



Edison-Bethune Charter Academy School Safety Plan 2026

Updated 8/12/2026

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I. The School Safety Plan Overview and Compliance Statement

This School Safety Plan has been prepared to fulfill the obligation of Edison-Bethune Charter Academy, as set forth in its charter petition, pursuant to Education Code section 47605(c)(5)(F), to develop a school safety plan addressing the safety topics listed in subparagraphs (A) to (O) of paragraph (2) of subdivision (a) of Education Code section 32282, as applicable. The safety plan will be reviewed and updated annually by March 1.

The current version of the School Safety Plan was reviewed, revised, and approved by the Edison-Bethune Charter Academy Board of Directors on May 28, 2026.

For additional information on school safety programs, policies, or procedures, please contact:

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II. General School Information

School Profile

2025-26 enrollment: 337
Grades: TK-6
Certificated teachers (Admin included): 24
Classified staff: 30

Safe School Mission

Students and staff should have a safe and secure campus where they are free from physical and psychological harm. The administration and staff are committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

III. Emergency Response Plan

Emergency Situation Parent Communication

In an emergency situation, the Incident Lead identified in Section IV of this plan will notify the Emergency Response Team immediately to draft a plan to communicate with families. When deemed necessary, the Emergency Response Team will use Parent Square, to send out an urgent alert text message and phone call to every parent registered on the platform.

Emergency Supplies

Emergency Backpack/Bucket Location

- Each classroom
- Cafeteria
- Front office

Emergency Classroom Lockdown Kit

Item	Recommended Quantity
Flashlight	1
Batteries	2
Pair of scissors	1
First Aid Kit	1
Pad of paper (for name tags, etc.)	1
Pencil	1
Whistle	1
Package of plastic trash bags	6 packages
Package of pre-moistened towelettes	1 package
Cold packs	1
Roll of adhesive tape	1
Pair of disposable gloves	10
Roll of toilet tissue	1

Emergency Response Plans

All staff shall be trained on and familiar with the Emergency Response Plans listed below and shall be sufficiently familiar and knowledgeable to carry them out in a calm and controlled manner.

It is required by fire codes to exhibit an evacuation map specific to the school site in each and every classroom and office room by the door, as well as by each fire extinguisher and fire exits.

Please note: make sure to share the procedures with and collect contact information for any after-school staff. Please instruct any night custodial staff to assist after-school staff with emergency supplies as needed.

Fire Emergency

Fire Emergency Response - Staff Members and Safety Response Team Combined	
Step 1 Fire Alarm	If there is a fire and the alarm has not been set off, any member witnessing the fire may initiate the fire alarm.
Step 2 Announcement	Safety Response Team Member will announce via phone speaker and emergency radio <i>"Attention please, leave the building. Evacuate the building. Leave the building. Evacuate the building and listen for further instructions."</i>
Step 3 Emergency radio and backpacks	If emergency radios are not already on, turn on emergency radios to Channel 5. Classroom teachers to take Emergency Kit and Emergency Contact Roster
Step 4 Evacuate	- Staff and students will evacuate the building in a quiet and orderly fashion using emergency exit routes. We will meet at the Emergency Meeting Area: - School Fence Line on Delno Ave. - Safety Response Team will ensure all classrooms, hallways, cafeteria, kitchen, restrooms and offices are empty. Safety Response Team will search for any missing students and staff.
Step 5 Take roll	- Once you arrive at the Emergency Meeting Area, take roll, and notify the Safety Response Team of any missing students. - Stay in meeting area for further instruction.
Step 6 Further instructions & Return	Await further instructions from the Fire Department

Earthquake Emergency

Earthquake Emergency Response - Staff Members and Safety Response Team Combined	
Step 1 Announcement	At the onset of an earthquake, Safety Response Team Member will announce via phone speaker and emergency radio: <i>"Earthquake. Duck and cover. Earthquake. Duck and cover. Earthquake. Duck and cover."</i>
Step 2 Immediate response	If indoors... - Turn away from windows, suspended objects or outside walls - Drop to the floor, take cover under a desk, table or against an interior wall. - Make your body as small as possible; cover head and neck while protecting chest. - Hold position until the ground stops shaking or the Safety Response Team has announced over radios to begin Evacuation. - If an aftershock occurs while you are exiting the building, "Drop, Cover and Hold On" until the shaking stops. If outdoors... - Teachers get to a clear space (away from buildings, poles, overhead wires and other tall objects) call out to student, "Duck and cover" - Students drop to the ground and cover their head and neck with arms. - Watch for dangers that may demand movement. - Be prepared to duck and cover again due to aftershocks.

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	Hold position until the ground stops shaking or the Safety Response Team has announced over radios to begin Evacuation.
Step 3 Emergency radio and backpacks	If emergency radios are not already on, turn on emergency radios to Channel 5. Classroom teachers to take Emergency Backpack and Emergency Contact Roster
Step 4 Evacuate	- Staff and students will evacuate the building in a quiet and orderly fashion using emergency exit routes. We will meet at the Emergency Meeting Area: - School Fence Line on Delno Ave. - Safety Response Team will ensure all classrooms, hallways, cafeteria, kitchen, restrooms and offices are empty. Safety Response Team will search for any missing students and staff.
Step 5 Take roll	- Once you arrive at the Emergency Meeting Area, take roll, and notify the Safety Response Team of any missing students. - Stay in the meeting area for further instruction.
Step 6 Further instructions & Return	If there is minimal damage: - Safety Response Team will announce <i>"All Clear. All Clear. Please return to your normal activity."</i> - Staff and students will return to classrooms in a quiet and orderly fashion. If there is damage to the campus: - Safety Response Team will enact the Reunification Plan at the site of evacuation, or where a Law Enforcement Agency indicates.

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Other Emergency Situations

Flood/Severe Weather

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

1. The Incident Lead will assess the situation.
2. A designated Emergency Response Team member will make an announcement over the phone speaker and emergency radio to evacuate, stand by, stay indoors or may release students to go home.
3. Emergency Response Team will listen to the battery or crank-operated radio (in case of electricity failure) for further emergency information.

Electrical/Gas/Water Failure

1. The Incident Lead will notify the electrical company (**PG&E**) at **1-800-743-5000**, water utility company (**City of Fresno**) at **559-621-1100** and/or the **Fresno Fire Department** at **559-621-4199**.
2. Safety Response Team will make an announcement over the PA or megaphone to evacuate or stand by.
3. Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored.

Chemical Spill/Biological Threat

If substance released indoors:

1. Safety Response Team will make an announcement over the intercom speaker or emergency radio to evacuate the building.
2. Safety Response Team will call 911 and the local fire department.
3. Safety Response Team locks or ropes off area – DO NOT TOUCH ANYTHING.
4. Evacuate room and TURN OFF air conditioning system.
5. If N95 masks are accessible, all staff and students should place them over their noses and mouths.
6. Any persons who contacted the substance should wash with soap and water in the bathroom. Contaminated clothing should be immediately removed. Contaminated persons should remain in the bathroom separate from the general school population. A list of contaminated persons should be provided to the Incident Lead.
7. Safety Response Team should check for chemical safety data to determine clean-up procedure with custodians.

If substance released outdoors:

1. Upon hearing of a chemical leak (usually from the fire department or other city office) the Incident Lead will determine if students should be evacuated.
2. Safety Response Team will make an announcement over the PA or megaphone to evacuate the building or stay indoors.
3. Close doors and windows and TURN OFF air conditioning / HVAC system.
4. If N95 masks are accessible, all staff and students should place them over their nose and mouth.
5. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.
6. Any persons who contacted the substance should wash with soap and water in the bathroom. Contaminated clothing should be immediately removed. Contaminated persons should remain in the bathroom separate from the general

school population. A list of the contaminated people should be provided to the Incident Lead.

7. Give first aid.
8. Do not reopen the school campus until ALL CLEAR response is activated by the Safety Response Team.

Explosion

If explosion is indoors on school campus:

1. All drop down to the floor and DROP AND COVER.
2. Turn away from the windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover.
5. After the initial blast, the Safety Response Team will consider the possibility of another imminent explosion, call 911 and elect the appropriate response which may include staying indoors or evacuating the building.
6. Once safely assembled in the Emergency Meeting Area, Teachers will take roll and report missing persons to the Safety Response Team.

If explosion is outdoors in surrounding areas:

1. Safety Response Team will activate STAY INDOORS.
2. Safety Response Team will call 911.
3. All remain indoors until the ALL CLEAR signal is given by the Safety Response Team.

Death/Suicide

1. Board Leadership and the Incident lead will be notified in the event of a death or suicide on campus.
2. Safety Response Team will phone 911 and the County Office of Education.
3. Safety Response Team will activate STAY INDOORS.
4. The Incident Lead and/or designated Emergency Response Team member will control and organize media interactions.
5. A designated Emergency Response Team member and/or the Incident Lead will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
6. Assigned person(s) will ensure that counseling services are available as soon as possible.

Adaptation for Students with Disabilities

Students with known disabilities should have emergency response accommodations noted in their 504 or IEP to indicate additional assistance that may need to be implemented in case of various emergencies covered by this safety plan. Students with known disabilities may also require a pre-designated location in their classrooms that are reserved for them during lockdown, shelter-in-place, and earthquakes.

In the event of an emergency, students with disabilities may have an additional staff person assigned to their classroom to carry out accommodations and assistance with disaster response procedures. The additional staff person will assist the student and teacher during the emergency response.

General Strategies for Assisting Individuals with Disabilities During an Evacuation

The needs and preferences of non-ambulatory individuals will vary. Those at ground floor locations may be able to exit without help. Others may have minimal ability to move, and lifting may be dangerous. Some non-ambulatory people also have respiratory complications. Remove them from smoke and vapor immediately.

To alert visually impaired individuals

- ❑ Announce the type of emergency.
- ❑ Offer your arm for guidance.
- ❑ Tell the person where you are going, obstacles you encounter.

When you reach safety, ask if further help is needed.

To alert individuals with hearing limitations

- ❑ Turn lights on/off to gain a person's attention -OR-
- ❑ Indicate directions with gestures -OR-

Write a note with **EVACUATION** directions.

To evacuate individuals using crutches, canes or walkers

- ❑ **Evacuate** these individuals as injured persons.
- ❑ Assist and accompany to **EVACUATION** site, if possible -OR-
- ❑ Use a sturdy chair (or one with wheels) to move person -OR-

Help carry individuals to safety.

To evacuate individuals using wheelchairs

- ❑ Give priority assistance to wheelchair users with electrical respirators.
- ❑ Most wheelchairs are too heavy to take downstairs; consult with the person to determine the best carry options.

Reunite the person with the wheelchair as soon as it is safe to do so.

Reunification Plan

After an emergency situation is resolved, if deemed necessary, we will initiate the reunification process where all students must be picked up by a parent, guardian, or authorized caregiver.

Reunification from Classrooms

Step 1 Return	Teachers will lead their students to return to homeroom classrooms quietly.
Step 2 Role Assignment	Safety Response Team will assign members to the following roles: (1) Identifier: to located at Point of Entry, equipped with a list of students and their parents (2) Runners: to retrieve students from classrooms (1) Guard at Point of Exit: to prevent unauthorized entrance
Step 3 Area Designation	The Safety Response Team will designate the following areas and mark with signage - Point of Entry - Front gate - Reunification Point - Classrooms - Point of Exit - Side gate - First Aid Station - Office
Step 4 Student Release Procedure	- Parents will come to the Point of Entry and fill out a Student Release Form with the student name, grade and class and provide proof of identity. - The Identifier on the Safety Response Team will be at the Point of Entry with a list of students and their parents, and will verify all information. - Once identity is verified, a Runner will collect the Student Release Form and retrieve the student from their classroom and bring them to the Reunification Point. The parent will be directed to the Reunification Point as well. - Support Services will be available at the Reunification Point - Once the parent and the student are ready to leave, they will be escorted through the Point of Exit.

