sexual advances
- Offering educational benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons or posters
- Verbal conduct: making or using derogatory comments, epithets, slurs and jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Physical conduct: touching, assault, impeding or blocking movements

Intimidation: Intimidation includes adverse actions intended to fill another with fear, to overawe or cow, as through force of personality or by superior display of wealth, talent, etc., or to force another into or deter from some action by inducing fear.

Bullying: Bullying may take place in a variety of hostile acts that are carried out repeatedly over time. The acts involve a real or perceived imbalance of power, with the more powerful child or group attacking those who are less powerful. It may be physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), or psychological (spreading rumors, manipulating social relationships, or promoting social exclusion, extortion or intimidation). Bullying is any severe or pervasive action or conduct directed toward one or more students that have the effect of one or more of the following: 1) places a reasonable student in fear of harm to that student's person or property; 2) causes a reasonable student to experience a substantially detrimental effect on his or her physical or mental health; 3) causes a reasonable student to experience substantial interference with his or her academic performance; 4) causes a reasonable student to experience interference with his or her ability to participate in or benefit from the services, activities or privileges provided by the School.

Other types of bullying:

- Sexual bullying includes many of the actions typical of bullying behavior with the added actions of exhibitionism, voyeurism, sexual propositioning, sexual harassment and sexual abuse (touching, physical contact, sexual assault).
- Bias or hate-motivated bullying is a basic bias against or hate for a person or group. Examples include taunting one's race, religion, national origin, sexual orientation, or physical or mental disabilities. The bullying behavior may also be aggressive, antagonistic, and assaultive.
- Hazing is a form of aggressive behavior that usually involves intimidation and humiliation during an initiation for a student organization or body, club, group or sports team. It may involve conduct that 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. Hazing does not include athletic events or school-sanctioned events.
- Cyberbullying involves bullying conduct that is created or transmitted by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager communicating any of the following: 1) a message, text, sound or image; 2) a post on a social network Internet Web site, including a "Burn Page," an impersonation of another student, and a false profile.
- Cyber sexual bullying involves 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 effects described in (1) – (4) above. A photograph or other visual recording shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual

recording of a minor where the minor is identifiable from the photograph, visual recording or other electronic act.

- Social media bullying involves bullying through forums for social media, such as internet websites with free registration and ease of registration, internet websites offering peer-to-peer instant messaging (such as Snapchat, Tox, FireChat, Orbit, Bleep), internet websites offering comment forums (such as FaceBook, Twitter, Reddit) and internet websites offering image or video posting platforms (such as YouTube, TikTok, Instagram, Twitch, Imgur).

Retaliation: Retaliation is any adverse action taken against a student because he or she filed a charge of harassment, discrimination, intimidation or bullying complaint to the School or another agency or participated in an investigation about the same (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived harassment, discrimination, intimidation or bullying.

Grievance Procedures

1. Reporting

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

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

Escondido Charter High School
Lesley Clifton, Principal
1868 E. Valley Parkway, Escondido, CA 92027
760-737-3154, ext. 158

Escondido Charter High School Support Staff
Jonathan Takagi, Business Manager
1868 E. Valley Parkway, Escondido, CA 92027
760-737-3154, ext. 176

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

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Oral reports shall also be considered official reports. Reports

may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

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

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

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

2. Investigation

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

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

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

3. Consequences

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

4. Uniform Complaint Procedures

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

5. Right of Appeal

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

Parental Notification

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

ESCONDIDO CHARTER HIGH SCHOOL

**SAFE PLACE TO LEARN ACT, HARASSMENT, INTIMIDATION,
DISCRIMINATION, BULLYING & RETALIATION COMPLAINT FORM**

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

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

Signature of Complainant

Date: _____

Print Name

To be completed by the Charter School:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____

HERITAGE K-8 CHARTER SCHOOL

**SAFE PLACE TO LEARN ACT, HARASSMENT, INTIMIDATION,
DISCRIMINATION, BULLYING & RETALIATION COMPLAINT FORM**

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

I hereby authorize Heritage K-8 Charter School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Date: _____

Print Name

To be completed by the Charter School:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____