Reunification from Evacuation Point

Step 1 Line-up	Students will line up with their homeroom teacher and sit quietly. Classes will be lined up according to grade.
Step 2 Role Assignment	Safety Response Team will assign members to the following roles: (1) Identifier: to located at Point of Entry, equipped with a list of students and their parents (2) Runners: to retrieve students from classrooms (1) Guard at Point of Exit: to prevent unauthorized entrance
Step 3 Area Designation	The Safety Response Team will designate the following areas and mark with signage - Point of Entry - Front gate - Reunification Point - Classrooms - Point of Exit - Side gate - First Aid Station - Office
Step 4 Student Release Procedure	- Parents will come to the Point of Entry and fill out a Student Release Form with the student name, grade and class and provide proof of identity. - The Identifier on the Safety Response Team will be at the Point of Entry with a list of students and their parents, and will verify all information. - Once identity is verified, a Runner will collect the Student Release Form and retrieve the student from their classroom and bring them to the Reunification Point. The parent will be directed to the Reunification Point as well. - Support Services will be available at the Reunification Point

	Once the parent and the student are ready to leave, they will be escorted through the Point of Exit.
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Emergency Drill Schedule

It is the Incident Lead's responsibility to schedule emergency drills throughout the year and record the date and time of each drill. The following types of drills are required and/or recommended to be held throughout the school year:

- **Fire Drill:** At least once per month, a fire drill must be conducted in which all pupils, teachers, and other employees are required to vacate the building. The fire alarm should be tested every month, but this can be completed while students are off site in months when a fire drill is not performed.
- **Earthquake Drop & Cover Drill:** This must be performed at least annually.
- **Major Disaster Drill:** This should be performed at least annually.
- **Lock Down Drill:** This should be performed at least annually.
- **Automated External Defibrillator (AED) Drill:** School administrators and select staff, including athletic director and coaches, will be provided a demonstration regarding the use of an AED in an emergency. All staff will be provided with information regarding the location of all AEDs on campus.

Below is the drill schedule for our 2026-27 school year:

Drill Type	Scheduled Date	Day of the Week	Time
Fire 1	August 24, 2026	Monday	TBD
Lock Down 1	September 15, 2026	Tuesday	TBD
Fire 2	September 25, 2026	Friday	TBD
Earthquake/ Fire 3	October 15, 2026	Thursday	10:15 AM
Active Shooter Emergency Response Drill/Fire 4	November 5, 2026	Thursday	TBD
Fire 5	December 3, 2026	Thursday	TBD
Fire 6	January 19, 2027	Tuesday	TBD

Drill Type	Scheduled Date	Day of the Week	Time
Fire 7	February 17, 2027	Wednesday	TBD
Fire 8	March 18, 2027	Thursday	TBD
Fire 9	April 26, 2027	Monday	TBD
Fire 10	May 17, 2027	Monday	TBD

**Dates, times and drills are subject to change.*

Training

The School shall provide training on emergency drills to teachers and staff during our beginning of the year professional learning week. We also send out email reminders on the drill procedures one day before the drill to remind the teachers.

Teachers conduct training for students according to their own schedule.

Emergency Response Team shall develop checklists for every type of drill to track performance and need for improvement of procedures or implementation. The School will consolidate feedback for improvement after each drill, update our drill procedures as needed, and re-train teachers and students accordingly.

Lockdown and Active Shooter Drill Guidelines

1. Lockdown drills or any other drills used to prepare students for active shooter situations shall not be “high-intensity” drills. This means they will not include simulations that mimic an active shooter or other armed assailant incident, and shall not, (i) use fake blood or theatrical makeup or other materials to give the impression of injury or death, (ii) shall not involve the use of actors or other individuals posing as armed assailants or victims, and (iii) shall not train students to actively resist an assailant by throwing objects, attaching, or swarming the assailant.
2. Lockdown drills shall not use real weapons, gunfire blanks, or explosions.
3. The school will ensure a trauma-informed approach to the design and implementation of the drill that ensures the drill process

- (i) is age and developmentally appropriate,
- (ii) is only conducted after advance notice of the drill and its expected length of time are given to all parents/guardians and school employees subject to the drill;
- (iii) provides an opportunity for parents/guardians to opt out their student out of the drill;
- (iv) is preceded by an announcement of the lockdown drill and is followed by a closing announcement;
- (v) is followed by a notice to parents/guardians after the drill has concluded; and
- (vi) provides contact information for community-based resources to parents/guardians, students, and staff who are negatively impacted by the drills, which prioritizes school based resources.

Student Smartphone Use During Emergencies

In accordance with Education Code §48901.7 and AB 962, students shall not be prohibited from possessing or using personal smartphones during an emergency or in response to a perceived threat of danger. Students may use their smartphones to contact emergency services (e.g., 911), parents/guardians, or other appropriate parties to seek help, report their safety, or receive instructions. Staff shall not prohibit use or confiscate devices during an active emergency or in response to a perceived threat unless the use directly endangers safety (e.g., live-streaming response actions that could compromise operations). Staff will remind students to follow official instructions, avoid spreading unverified information, and prioritize school-directed communications. Post-incident, any misuse of devices may be reviewed under existing student discipline policies.

Emergency Contact Datasheet

Entity	Number
Emergency	911
Fresno Police Department	(559) 621-7000
Fresno Fire Department	(559) 621-4204
American Red Cross of Central California	(559) 455-1000
County Sheriff, Div. of Emergency Mgmt.	(559) 600-3111
Fresno Community Hospital	(559) 459-6000
Electric Utility	1 (800) 743-5000
Water Utility	(559) 621-6888
Identify a local poison control hotline	1 (800) 222-1222

Fire Evacuation Refuge Shelter

The School shall identify one or more appropriate fire evacuation refuge shelter locations for use by pupils, staff, and other persons on campus in the event of a fire-related emergency, including a wildfire, evacuation warning, evacuation order, shelter-in-

place directive, or other emergency condition requiring the School to temporarily move pupils and staff to a safer refuge location. The School shall maintain this fire evacuation refuge shelter procedure as part of its charter school safety plan and emergency procedures.

For purposes of this Plan, the School's designated fire evacuation refuge shelter is:

Primary Fire Evacuation Refuge Shelter

- **Name of Facility/Location:** Fresno Chandler Executive Airport
- **Address/Location Description:** 510 W Kearney Blvd, Fresno, CA 93706
- **Contact Person/Agency, if applicable:**
- **Phone/Email, if applicable:**
- **Distance/Route from School Site:** 0.3 miles / walking
- **Capacity/Use Limitations, if known:** Approx. 400
- **Access Considerations:** Parking lot

Alternate Fire Evacuation Refuge Shelter, if available

- **Name of Facility/Location:** Jesse E. Cooley Jr Funeral Home
- **Address/Location Description:** 1830 S Fruit Ave, Fresno, CA 93706
- **Contact Person/Agency, if applicable:**
- **Phone/Email, if applicable:** (559) 268-8048
- **Distance/Route from School Site:** 0.4 miles / walking
- **Capacity/Use Limitations, if known:** Approx. 400
- **Access Considerations:** Parking lots

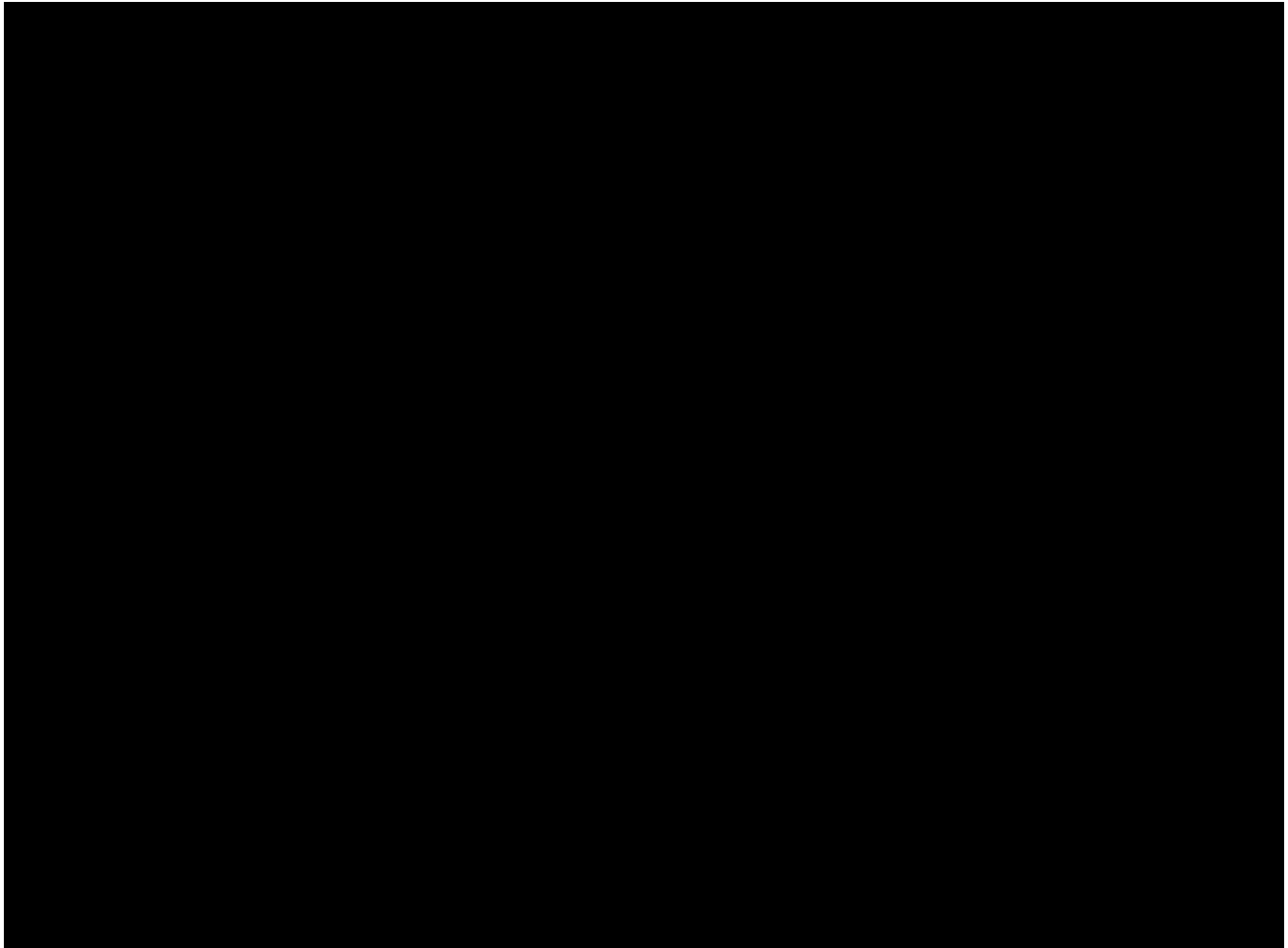
The School shall notify the fire department having jurisdiction within the School's boundaries of the fire evacuation refuge shelter identified in this Plan. The School shall retain documentation of such notification with its charter school safety plan records.

If the School is located within a high or very high fire hazard severity zone, the School shall coordinate the identification of the fire evacuation refuge shelter with the fire department having jurisdiction within the School's boundaries. The School shall document the date, method, and substance of that coordination, including any recommendation, objection, limitation, or other input communicated by the fire department regarding the identified refuge shelter. The School shall consider that input in selecting, maintaining, or revising the designated refuge shelter location.

The School, through the Incident Lead or designee, shall review the identified refuge shelter at least annually as part of its review of the charter school safety plan and shall update the identified location if the location becomes unavailable, unsuitable, inconsistent with direction from local emergency authorities, or otherwise inappropriate for use by pupils and staff.

The Incident Lead or designee shall determine whether to use the identified refuge shelter based on the nature of the emergency, direction from local authorities, available evacuation routes, student and staff needs, transportation availability, air quality, fire conditions, accessibility needs, and any other safety considerations existing at the time of the emergency. Nothing in this Plan limits the authority of law enforcement, fire, emergency medical, or other public safety officials to direct evacuation, shelter-in-place, relocation, reunification, or other emergency procedures during an emergency.

School Maps



Fire Extinguishers in every classroom, main hallways, front office

Automatic External Defibrillators (AEDs) in the Cafeteria Staff Lounge, Front Office - Nurse's Station, and After School Program Office

Epinephrine Injectors in the Cafeteria Staff Lounge and Front Office - Nurse's Station

IV. Emergency Response Team Roles

The School will assign emergency response responsibilities to staff. The emergency response structure is intended to ensure that the following critical functions are addressed:

- Overall decision-making and coordination;
- Student supervision, attendance, and accountability;
- Emergency communications with staff, families, emergency responders, and other appropriate parties;
- Basic site safety, hazard identification, and first aid coordination;
- Student release and reunification;
- Documentation of key actions, injuries, releases, and resource needs; and
- Coordination of supplies, facilities, and recovery steps.

1. Incident Lead

Primary Role: The Incident Lead is responsible for overall coordination of the School's emergency response and for making immediate operational decisions to protect the safety of students, staff, and visitors.

Typical Designee: Superintendent/Principal or highest-ranking available administrator.

Responsibilities may include:

1. Assume overall responsibility for the School's emergency response.
2. Determine the appropriate emergency response action, such as evacuation, shelter-in-place, lockdown, secure campus, or student release.
3. Activate the School's emergency procedures as needed.
4. Direct staff to perform assigned emergency functions.
5. Call or direct staff to call 911 when emergency assistance is needed.
6. Establish a central coordination location, if safe and practical.
7. Communicate with emergency responders and follow lawful directions from police, fire, medical, or other public safety officials.
8. Determine whether and when to begin student release or reunification procedures.
9. Approve major communications to families or the public, when time permits.
10. Monitor conditions and modify response actions as needed.
11. Determine when the School may resume normal operations, relocate, dismiss students, or remain closed, in coordination with appropriate authorities when applicable.
12. Conduct or assign a post-incident debrief and identify needed follow-up actions.

Backup: If the Incident Lead is unavailable or unable to perform the role, the next available administrator or pre-designated backup shall assume this role.

2. Student Supervision and Accountability Lead

Primary Role: The Student Supervision and Accountability Lead coordinates student supervision, attendance, and accountability during an emergency.

Typical Designee: Lead Teacher, Office Manager, or other designated staff member.

Responsibilities may include:

1. Coordinate student supervision during evacuation, shelter-in-place, lockdown, or other emergency procedures and drills.
2. Direct teachers and staff to take attendance and report missing, extra, injured, or unaccounted-for students.
3. Maintain or collect class rosters, attendance reports, and emergency contact information, as available.
4. Report missing, injured, or unaccounted-for students or staff to the Incident Lead.
5. Coordinate supervision of students in assembly areas, classrooms, shelter areas, or reunification areas.
6. Assist staff in supporting students with disabilities, medical needs, language needs, or other access and functional needs.
7. Assign staff to supervise restrooms, hallways, gates, assembly areas, or other locations as needed.
8. Coordinate with the Communications and Family Reunification Lead before any student is released.
9. Ensure that no student is released except through the School's authorized release procedures.
10. Support student care until students are released, transferred to emergency responders, or normal operations resume.

3. Communications and Family Reunification Lead

Primary Role: The Communications and Family Reunification Lead coordinates communications with families and supports orderly student release when reunification is necessary.

Typical Designee: Office Manager, Attendance Clerk, Communications Director, Administrator, or designated support staff.

Responsibilities may include:

1. Assist the Incident Lead with emergency notifications to families, staff, the governing board, authorizer, or other appropriate parties.
2. Use available communication systems, such as phone, text, email, website, parent communication platform, or posted notices.
3. Maintain consistent messaging and avoid speculation.
4. Refer media inquiries to the Incident Lead or designated spokesperson.
5. Coordinate translation or interpretation of emergency communications when practicable.

6. Establish a parent/guardian request area and student release area when reunification is activated.
7. Verify the identity and authorization of adults picking up students using emergency contact information or other School procedures.
8. Document student releases, including the student's name, date/time of release, person to whom the student was released, and staff member authorizing release.
9. Coordinate with the Student Supervision and Accountability Lead to locate and release students.
10. Notify the Incident Lead of students who cannot be located, students receiving first aid, custody concerns, or other reunification issues.
11. Preserve student release records and other emergency communications records after the incident.

4. Safety, Facilities, and First Aid Lead

Primary Role: The Safety, Facilities, and First Aid Lead monitors immediate safety conditions, coordinates basic first aid support, and identifies facility hazards that may affect the School's emergency response.

Typical Designee: Facilities Manager, Operations Manager, School Nurse, Health Clerk, Administrator, Custodian, or other trained staff member.

Responsibilities may include:

1. Identify immediate safety hazards, such as fire, smoke, gas odor, electrical hazards, flooding, structural damage, hazardous materials, blocked exits, or unsafe areas.
2. Report safety hazards to the Incident Lead.
3. Restrict access to unsafe areas when feasible.
4. Coordinate basic first aid within the scope of staff training and available supplies.
5. Call or request emergency medical assistance when needed.
6. Ensure that student emergency cards, medication information, or health plans accompany students transferred for emergency medical care, when feasible.
7. Coordinate with staff responsible for students with known medical needs.
8. Assist with utility shutoff only when authorized, safe, and consistent with staff training and School procedures.
9. Help determine whether evacuation routes, assembly areas, classrooms, restrooms, or shelter areas are safe for use.
10. Document known injuries, first aid provided, emergency medical transfers, and significant facility hazards.
11. Coordinate with emergency responders regarding site conditions, hazards, injured persons, or persons needing assistance.

5. Logistics and Documentation Lead

Primary Role: The Logistics and Documentation Lead supports the emergency response by tracking key information, supplies, equipment, staffing needs, and recovery-related records.

Typical Designee: Business Manager, Office Manager, Operations Manager, Administrative Assistant, or other designated staff member.

Responsibilities may include:

1. Maintain a basic incident log documenting major decisions, times, communications, injuries, student releases, and significant events.
2. Track staff assignments and identify unmet staffing needs.
3. Maintain or locate emergency supplies, including first aid supplies, radios, flashlights, batteries, water, food, sanitation supplies, student rosters, and emergency forms.
4. Support setup of emergency areas, such as command location, assembly area, first aid area, student supervision area, or reunification area.
5. Track supply needs and communicate shortages to the Incident Lead.
6. Assist with documentation needed for insurance, reimbursement, authorizer communications, public agency requests, or post-incident review.
7. Preserve original notes, sign-in/sign-out sheets, student release forms, injury logs, and other emergency records.
8. Support continuity of operations, including temporary relocation, closure notices, facility repair coordination, or resumption of normal operations.
9. Assist with post-incident debriefing and plan updates.

V. School Safety Practices, Policies and Procedures

Child Abuse and Neglect Reporting (Ed. Code § 32282(a)(2)(A))

Child Abuse and Neglect Reporting Procedures

All School employees, nonstudent governing board members, and 18+ volunteers and contractors whose duties place them in direct contact and supervision of students are mandated reporters.

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

The School will provide annual training on mandatory reporting requirements, using the online training module provided by the State Department of Social Services, to individuals who are mandated reporters. Mandated reporter training will also be provided to all qualifying individuals who begin their service midyear. Independent contractors are required to complete their own training. This training will include notice that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine. Training will also be provided on the prevention of abuse, including sexual abuse and assault, of children on School grounds, by School personnel and volunteers, or in School-sponsored programs.

All employees required to receive mandated reporter training must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment. Volunteers and contractors shall be required to complete training before coming into unsupervised contact with students.

Procedures for Supervision and Protection of Children from Abuse, Neglect, and Sexual Offenses

In addition to strict compliance with the reporting policy above, the school shall implement the following procedures to minimize opportunities for abuse, neglect, or sexual offenses.

Procedure	Details
Two-Deep/Visible Supervision	No employee, volunteer, or contractor shall be alone with a single student behind a closed door or in an isolated area without another adult present or visible.
Line-of-Sight Supervision	Staff shall maintain visual contact with students during recess, transitions, restroom breaks, and after-school activities. High-risk areas (storage rooms, offices) shall be monitored or equipped with windows or open doors.
Private Electronic Communication Prohibited	Staff may not communicate privately with students via personal phone, text, social media, or apps. All school-related electronic communication must use school-approved platforms with at least one other adult copied or able to monitor.
Physical Contact Boundaries	Physical contact shall be limited to what is appropriate and necessary (e.g., high-fives, side hugs, brief comforting). Staff shall avoid lap-sitting, tickling, piggy-back rides, or any contact with private body areas.
Transportation & Off-Campus Activities	At least two adults must be present in any vehicle transporting students. One-to-one transportation of a single student by one adult is prohibited except in documented emergencies.
Visitor & Volunteer Screening	All visitors and regular volunteers shall sign in, wear identification, and be supervised at all times. Background checks are required for any adult with unsupervised student contact.
Restroom Policy (Elementary)	Adults may not enter student restrooms while occupied unless an emergency exists and another adult is present.
Annual Review of Physical Plant	The school shall annually identify and mitigate blind spots, inadequate lighting, or isolated areas.

The school strictly follows all applicable Live Scan background check requirements for employees, contractors, and volunteers.

Additional policies and procedures to prevent abuse, neglect, and sexual offenses are included in the school's Professional Boundaries: Staff/Student Interaction Policy and Classroom and School Volunteer, Visitation, and Removal Policy.

Suspension and Expulsion Policy and Procedures (Ed. Code § 32282(a)(2)(C))

EBCA's Suspension and Expulsion Policy and Procedures is attached to this Safety Plan for reference as Appendix A.

Notification of Dangerous Pupils (Ed. Code § 32282(a)(2)(D))

EBCA desires to provide a safe, orderly working environment for all employees. The school shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom. Pursuant to Welfare & Institution Code section 827(b) and Education Code section 48267, a criminal court will notify school administration when a student has engaged in certain criminal conduct. This information is forwarded to the Principal, who is responsible for prompt notification of the student's teachers, other administrators, and the student's counselor. This information must be kept confidential and may not be disseminated by any employee receiving such a notification to any other person.

Additionally, all teachers will be provided with a list of students in their classes who have one or more suspensions of a serious or violent nature in the current year or in the previous three years. This information will be provided at the beginning of the year or semester or whenever new students are enrolled or added to a class. Teachers will be advised that such information is confidential and not to be further disseminated.

Discrimination and Harassment Policy (Ed. Code § 32282(a)(2)(E))

EBCA's Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy is attached to this Safety Plan for reference as Appendix B.

School Dress Code (Ed. Code § 32282(a)(2)(F))

The purpose of dress regulations is to help each student set a standard for their personal appearance that is appropriate within the accepted standards of EBCA. All apparel must comply with EBCA's School Appropriate Attire. School Appropriate Attire shall be in effect at all school-related activities both on and off campus, including activities such as dances, award ceremonies, and field trips.

Objective: EBCA's standard of dress is designed to create an academic environment that is equitable and conducive to learning.

Tops and Shirts

- Students may wear an EBCA spirit shirt.
- Students may wear a solid-colored polo shirt with a collar; **collared shirts are preferred.**
- Students may also wear a solid-colored shirt without a collar, as long as it is plain (no logos, wording, patterns, or see-through designs)
- No Sports Jerseys unless it is an approved school sponsored event.

Bottoms (Pants, Shorts, Capris, Skirts, Skorts, Jumpers)

- *Approved Colors:* Any solid color. Jeans are ok to wear
- Bottoms must fit appropriately-no ripped, frayed, or torn pants, shorts, or

bottoms.

- Leggings under ripped, torn, or frayed pants or shorts is not allowed
- Pants must fit at the waist appropriately. No sagging is permitted.
- Cargo shorts/pants, Carpenter pants/shorts, are permitted.
- Shorts, skorts, dresses, skirts, and jumpers may not be shorter than your fingertips to your side.
- For skirts and dresses: shorts, tights, or leggings are recommended to be worn underneath.
- Sweat pants allowed

Belts

- All students must wear a belt if needed to prevent pants or shorts from sagging.

Footwear

- Acceptable shoes: tennis shoes are recommended due to comfort and P.E.
- Platform shoes of any type are not permitted.
- No open toe or open heeled shoes will be allowed.
- No Heelys (shoes with rollers)
- No Crocs unless it is an approved school sponsored event.

Hair (and hair accessories)

- Students' hair must be clean and maintained in a way that does not create a health or safety concern. EBCA does not prohibit hairstyles based on hair texture, cultural expression, or protective hairstyles, including braids, locs, twists, afros, or cornrows.
- Hair accessories may be worn as long as they do not create a safety concern or substantial disruption.
- Hats, beanies, durags, and other head coverings may not be worn inside school buildings, unless worn for religious, cultural, medical, or other legally protected reasons.
- Hats or caps for sun protection may be worn outside only.

Please note: Any student not wearing School Appropriate Attire will be sent to the clothes closet to change.

Safe Ingress/Egress Procedures (Ed. Code § 32282(a)(2)(G))

EBCA's Classroom and School Volunteer, Visitation, and Removal Policy is attached to this Safety Plan for reference as Appendix C.

Safe and Orderly Environment/Disciplinary Procedures (Ed. Code § 32282(a)(2)(H) & (I))

EBCA maintains a safe and orderly learning environment by, among other things, enforcing its rules and procedures on student discipline as set forth in this safety plan and in the Student Handbook.

EBCA students are required to adhere to the Student Code of Conduct, which is included in the Student Handbook.

Procedures for Conducting Tactical Responses to Criminal Incidents (Ed. Code § 32282(a)(2)(J))

Tactical response procedures to be used in response to active shooter, bomb threat, and similar criminal incidents are addressed in the Emergency Response Procedures.

Restriction on High-Intensity Active Shooter Drills (Ed. Code § 32282(a)(2)(K))

Education Code section 32282, subdivision (a)(2)(K), restricts the drill procedures that can be used to prepare students for active shooter situations. Accordingly, whenever a Lockdown or other drill is held to prepare students for responding to an active shooter, those drills shall be designed to comply with the following features:

- (1) Code-Red/Lockdown drills shall not be “high-intensity” drills, meaning they shall not include simulations that mimic an actual school shooter or other armed assailant, such as by using theatrical makeup, fake blood, actors, or participation of students in acting out active resistance to an assailant.
- (2) The drill shall not use real weapons, gunfire blanks, or explosions.
- (3) The drill shall be designed pursuant to a trauma-informed approach, meaning:
 - a. It shall be age and developmentally appropriate in content and terminology, as determined in consultation with school-based mental health professionals;
 - b. Advance notice of the drill (and its expected length of time) shall be provided to parents and guardians, teachers, administrators, and school personnel;
 - c. It shall offer the opportunity for parents/guardians to opt their students out of participation;
 - d. An announcement of the drill shall be given before and after the drill;
 - e. A notice shall be given to parents/guardians after the drill has concluded; and

- f. The school shall provide contact information for community-based resources to parents/guardians, pupils, and staff who are negatively impacted by the drills.

Reporting of Dangerous, Violent, or Unlawful Activities (Ed. Code § 32282(a)(2)(L))

EBCA takes its role in providing a safe and trusted learning environment very seriously. If any student, family member, or member of its extended community learns of any dangerous, violent, or unlawful activity that they believe has occurred, is occurring, or may occur at the school or at or near any school-sponsored or school-related event or location, they are strongly encouraged to report that activity—anonymously if necessary—to the Superintendent/Principal.

A report can be sent by a legible written note, by email, or by telephone. Reports should include place, time, the general nature of the activity being reported, whether any life-threatening activity or weapons are involved, and any other important details. Any report of activity that imminently threatens or involves an imminent potential loss of life should first be made to 9-1-1, immediately.

Any school official that becomes aware of any threat or perceived threat by a student that results in a reasonable suspicion of homicidal intent must report it to law enforcement immediately, pursuant to Education Code section 49393.

EBCA shall promptly review every report received as soon as possible, shall make a record of every report received, and shall make a reasonable inquiry into each, as necessary, to ensure to the greatest reasonable extent that no dangerous, violent, or unlawful act occurs at any school-related or school-sponsored event, or on school-provided transportation to any such event. The investigatory response taken by the school and actions taken will be logged as well.

Cardiac Arrest and Life Threatening Medical Emergency Response Procedures (Ed. Code § 32282(a)(2)(M))

Medical emergencies and accidents can occur at any time and may involve a student or employee. Some emergencies may only require first aid care, while others may require immediate medical attention. When in doubt, it is better to err on the side of caution and dial **911**.

1. Medical emergencies involving students or employees must be reported to the Superintendent/Principal or designee.
2. Dial 911 or direct someone to do so, provide the following information:

- a. School name and phone number
 - b. Building address including nearest cross street(s)
 - c. Exact location within the building
 - d. Your name and phone number
 - e. Nature of the emergency
3. Do not hang up until advised to do so by dispatcher
4. Send a runner to notify the school office that an individual has been injured and an ambulance has been called.
5. Ask someone to dispatch a first aid/CPR trained employee to the victim.
6. If the victim is showing signs of cardiac arrest and is on a school site with an automatic external defibrillator (AED), procedures for retrieval and operation of the AED shall be followed and volunteers trained in the use of an AED shall be brought to the victim as soon as possible.
7. Stay calm. Keep the victim warm with a coat or blanket. Do not leave a person unattended.
8. Do not move the victim unless there is danger of further injury.
9. Do not give the victim anything to eat or drink.
10. Draft a written incident report and submit it to the Superintendent/Principal, or his/her designee, before the end of the next workday. Whenever 911 is called, an incident report must be created within 24 hrs.

Automated External Defibrillator (AED) Operations and Maintenance Plan

In compliance with Health and Safety Code section 1797.196 and Education Code section 35179.6, the School shall take the following actions with regard to automated external defibrillators (AEDs):

After acquisition of any AED, the School shall notify an agent of the local EMS agency to report the existence, location, and type of AED acquired. Placement of the AED shall be in compliance with any and all regulations governing the placement of an AED.

If the School participates in interscholastic athletics, the School shall acquire at least one AED for the school, make the AED available on campus, and ensure that the AED is available to athletic trainers, coaches, and authorized persons at the athletic program's on-campus activities or events. The School is encouraged to locate AEDs so that they are available within the recommended three-to-five-minute response window.

If the School participates in interscholastic athletics, the School shall also maintain and post any separate athletic emergency action plan required by law, including procedures

for responding to sudden cardiac arrest and other medical emergencies occurring during athletic program activities or events. This AED Emergency Action Plan may be incorporated into, attached to, or cross-referenced in the School's athletic emergency action plan.

All AEDs will be registered, inspected and maintained in accordance with the operation and maintenance guidelines set forth by the manufacturer. Each AED shall be tested at least biannually and after each use.

All AEDs will be inspected for readiness (i.e., check for blinking indicator lights or obvious defects) at least every ninety (90) days. Each school site will maintain records of maintenance, inspection, and testing of each AED to demonstrate compliance, and will ensure that instructions for use of each AED are posted next to every AED, in no less than 14-point type.

Annually, the Superintendent/Principal or designee shall ensure that administrators and staff receive written information on the following: identifying sudden cardiac arrest, the school's AED Emergency Action Plan, the proper use of an AED, and the location of all AEDs on site. School administrators and staff should also be provided a demonstration, annually, regarding the use of an AED in an emergency, as well as additional information regarding the availability of free, voluntary training on use of an AED and other cardiopulmonary resuscitation (CPR) techniques.

The Superintendent/Principal or designee shall, at least annually, notify pupils of the location of all AED units on campus

Automated External Defibrillator (AED) Emergency Action Plan

This AED Emergency Action Plan outlines steps for responding to a suspected sudden cardiac arrest (SCA) and is aligned with best practices from the American Heart Association (AHA) and compliant with California Health and Safety Code section §1797.196. It assumes your AED is properly maintained, inspected, and notified to the local EMS agency. The School shall annually provide administrators and staff the information required by law and shall offer or arrange an annual AED demonstration. The School may also encourage employees to complete voluntary CPR/AED training through AHA, Red Cross, or another recognized provider. Post this plan near the AED alongside usage instructions in 14-point font.

1. Recognize the Emergency (Identify Cardiac Event)

- Check for signs of SCA: Victim is unresponsive (no response to shouting or tapping), not breathing normally (no breaths or only gasping), and no pulse (if trained to check; otherwise, assume SCA if unresponsive and not breathing).
- Do not delay: If any doubt, treat as SCA. Common triggers include collapse during activity, but it can occur anytime.

2. Activate Emergency Response

- Shout for help: Designate someone to call 911 immediately. Provide the school's name, address, and state that there is a suspected cardiac arrest.
- Send someone to retrieve the AED. AEDs should be placed in a visible and accessible location, with the goal of supporting response within the recommended three-to-five-minute window where feasible.
- If alone, call 911 first (use speakerphone), then get the AED and start CPR.

3. Start CPR

- Begin hands-only CPR immediately if trained: place hands on chest center, push hard and fast (100-120 compressions/minute, 2 inches deep for adults/teens). Minimize interruptions.
- Continue until AED is ready or EMS arrives.

4. Use the AED

- Turn on AED and follow voice prompts.
- Expose chest, dry skin if wet, apply pads as shown (one on upper right chest, one on lower left side).
- Stand clear for analysis/shock if advised; resume CPR immediately after.
- Continue cycling CPR and AED use until victim responds or EMS takes over.

5. Post-Incident Actions

- Document the event: Note time, actions taken, and AED use for EMS and school records.
- After any use, the School shall test and inspect the AED, replace pads, batteries, or other supplies as needed, document the incident and maintenance response, and make any follow-up reports required by the local EMS agency, AED program manager, manufacturer, or applicable school procedures.
- Debrief staff and offer support resources (e.g., counseling for witnesses).

This Plan is intended to support compliance with Health and Safety Code section 1797.196, Education Code sections 35179.4 and 35179.6 where applicable, and Civil Code section 1714.21. Nothing in this Plan prohibits a school employee, volunteer, visitor, or other person from rendering emergency aid with an AED. Immunity protections do not apply to personal injury or wrongful death resulting from gross negligence or willful or wanton misconduct.

Immigration Enforcement Notification Procedures (Ed. Code § 32282(a)(2)(N))

Pursuant to SB 98 (2025), EBCA shall promptly notify parents/guardians, teachers, administrators, and school personnel when immigration enforcement activity is confirmed to be present on school grounds.

Definitions

- **Immigration enforcement:** Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil or criminal immigration law. Immigration enforcement can be presumed to be occurring when carried out by any officer or agent from U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), or other federal agency engaged in civil or criminal immigration enforcement.
- **Confirmed presence:** Presentation of valid judicial warrant, visual confirmation by staff, verbal acknowledgment by law enforcement official, or other reliable evidence.

Mandatory Notification Procedure

Upon confirmation of immigration enforcement presence at a school site, the site administrator or designee shall consider the safety and well-being of the pupils, employees, and community members associated with the school site when determining when and how to issue the notification, and issue such notification to:

- All parents/guardians
- All teachers, administrators, and school personnel

Notifications shall be sent using one or more of the following methods: automated phone call, email communication, text message, app push notification, or posting on the school website. Notifications shall not include any personally identifiable information.

Notification Content

Notifications shall be provided in English and in all languages required under Education Code § 48985 and should include:

- Confirmation that immigration enforcement activity occurred and the date and other information considering the safety and well-being of the school community
- Assurance that the school is monitoring the situation and prioritizing student safety
- Reminder that every child has the right to attend school regardless of immigration status
- Link or reference to school resources for immigrant families (if available)

Sample Notification Language (to be translated and revised to suit the particular situation):

URGENT: Immigration Enforcement Activity on Campus

Dear Parents/Guardians and Staff:

This is an important update from Edison-Bethune Charter Academy. Federal immigration enforcement activity occurred on campus on [DATE].

Our school remains open and focused on student safety and learning. No immigration enforcement actions are permitted in classrooms or student areas without a valid judicial warrant. We are monitoring the situation closely.

If you have questions or concerns, please contact the front office or our family resource center.

Every child has the right to a free public education regardless of immigration status.

*Thank you,
[Superintendent/Principal Name]*

VI. Instructional Continuity Plan

2025-26 Instructional Continuity Plan (ICP)

This template provides a framework for the Instructional Continuity Plan (ICP) and should be tailored to the unique needs and resources of the LEA and its school sites.

Guidance regarding completion and requirements of the Instructional Continuity Plan (ICP), including SB 153 requirement that this ICP be included in the Comprehensive School Safety Plan (CSSP) by July 1, 2025 can be found at <https://www.cde.ca.gov/re/di/or/icpguidance.asp>.

Local Educational Agency (LEA) Name	School Name	Contact Name and Title	Email and Phone
Edison-Bethune Charter Academy	Edison Bethune Charter Academy	Rodolfo Garcia, Superintendent/Principal	r.garc@myebca.com

Introduction and Purpose

Information about the Instructional Continuity Plan (ICP) requirements, revision and adoption dates.

This Instructional Continuity Plan (ICP) was last revised on June 2026 and adopted by Edison Bethune Charter Academy on June 18, 2026 to ensure all students have access to instruction during a natural disaster or emergency, as mandated by Senate Bill 153, Chapter 38, Statutes of 2024 (SB 153), which adds a provision to California Education Code (EC) Section 32282.

This ICP will be included in the LEA's Comprehensive School Safety Plan (CSSP) by July 1, 2025. Inclusion of this ICP in the CSSP will be required to obtain approval of a Form J-13A waiver request beginning in fiscal year 2026-27. This plan is intended to minimize disruptions to instruction and provide support for pupils' social-emotional, mental health, and academic needs.

The ICP is designed to:

- Minimize instructional disruptions caused by emergencies or disasters.
- Ensure continuity of learning through remote (distance learning) or independent study options.
- Provide timely and effective communication to students, families, and staff.
- Address the social-emotional, mental health, and academic needs of all students.
- Maintain compliance with federal and state laws related to instruction, equity, and access.

Engagement with Pupils and Families

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Protocol for Engagement

Protocol for engagement with pupils and their families.

As required, Edison Bethune Charter Academy will engage with pupils and their families as soon as practicable, but **no later than five calendar days** following an emergency.

Methods of Two-Way Communication

Methods for two-way engagement.

The protocol for engagement with pupils and their families is designed to establish two-way communication. Current existing methods include:

- Short messaging service (SMS)
- Phone Calls
- Email
- School Portal
- Social Media
- Flyers

Face-to-face communication with school educators and administrators, both during scheduled meetings and when unplanned needs arise.

Plans for Unforeseen Events

Plans to address unforeseen events such as power outages and damage to infrastructure and how they may impact methods for two-way communication.

Families will have consistent communication related to unforeseen events including emergency school closure using our Parent Square System via cellular devices. Other forms of communication will include messaging (SMS), phone calls, school portal, social media and flyers. If these forms of communication are not available, school personnel will meet to discuss the best and most efficient ways to communicate with staff and families.

Support for Unique Needs

Plans designed to identify and provide support for pupils' social-emotional, mental health, and academic needs.

We will utilize support from our on-site school psychologist and school counselor that can network with the County Office of Education to bring in additional support, if needed. Academic needs will be addressed through an in-house online platform through use of one-to-one devices.

Whole School Safety and Prevention Plan using MTSS

1. School will connect with students and families to promote attendance.
2. The school will consider strategies to become a trauma-responsive school system to support the school community.
3. Engage with students and families using culturally responsive techniques
4. Use universal screening to identify the social-emotional and physical needs of students
5. Professional development time to increase trauma knowledge and skills
6. Engage staff in professional development about mental health de-stigmatization
7. Provide information about mental health and wellness resources in communication with families
8. Conduct routine check-ins using a trauma and resilience-informed lens
9. Supply power for and restock necessary medicines and locate alternative sources of electricity in the event of outages

Access to Instruction

Timeline for Access to Instruction

Timeline for access to instruction no more than 10 instructional days following the emergency.

As required, Edison Bethune Charter Academy will provide access to in-person or remote instruction as soon as practicable, but **no more than 10 instructional days** following the emergency.

Conditions for Resuming Access to In-Person Instruction

Conditions under which in-person instruction will resume and any alternative sites or arrangements considering various aspects of recovery.

Outlined below are conditions under which in-person instruction will resume and any alternative sites or arrangements considering various aspects of recovery, including:

- Evacuation orders lifted
- Power and utilities functioning
- Healthy air quality
- Access to safe and clean water
- Campus free from debris and hazards
- Internet fiber lines connected and functioning
- Sufficient staff available
- Kitchens operational for meals

Remote Instruction

Plans for remote instruction.

As required, Edison Bethune Charter Academy remote instruction will align with EC sections 51747 and 51749.5, governing Independent Study instruction modalities. Remote instruction will be designed to meet instructional standards that are, at minimum, equivalent to those applicable in independent study programs.

The distance learning model involves all instruction delivered remotely through synchronous and asynchronous learning. This model has specific instructional minute requirements that must be met daily, and core instruction is to be delivered using the district's adopted curriculum.

Assessments are a crucial part of the instructional plan. State and local assessments may be used to monitor learning. State assessments include the ELPAC (English Language Proficiency Assessment of California) for English learners and the CAASPP (California Assessment of Student Performance and Progress). These assessments will be administered in person, when possible, but will be prepared for administration remotely, if needed. The plan also describes requirements for the use of specific assessments to ensure that students identified with special learning needs continue to have their needs met using these assessments in identifying specific accommodations that must be provided.

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Local assessments: These may include benchmark assessments, class assessments, universal screeners, and other standardized tests.

Access to Instructional Materials

Methods for distributing digital and non-digital materials.

As required, remote instruction offered will align with expectations of access and equity.

Students will need appropriate devices and reliable Internet access. The school will provide Chromebooks to each student. We may provide devices that can be shared with students if technology is damaged or destroyed during an emergency.

Edison-Bethune is committed to a one-to-one model, making sure Chromebooks and Wi-Fi are available for every single student enrolled. Edison Bethune will communicate information regarding low-cost or no-cost internet access for our students. For students who lack internet access at home, our school will provide either individual internet hotspot devices as needed, or regular access to on-site internet-connected computers when available. We will provide technical support to families to connect and access the online classroom. We will provide technological support, so students and families are comfortable with all learning platforms and software.

Access to Schoolwork

Platforms and processes for accessing and submitting schoolwork.

As required, remote instruction offered will align with expectations of access and equity.

"Distance learning" is defined as instruction where the student and teacher are in different locations. It utilizes technology for interaction, instruction, and check-ins, including video or audio lessons. In this model, students are expected to have access to Wi-Fi, a device, and a quiet study space. They should engage in digital learning activities, understand their assignments, ask for help when needed, and submit work by deadlines. Teachers are expected to prepare rigorous, standards-aligned lessons using the district's curriculum. They must monitor communications for updates, adhere to the Instructional Continuity Plan, and follow a synchronous schedule.

Teachers may use a digital platform like Google Classroom (TK-12) for lessons, assignments, and communication. They are also required to use Zoom or Google Meet for synchronous instruction and may record lessons for asynchronous access. Teachers also hold 60-minute "office hours" on Wednesdays for student and parent support.

Edison-Bethune utilizes a combination of synchronous (live) and asynchronous (independent) learning activities to meet daily minimum instructional minute requirements. These minutes are based on state education codes as a result of COVID-19.

The school tracks participation in synchronous sessions, completion of assignments, and teacher-student contact to document attendance in all models.

Temporary Reassignment

Procedures and agreements for temporary reassignment with neighboring LEAs.

Edison Bethune Charter Academy provides support to pupils and families to enroll in or be temporarily reassigned to another site, school district, county office of education, or charter school if an emergency or natural disaster disrupts in-person learning.

Instructional Continuity

Communication Protocols

Communication protocols for families, students, staff and faculty, including how information will be made available and with what frequency including methods and timelines.

All staff, students and families will have access to platforms already in use: including but not limited to ParentSquare, Facebook, Instagram, recorded videos and electronic communications. The school will engage with pupils and families within 5 calendar days following an emergency through these various forms of communication.

Technological Readiness

Technology readiness for educators and students to support a pivot from in-person to remote learning through independent study including early access to independent study program written agreements, online access to assignments and academic resources, assignment of devices, online instructional platform and access to internet and devices.

Edison Bethune is prepared to pivot and support students and families from an in-person to a remote setting. The school is prepared to provide one-to-one devices and hotspots, if needed. We have the capability to switch to an online platform to provide access to assignments and academic instruction.

Instruction and Assessment

Prioritization of essential learning, making standards-aligned learning objectives, methods for monitoring progress and additional support whenever possible, including tutoring, check-ins, virtual office hours or other methods.

Our remote online instructional strategies will be standards aligned. Student work will be monitored with staff support. Assessments will be conducted (local and state) and staff will be available for check-in sessions and will hold virtual office hours as needed.

For in-person attendance, the school continues its traditional attendance practices. The remote attendance and participation tracking will strictly follow our current Independent Study Policy compliant with EC 51747. This includes participation in online activities, completion of assignments, assessments, and contact with a school employee. A "weekly engagement record" is required for each student. Absences are marked for non-participation. Students who miss three days of work are targeted for re-engagement efforts. Independent Study program attendance is tracked based on completed work and student/teacher meetings. In each case, documentation is a mandatory component for state reporting and compliance standards.

Access (Equity, Accessibility, and Inclusion)

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Equity, Accessibility, and Inclusion

How all students, including those with disabilities, those experiencing homelessness, foster youth, or English learner (EL) students will continue to have equal access to instructional resources.

Supporting students with unique needs is a top priority for Edison Bethune. It is an essential aspect in ensuring equity and access. We will support students with identified needs. Students with Section 504 Plans will continue to receive accommodations per their Plan. A Section 504 Plan meeting will be convened within the first six weeks of the school year/on an annual basis, to review and update the Section 504 Plan as appropriate. Section 504 Plan meetings may be offered virtually and/or via telephone.

Individualized Education Plans (IEP)

How will IEPs continue to be provided and maintained.

This plan mandates that lessons and learning tasks for students with disabilities reflect their IEP services, goals, modifications and accommodations in all models.

Resource Specialist Program (RSP) teachers and paraprofessionals will provide support both in general education classroom online settings and through targeted interventions and offer virtual support. Individualized Education Program (IEP) teams determine how to ensure students with special needs receive the accommodations and services required by the IEP including whether to participate in an independent study plan. Students who are eligible for Special Education services will receive the services and supports listed in their IEPs in the respective instructional model (distance learning). Special Education providers will work together with general education teachers to create schedules which allow students to access live teaching sessions as well as IEP services.

Special education staff will ensure that goal progress is monitored and reported to parents, that services continue, and that IEP accommodations and modifications are followed. If changes are needed during remote learning the IEP team will convene to discuss and approve. We will ensure students have access to the assistive technology required in their individual education program to access their educational program during distance learning. Collaboration time between general education teachers, special education, and service providers to address any supports needed in a distance learning program. A detailed plan for how special education and related services will be developed. Multiple measures will be used to determine a student's participation and progress in distance learning.

English Learners (EL)

How will EL students continue to be supported in alignment with the California English Learner Roadmap Policy.

Edison Bethune encourages an asset-based approach that recognizes and celebrates the cultural and linguistic diversity of ELs and focuses on how their home languages and cultures are strengths to be leveraged for academic success.

Culturally responsive teaching practices are incorporated, where ELs' backgrounds are acknowledged, and their linguistic abilities are viewed as resources.

English language development (ELD) is integrated with core academic content instruction. This ensures that students are not just learning English in isolation but also applying it in academic contexts.

Edison Bethune provides Designated ELD instruction on a daily basis which allows for a structured and focused time where students can receive explicit language instruction. This goes beyond just integrating language development into content areas (which is more of an integrated ELD approach) and provides students with the time and space to focus specifically on the language they need to succeed.

Edison Bethune provides differentiated instruction that addresses the diverse language proficiency levels of EL students, ensuring that language scaffolds (e.g., visuals, graphic organizers, peer support) are used. EBCA proactively engages families in their children's education by providing information in their home language, offering parent workshops, and creating a welcoming environment for EL families.

Data-driven decisions are crucial for monitoring EL students' progress and adjusting instructional strategies. EBCA uses both language proficiency data and academic performance data to assess students' needs and ensure they are on track to meet grade-level standards.

Edison Bethune uses data to identify EL students who may need additional support, such as language interventions or specialized academic services.

Edison Bethune provides tailored support for Long-Term English Learners (LTEs) by implementing intensive language support, to accelerate language development and ensure they are able to engage fully in grade-level content.

Edison Bethune has established a reclassification criterion for EL students based on multiple measures (e.g., academic performance, English language proficiency, teacher recommendations) rather than a single test score ensuring that students are ready to move on without additional language supports. Students are monitored continually for four years after being reclassified.

English Learners, particularly those who are recent immigrants, may face social-emotional challenges as they adjust to a new environment. EBCA provides support for social-emotional learning (SEL), including counseling services and programs designed to help ELs build confidence, manage stress, and develop positive relationships.

Professional Learning

Professional learning opportunities and resources utilized if the need to pivot to remote instruction and assessment arises.

When the need to pivot to remote instruction and assessment arises, especially in an elementary setting, it's crucial for both educators and students to be prepared with effective tools, strategies, and ongoing support systems. Ensuring a smooth transition requires well-structured professional learning opportunities and access to the right resources to maintain instructional continuity and student engagement.

Here's how EBCA and educators will prepare for and navigate the transition to remote instruction and assessment in an elementary setting:

- Teachers will receive ongoing professional development on how to effectively use technology tools for remote learning. This includes familiarizing themselves with:
 - o Learning Management Systems (LMS) like Google Classroom, or Zoom to organize assignments, communication, and feedback.
 - o Video conferencing platforms such as Zoom with a focus on how to set up interactive, engaging lessons.
 - o Digital tools for assessment such as Google Forms and Kahoot, which can help gather formative assessment data in a remote setting.
- Providing professional development workshops focused on using these tools can ensure that teachers are comfortable navigating technology and that they can troubleshoot when problems arise.
- Teachers will benefit from training on keeping elementary-aged students engaged in a remote setting. This includes:
 - o Using interactive activities (e.g., virtual manipulatives for math, interactive read-alouds, virtual field trips).
 - o Incorporating student-centered teaching methods (e.g., inquiry-based learning, project-based learning) in the virtual classroom.
 - o Creating a routine and structure in virtual lessons that students can rely on.
- Teachers can attend workshops or webinars focusing on engagement techniques tailored for younger students who may struggle with attention during online sessions.

Teachers will be trained how to design valid and reliable online assessments aligned to state adopted core curricular frameworks.

Teachers will learn to use online formative assessment strategies to check for understanding and ongoing assessments to drive instruction remotely.

Well-Being and Support Services

How the LEA will provide access to physical and mental health professionals, including those who speak languages other than English.

Edison Bethune Charter has an on-site bilingual school counselor and other bilingual All 4 Youth staff to translate for school psychologists if needed to help address physical and mental needs of students that need access.

Whole School Safety and Prevention Plan using MTSS:

1. System to connect with students and families to promote attendance
2. The school will consider strategies to become a trauma-responsive school system to support the school community.
3. Engage with students and families using culturally responsive techniques
4. Use universal screening to identify the social-emotional and physical needs of students
5. Professional development time to increase trauma knowledge and skills
6. Engage staff in professional development about mental health de-stigmatization.
7. Provide information about mental health and wellness resources on the district and school websites and in communication with families.
8. Conduct routine check-ins using a trauma- and resilience-informed lens.
9. Supply power for and restock necessary medicines and locate alternative sources of electricity in the event of outages.
10. Second Step Program: Teachers present the Second Step Program to develop empathy, impulse control and conflict management skills in students for 30 minutes weekly.

Community and Family Wellness:

1. Collaboration with local government and private agencies to provide workshops and support services regarding adult and student mental health, trauma responsiveness, suicide prevention, and resilience including services in languages other than English.
2. Share resources for basic and physical health needs: food banks, Medi-Cal, Covered California, energy programs, Section 8 housing, prescription and patient assistance programs, unemployment supports, local job postings, local CalFresh and food distribution, free internet access, etc.
3. Provide a link to CDE's Resources for Students in Crisis: <https://www.cde.ca.gov/ls/cg/mh/studentcrisishelp.asp> and the National Suicide Prevention Lifeline 1-800-273-8255 widely.

Plans to provide access to back-up water and emergency services in the event of an emergency.

Edison Bethune shall ensure that students, staff, and essential operations have continued access to safe drinking water and critical emergency services. This includes identifying backup water sources, such as portable water supplies or agreements with local agencies and vendors and establishing procedures to provide timely access during outages. The district will also coordinate with local emergency services, public health, and utility providers to restore essential functions as quickly as possible. These measures are designed to protect health and safety, minimize instructional disruption, and maintain compliance with California Education Code requirements for school safety and emergency preparedness. Edison Bethune has a bottled water dispenser available on site for emergency purpose. Site nurse has access to all medication with proper documentation for those students that need medication while at school.

Plans to ensure continuity of other support services, including special education, counseling, after-school programs, and access to kitchens and food services, adapting these services to the online or hybrid environment when necessary.

Individualized Education Programs (IEPs) and related services will continue through virtual platforms when in-person delivery is not possible. Staff will use secure video conferencing for specialized instruction, speech and occupational therapy, and counseling sessions. Service delivery will be documented to remain in compliance with IDEA and California Department of Education guidance.

Counseling and Mental Health

School counselors and psychologists will provide ongoing support through scheduled tele-counseling sessions, digital wellness check-ins, and group sessions where appropriate. Crisis intervention protocols will be adapted to ensure students can access support even in a remote setting.

After-School Programs

Expanded learning opportunities will transition to online enrichment activities, tutoring, and academic support. Staff will coordinate schedules with classroom instruction to avoid conflicts and provide families with flexible participation options. Partnerships with community-based organizations will be leveraged to provide additional resources.

Nutrition and Food Services

In accordance with California Education Code requirements and federal nutrition guidelines, school kitchens will continue to operate to provide meals. When in-person access is restricted, the district will implement grab-and-go meal distribution or home delivery options to ensure students maintain access to nutritious food.

Adaptability

All services will be reviewed and adjusted regularly based on public health guidance, student feedback, and staff capacity. Equity and accessibility remain central, with accommodations provided for students who lack reliable technology or internet access

Site-Based Collaboration

How administrators, faculty, information technology staff, students, and parents will collaborate in the development and implementation of this ICP.

Edison Bethune will regularly review and update the ICP based on feedback and lessons learned and will include input from all stakeholders. Methods for soliciting stakeholder feedback may include: email, text, voicemail, phone calls, surveys and in staff meetings. The updated ICP will be made available to stakeholders.

Return to Site-Based Learning

Conditions that must be met prior to returning from disruption including reopening sites.

Before returning to site based learning all prerequisites for a safe return set forth by the city, county and state must be met.

At the core of this plan, the goal of returning to in-person instruction as quickly as possible once Edison Bethune can meet the multiple conditions of reopening.

Following an emergency, the school will consider the following before resuming in-person learning on campus:

1. Evacuation orders lifted
2. Power and utilities functioning
3. Healthy air quality
4. Access to safe, clean water and restroom facilities
5. Campus free from debris and hazards
6. Internet fiber lines connected and functioning
7. Sufficient staffing levels

Integration with Comprehensive School Safety Plan (CSSP)

Integration of this Instructional Continuity Plan (ICP) into Edison Bethune Charter Academy's Comprehensive School Safety Plan (CSSP).

This Instructional Continuity Plan (ICP) will be included as an integral component of Edison Bethune Charter Academy's Comprehensive School Safety Plan (CSSP) by July 1, 2025, as required by SB 153. The information in this ICP will be considered in relation to other aspects of the existing safety plan. A locally-adopted CSSP must include this ICP to obtain approval of a Form J-13A waiver request beginning in fiscal year 2026-27.

Review and Updates of this Instructional Continuity Plan (ICP)

Frequency of review and update of this ICP.

This Instructional Continuity Plan will be reviewed and updated in collaboration with Educational Partners, considering feedback and lessons learned on the following basis:

Annually through the Comprehensive School Safety Plan update process before March 1.

APPENDIX A: Suspension and Expulsion Policy and Procedures

Policy

The Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and wellbeing of all students at Edison Bethune Charter Academy (“EBCA” or the Charter School”). In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non-charter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions and involuntary removal. The language that follows is largely consistent with the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

Consistent with this Policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as the Charter School’s policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to seek a material revision of the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary policies and procedures fairly and consistently among all students. This policy and its procedures will be printed and distributed annually as part of the Student Handbook which will clearly describe discipline expectations.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of 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.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this policy and its procedures are available upon request at the Superintendent/Principal’s office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The

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Charter School will follow all applicable federal and state laws including but not limited to the applicable provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian or, if the student is a foster child or youth or a homeless child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the student is an Indian child, as defined in Welfare and Institutions Code Section 224.1, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the student, the student's parent/guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, of the right to request a hearing before the effective date of the action. If a hearing is requested, the Charter School shall use the same hearing procedures specified below for expulsions, and the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions for disciplinary misconduct as set forth in this policy.

A foster child's educational rights holder, attorney, and county social worker, and an Indian child's tribal social worker and, if applicable, county social worker, shall have the same rights a parent or guardian has to receive suspension notices, expulsion notices, manifestation determination notices, involuntary transfer or removal notices, and other documents and related information.

Alternative Means of Correction

For a student facing discipline for a discretionary offense listed below, the Superintendent/Principal may, whenever possible and practicable, provide alternatives to suspension or expulsion. These alternatives shall use a research-based framework with age-appropriate strategies that improve behavioral and academic outcomes while addressing and correcting the student's specific misbehavior.

The Charter School shall not suspend or expel any student based solely on the fact that they are truant, tardy, or otherwise absent from school activities. Violations of the Charter School's attendance expectations shall be addressed in accordance with Charter School Attendance and Truancy Policy and/or Independent Study Policy, as applicable.

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No student may be suspended or expelled for willful defiance or disruption. Alternatively, Charter School staff may refer a student who engages in willful defiance and/or disruption to the Superintendent/Principal or designee for appropriate and timely in-school interventions or supports. Within five (5) business days, the Superintendent/Principal or designee shall:

1. Document the actions taken and save the document to the student's record
2. Inform the referring staff member what actions were taken and if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.

For a student who has been suspended, or for whom other means of correction have been implemented, for an incident of racist bullying, harassment, or intimidation, the Charter School may require both the victim and perpetrator to engage in a restorative justice practice. The Charter School may also require perpetrators to engage in culturally sensitive programs that promote racial justice and equity and combat racism and ignorance.

The Charter School may utilize its Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, be used to help students gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

Procedures

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. Enumerated Offenses

1. Discretionary Suspension Offenses: Students may be suspended when it is determined the student:
 - a. Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b. Willfully used force or violence upon the person of another, except self-defense.
 - c. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e. Committed or attempted to commit robbery or extortion.

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- 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 a student's own prescription products by a student.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. 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. 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.
- n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o. Engaged in, or attempted to engage in, hazing. For the purposes of this policy, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, "hazing" does not include athletic events or school-sanctioned events.
- p. Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, "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 their own safety or for their 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 their immediate family.
- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 6, inclusive.
- r. Caused, attempted to cause, threatened to cause or participated in an act of hate

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violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 6, inclusive.

- s. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 6, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - . Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - i. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - ii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iii. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 0. “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - . A message, text, sound, video, or image.
 - i. A post on a social network Internet Web site including, but not limited to:
 - a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b) Creating a credible impersonation of another actual student for the

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purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.

- c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.

. An act of cyber sexual bullying.

- a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- b) For purposes of this policy, “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.

- 0. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u. A student 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 student 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).
- v. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item

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from a certificated school employee, with the Superintendent/Principal or designee's concurrence.

2. **Non-Discretionary Suspension Offenses:** Students must be suspended and recommended for expulsion when it is determined the student:
 - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Principal or designee's concurrence.
 - b) Brandished a knife at another person.
 - c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
 - d) Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 of former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4
3. **Discretionary Expellable Offenses:** Students may be recommended for expulsion when it is determined the student:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k) 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) 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.
 - n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

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- o) Engaged in, or attempted to engage in, hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “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 their own safety or for their 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 their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 6, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This provision shall apply to students in any of grades 4 to 6, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 6, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - a. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

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- b. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - c. Causing a reasonable student to experience substantial interference with their academic performance.
 - d. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2. “Electronic Act” means the creation or transmission originated on or off the 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:
 - a. A message, text, sound, video, or image.
 - b. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - c. An act of cyber sexual bullying.
 - a. For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above,

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shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- b. For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u. A student 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 student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- v. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee’s concurrence.
- 4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion when it is determined pursuant to the procedures below that the student:
 - a. Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Principal or designee’s concurrence.
 - b. Brandished a knife at another person.
 - c. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
 - d. Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 of former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

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If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or destructive 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 student shall be provided due process rights of notice and a hearing as required in this policy.

The Charter School will use the following definitions:

- The term “knife” means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- 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 any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Superintendent/Principal or the Superintendent/Principal’s or designee with the student and the student’s parent/guardian and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Superintendent/Principal or designee.

The conference may be omitted if the Superintendent/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 Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

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At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the student 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 student for failure of the student's parent/guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent/guardian at the conference.

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Superintendent/Principal or designee, the student and the student's parent/guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student or the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

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

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive,

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who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class.

D. Authority to Expel

As required by Education Code Section 47605(c)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Superintendent/Principal or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all student confidentiality rules under the Family Educational Rights and Privacy Act "FERPA") unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

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

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

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

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 their right to (a) receive five (5) calendar days' notice of their scheduled testimony; (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian or legal counsel; and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness 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 the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.

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6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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

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While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled student, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have their testimony heard in a session closed to the public.

I. Expulsion Decision

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board of Directors, which will make a final determination regarding the expulsion. The Board of Directors shall make the final determination regarding the expulsion within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final.

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the student shall immediately be returned to their previous educational program.

During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

J. Written Notice to Expel

The Superintendent/Principal or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student and student's parent/guardian. This notice shall also include the following: (a) notice of the specific offense committed by the student; and (b)

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notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Superintendent/Principal or designee shall send a copy of the written notice of the decision to expel to the chartering authority. This notice shall include the following: (a) the student's name; and (b) the specific expellable offense committed by the student.

K. Disciplinary Records

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

The Charter School shall maintain records of all student suspensions, expulsions, and involuntary removals. Such records shall be made available to FCBOE, as the Charter School's authorizer, upon request and consistent with applicable student privacy laws, including FERPA. FCBOE may review disciplinary records, suspension and expulsion data, involuntary removal procedures, and related documentation as part of its oversight responsibilities. EBCA shall cooperate with reasonable authorizer requests for information related to disciplinary matters and shall address any compliance concerns identified through the authorizer's oversight process.

L. No Right to Appeal

The student shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors' decision to expel shall be final.

M. Expelled Students/Alternative Education

Parents/guardians of students who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

N. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the student may reapply to the Charter School for readmission.

O. Readmission or Admission of Previously Expelled Student

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The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Board of Directors following a meeting with the Superintendent/Principal or designee and the student and student's parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Superintendent/Principal or designee shall make a recommendation to the Board of Directors following the meeting regarding the Superintendent/Principal or designee's determination. The Board shall then make a final decision regarding readmission or admission of the student 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 student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

P. Notice to Teachers

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

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

1. Notification of SELPA

The Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student that the Charter School or the 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

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

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

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

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

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

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

4. Due Process Appeals

The parent/guardian of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative

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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/guardian or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent/guardian and the Charter School agree otherwise.

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

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

5. Special Circumstances

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

The Superintendent/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:

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

6. Interim Alternative Educational Setting

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

7. Procedures for Students Not Yet Eligible for Special Education Services

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

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

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

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

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

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

APPENDIX B: Harassment, Intimidation, Discrimination, and Bullying Policy

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Edison Bethune Charter Academy ("EBCA" or the "Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether.

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 mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locs, and twists), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age, or any combination of those characteristics, association with a person or group with one or more of these actual or perceived characteristics or any combination of those characteristics, or based on any other characteristic protected under applicable state or federal law or local ordinance. 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, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. EBCA school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, EBCA will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom EBCA does business, or any other individual, student, or volunteer. EBCA will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted.

This policy applies to incidents occurring on the school campus, at school-sponsored events and activities regardless of the location, through school-owned technology, and through other electronic means, whether perpetrated by a student, employee, parent/guardian, volunteer, independent contractor or other person with whom EBCA does business, and all acts of EBCA's Board of Directors ("Board") in enacting policies and procedures that govern EBCA.

Appendix B: Harassment, Intimidation, Discrimination, and Bullying Policy

EBCA complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator (“Coordinator”):

Rodolfo Garcia
Superintendent/Principal
Edison Bethune Charter Academy
1616 S. Fruit Street. Fresno, CA 93706
Telephone Number: (559) 457-2530

Definitions

Harassment means conduct based upon one or more of the protected characteristics listed above that is severe or pervasive, which unreasonably disrupts an individual’s educational or work environment or that creates a hostile educational or work environment. Harassment includes, but is not limited to:

- Verbal conduct such as epithets, derogatory jokes, comments or slurs.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school based on any of the protected characteristics listed above.
- Retaliation for reporting or threatening to report harassment.
- Deferential or preferential treatment based on any of the protected characteristics listed above.

Sexual Harassment

In accordance with Title IX (20 U.S.C. § 1681 *et seq.*; 34 C.F.R. Part 106) and California law, discrimination and harassment on the basis of sex in education institutions, including in the education institution’s admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by EBCA.

EBCA is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Under Title IX, “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

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- 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 recipient's education program or activity; or
- “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).

Under California Education Code section 212.5, sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) 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; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Examples of conduct that may fall within the Title IX definition of sexual harassment, the Education Code definition of sexual harassment, or both:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults.
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex

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- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
 - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
 - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

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 or group of students that may constitute hate violence or create 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:

- Placing a reasonable student or students in fear of harm to that student's or those students' person or property.
- Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
- Causing a reasonable student to experience a substantial interference with the student's academic performance.
- Causing a reasonable student to experience a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by EBCA.

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

Electronic act means the creation or 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:

- A message, text, sound, video, or image

- A post on a social network Internet Web site including, but not limited to:
 - 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.
 - Creating a credible impersonation of another actual student 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 student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - 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 student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- An act of “Cyber sexual bullying” including, but not limited to:
 - The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student 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 the definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - “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.
- 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.

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in EBCA’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that EBCA investigate the allegation of sexual harassment. At the time of filing a formal complaint of sexual harassment, a complainant must be participating in or attempting to participate in EBCA’s education program or activity.

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

Bullying and Cyberbullying Prevention Procedures

EBCA has adopted the following procedures for preventing acts of bullying, including cyberbullying.

Cyberbullying Prevention Procedures

EBCA advises students:

- To never share passwords, personal data, or private photos online.
- To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- To consider how it would feel receiving such comments before making comments about others online.

EBCA informs Charter School employees, students, and parents/guardians of EBCA's policies regarding the use of technology in and out of the classroom. EBCA encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

Education

EBCA employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. EBCA advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at EBCA and encourages students to practice compassion and respect each other.

EBCA educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other pupils based on protected characteristics.

EBCA's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

EBCA informs EBCA employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

Professional Development

EBCA annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other EBCA employees who have regular interaction with students.

EBCA informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

EBCA also informs certificated employees about the groups of students determined by EBCA, and available research to be at elevated risk for bullying and provides its certificated employees with information on existing school and community resources related to the support of these groups. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth (“LGBTQ”) and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

EBCA encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for EBCA’s students.

Grievance Procedures

Scope of Grievance Procedures

EBCA will comply with its Uniform Complaint Procedures (“UCP”) policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person’s association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- Are written and signed;
- Filed by an individual who alleges that they have personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying based on a protected characteristic, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- Submitted to the EBCA UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred,

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or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, EBCA will utilize the sexual harassment grievance procedures listed below in addition to its UCP when applicable.

Submitting a Report or Complaint

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 when 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.

Reports and complaints of misconduct prohibited by this Policy shall be submitted to the Coordinator (or the Superintendent if the complaint is against the Coordinator) as soon as possible after the incidents giving rise to the report or complaint.

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. EBCA will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. 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 and other verbal or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Superintendent/Principal, Coordinator, a staff person or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this Policy.

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

EBCA prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in

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any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

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, and any individual designated as a Title IX Coordinator, investigator or decisionmaker and any person who facilitates an informal resolution process will receive Title IX training and/or instruction concerning sexual harassment as required by law.

Supportive Measures Under Title IX

Upon the receipt of a report of sexual harassment or a formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will 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 of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to EBCA's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or EBCA's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to 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 locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. EBCA will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of EBCA to provide the supportive measures.

Investigation and Response

Upon receipt of a report or complaint of misconduct prohibited by this Policy, the Coordinator or designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than thirty (30) school days.

At the conclusion of the investigation, the Coordinator or designee will, 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, the Coordinator or designee will not reveal confidential information related to other students or employees

If the complaint is against the Coordinator, the Board or designee will conduct a fact-finding investigation and provide the complainant with information about the investigation and resolution of the incident/situation.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations
 - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
 - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
 - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
 - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
 - A statement that EBCA prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
 - EBCA may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with EBCA's policies.
 - EBCA may remove a respondent from EBCA's education program or activity on an emergency basis, in accordance with EBCA's policies, provided that EBCA 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 respondent with notice and an opportunity to challenge the decision immediately following the removal.
 - This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
 - If a formal complaint of sexual harassment is filed, EBCA may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If EBCA offers such a process, it will do the following:
 - Provide the parties with advance written notice of:
 - The allegations;
 - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded

- from resuming a formal complaint of sexual harassment arising from the same allegations;
 - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
 - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
- Obtain the parties' advance voluntary, written consent to the informal resolution process.
- EBCA will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
 - The decisionmaker will not be the same person(s) as the Coordinator or the investigator. EBCA shall ensure that all decisionmakers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
 - In most cases, a thorough investigation will take no more than thirty (30) school days. If the Coordinator determines that an investigation will take longer than thirty (30) school days and needs to be delayed or extended due to good cause, the Coordinator or designee will inform the complainant and any respondents in writing of the reasons for the delay or extension. The entire Title IX process, including informal resolution, opportunities to respond, and determination of responsibility may take ninety (90) calendar days or longer, depending on the complexity of the investigation and the issues raised.
 - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
 - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
 - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
 - Prior to completion of the investigative report, EBCA will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
 - The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility

- Dismissal of a Formal Complaint of Sexual Harassment
 - If the alleged harassment did not occur in EBCA's education program or activity, or against a person in the United States, or would not constitute sexual harassment under Title IX even if proved, the formal complaint with regard to that conduct must be dismissed for purposes of sexual harassment under Title IX. However, such a dismissal does not preclude action under another applicable EBCA policy.
 - EBCA may dismiss a formal complaint of sexual harassment if:
 - The complainant provides a written withdrawal of the complaint to the Coordinator;
 - The respondent is no longer employed or enrolled at EBCA; or
 - The specific circumstances prevent EBCA from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
 - If a formal complaint of sexual harassment or any of the claims therein are dismissed, EBCA will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
 - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
 - Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
 - EBCA will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
 - The allegations in the formal complaint of sexual harassment;
 - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 - The findings of facts supporting the determination;
 - The conclusions about the application of EBCA's code of conduct to the facts;
 - The decision and rationale for each allegation;
 - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
 - The procedures and permissible bases for appeals.

Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from EBCA or termination of

employment. The Coordinator is responsible for effective implementation of any remedies ordered by EBCA in response to a formal complaint of sexual harassment.

Right of Appeal

Should the reporting individual find EBCA's resolution unsatisfactory for complaints within the scope of this Policy, other than formal complaints of sexual harassment, the reporting individual may, within five (5) business days of notice of EBCA's decision or resolution, submit a written appeal to the President of the EBCA Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and EBCA will implement appeal procedures equally for both parties.
- Within five (5) business days of EBCA's written decision or dismissal of the complaint, the complainant or respondent may submit a written appeal to the President of the Board, who will serve as the appeal decisionmaker or designate an appeal decisionmaker.
- The decisionmaker for the appeal will not be the same person(s) as the Coordinator, the investigator or the initial decisionmaker.
- The complainant and respondent may appeal from a determination regarding responsibility, and from EBCA's dismissal of a formal complaint or any allegations therein, on the following bases:
 - Procedural irregularity that affected the outcome of the matter;
 - 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
 - The Title IX Coordinator, investigator(s), or decisionmaker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- EBCA will notify the other party in writing when an appeal is filed.
- The decisionmaker for the appeal will: 1) give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; 2) issue a written decision describing the result of the appeal and the rationale for the result; and 3) provide the written decision simultaneously to both parties.

Recordkeeping

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

EBCA will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant

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- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment

APPENDIX C: Classroom and School Volunteer, Visitation, and Removal Policy

While Edison Bethune Charter Academy (“EBCA” or the “Charter School”) encourages parents/guardians and interested members of the community to visit the Charter School and view the educational program, EBCA also endeavors to create a safe environment for students and staff. Additionally, parents volunteering in the classroom can be extremely helpful to our teachers and valuable to our students. We thank all parents for their willingness to volunteer in this manner.

Nevertheless, to ensure the safety of students and staff as well as to minimize interruption of the instructional program, the EBCA Board of Directors has established the following procedures to facilitate volunteering and visitations during regular school days:

Definitions

- A “*visitor*” is an individual who is on school premises or at a school-sponsored event for a limited time and specific purpose and who is at all times under the supervision of, and in the presence of, a school employee. Examples include parents or guardians attending conferences, classroom presentations, or school events; service providers meeting with staff; and community members attending performances or assemblies.
- A “*volunteer*” is an individual who performs services for the school or on behalf of the school without compensation, under the direction and control of school staff, and who may work directly with students in a repeated, scheduled, or substantial capacity.
- A “*chaperone*” is a volunteer who is specifically authorized to accompany, supervise, and be responsible for students during field trips, off-campus activities, or other school-sponsored events, including events that occur outside the regular school day. Chaperones are expected to actively monitor students, enforce school rules, and follow staff directions, and they may be subject to additional screening, training, or certification requirements given the supervisory nature of their role.
- For purposes of the mandated reporter training requirements described in this Policy, volunteers and chaperones who are over 18 years of age and who interacts with pupils outside of the immediate supervision and control of the pupil’s parent or guardian or a Charter School employee is a “mandated reporter” under Penal Code section 11165.7.

Volunteering/Chaperoning

Parents or guardians who are interested in volunteering or chaperoning must adhere to the following guidelines:

Appendix C: Classroom and School Volunteer, Visitation, and Removal Policy

1. Volunteers and chaperones shall be (1) fingerprinted and (2) receive background clearance from EBCA prior to volunteer work.
2. Volunteers and chaperones shall also have on file with EBCA a certificate showing a recent (within 2 years) tuberculosis risk assessment and, if tuberculosis risk factors were identified, clearance from a medical provider that the individual was examined and found to be free of infectious tuberculosis. If no risk factors are identified, an examination is not required. At the discretion of the EBCA Board of Directors, this paragraph shall not apply to a volunteer whose functions do not require frequent or prolonged contact with students.
3. Volunteering and chaperoning must be arranged with the classroom teacher and Superintendent/Principal or designee, at least forty-eight (48) hours in advance unless approved by the teacher. Background clearances must be in place before a volunteer or chaperone request may be made.
4. Prior to volunteering in the classroom, the volunteer should communicate with the teacher to discuss the expectations for volunteering needs. Classroom volunteers are there to benefit the entire class and are not in class solely for the benefit of their own child. Classroom volunteers must follow the instructions provided by the classroom teacher or aide. Classroom rules also apply to volunteers to ensure minimal distraction to the teacher. If a volunteer is uncomfortable following the direction of the teacher or aide, the volunteer may leave their volunteer position for that day.
5. Information gained by volunteers regarding students (e.g. academic performance or behavior) is to be maintained in strict confidentiality. Volunteers must sign in agreement that they have read and understand and agree to follow the Family Educational Rights and Privacy Act ("FERPA") Policy.
6. Volunteers shall follow and be governed by all other guidelines indicated elsewhere in this Policy. This includes, but is not limited to, the process of registering and signing out of the campus at the main office as indicated below.
7. Volunteerism by parents is encouraged but not mandatory. Any volunteer hours are tracked for purposes of maintaining data on the parent participation at the School.
8. Volunteers who qualify as mandated reporters must complete the required mandated reporter training as a condition of volunteering and annually thereafter, as described in the Mandated Reporter and Board Member Training section below.

Mandated Reporter and Board Member Training

1. Consistent with Senate Bill 848, governing Board members (regardless of whether they have contact with students), chaperones, and those volunteers who interact with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a Charter School employee are mandated reporters under Penal Code section 11165.7. EBCA shall annually train these individuals in their duties as mandated reporters in accordance with Education Code section 44691, and shall require proof of completed training within the first six weeks of each school year or within the first six weeks of the individual beginning their service.
2. Mandated reporter training must be completed using the training developed by Vector Solutions or the California Department of Social Services (CDSS) available at <https://mandatedreportertraining.com/california/>.
3. Volunteers who do not have contact with pupils, such as those who assist with off campus fundraising or clerical tasks, are not required to complete mandated reporter training. EBCA nonetheless recommends that these volunteers complete the training in case their duties later involve contact with pupils.

Visitation

1. Visits during school hours should first be arranged with the teacher and Superintendent/Principal or designee, at least forty-eight (48) hours in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least forty-eight (48) hours in advance. Parents/guardians seeking to visit a classroom during school hours must first obtain the approval of the classroom teacher and the Superintendent/Principal or designee.
2. All visitors (including volunteers) shall register in the Visitors Log Book and complete a Visitor's Permit in the main office immediately upon entering any school building or grounds during regular school hours. When registering, the visitor is required to provide their name, address, age (if under 21), their purpose for entering school grounds, and proof of identity.
3. For purposes of school safety and security, the Superintendent/Principal or designee may design a visible means of identification for visitors while on school premises.
4. If the visitor is a government officer/official (including but not limited to local law enforcement officers, immigration enforcement officers, social workers, district attorneys, or U.S. attorneys) the officer/official will also be asked to produce any documentation that authorizes school access. EBCA shall make reasonable efforts to notify parents or guardians prior to permitting a student to be interviewed or searched, consistent with the law and/or any court order, warrant or instructions from the

officer/official. A copy of the documentation provided by the officer and notes from the encounter may be maintained by EBCA, consistent with the law. The EBCA Board of Directors and Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, will be timely informed regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes, as recommended by the Attorney General.

5. Except for unusual circumstances, approved by the Superintendent/ Principal, EBCA visits should not exceed approximately sixty (60) minutes in length and may not occur more than twice per semester.
6. While on campus, visitors are to enter and leave classrooms as quietly as possible, not converse with any student, teacher, or other instructional assistant unless permitted, and not interfere with any school activity. No electronic listening or recording device may be used in a classroom without the teacher's and Superintendent/ Principal's written permission.
7. Before leaving campus, the visitor shall return the Visitor's Permit and sign out of the Visitors Log Book in the main office.

Limitations of Volunteering or Visitation

1. The Superintendent/ Principal or designee may seek the assistance of the police in managing or reporting any visitor or volunteer in violation of this Policy.
2. The Superintendent/Principal, or designee, may refuse to register a visitor or volunteer if it is believed that the presence of the visitor or volunteer would cause a threat of disruption or physical injury to teachers, other employees, or students.
3. The Superintendent/ Principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or withdrawn, promptly leave school grounds.
4. The Superintendent/Principal may direct a visitor without lawful business on campus to leave campus when the visitor's presence or acts interfere with the peaceful conduct of the activities of the school, or disrupt the school or its students, or school activities.
5. Any visitor who is directed to leave by the Superintendent/Principal or designee will not be permitted to return to the Charter School campus for at least seven (7) calendar days. When a visitor is directed to leave, the Superintendent or designee shall inform the visitor that if the visitor reenters the school without following the posted requirements the visitor will be guilty of a misdemeanor.

6. The Superintendent/Principal or designee may withdraw consent to be on campus for up to fourteen (14) calendar days even if the visitor has a right to be on campus whenever there is reason to believe that the person has willfully disrupted or is likely to disrupt EBCA's orderly operation. Consent may be reinstated at the discretion of the Superintendent prior to the expiration of the fourteen (14) calendar day timeline, whenever the Superintendent has reason to believe that the presence of the person will not constitute a substantial and material threat to the orderly operation of the school campus. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. The written request shall state the address to which notice of hearing is to be sent. The Superintendent shall grant such a hearing not later than seven (7) calendar days from the date of receipt of the request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.
7. This Policy does not authorize EBCA to permit a parent/guardian to volunteer or visit the campus if doing so conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction.

Posted Notifications

At each entrance to the campus, signs shall be posted specifying the hours during which registration is required, stating where the office of the Superintendent/Principal or designee is located, and what route to take to that office, and setting forth the penalties for violation of this Policy.

Penalties

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, the visitor will be guilty of a misdemeanor, which is punishable by a fine of up to \$500.00 (five hundred dollars) or imprisonment in the County jail for a period of up to six (6) months or both.
2. Under California Education Code section 44811, any visitor whose conduct materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor and is punishable, upon the first conviction, by a fine of no less than \$500.00 (five hundred dollars) and no more than \$1,000.00 (one thousand dollars) or by imprisonment in a County jail for no more than one (1) year, or both, the fine and imprisonment.
3. Disruptive conduct may lead to EBCA's pursuit of a restraining order against a visitor, which, if granted, would prohibit the visitor from coming onto school grounds or attending school activities for any purpose for a period of up to three (3) years