



Fresno Innovative Charter Schools

PARENT/STUDENT HANDBOOK & ANNUAL NOTICES 2024 -2025

☎ 559.248.7060

✉ dailey@fics.us

📍 3135 N. Harrison Ave., Fresno CA 93704

QUICK GLANCE OF HELPFUL INFORMATION

- ✓ Obey traffic laws and be respectful of our neighborhood. Please do not block or park in driveways.
- ✓ Parking lot is for staff members only.
- ✓ Arrive no later than 7:50 a.m. to ensure that your student is not tardy.
- ✓ Call the attendance line at 248-7067 every day your student is absent. You may email the office staff at Catherine.donato1@fresnounified.org.
- ✓ Notify the teacher and office in advance if your student has an appointment so we can have them ready for you.
- ✓ Label your student's belongings with their name (jackets, lunch box, water bottle, etc.)
- ✓ Health office does not have a School Nurse. Office staff is First Aid and CPR trained.
- ✓ All medications, including over the counter, must have a Medication Order.
- ✓ Provide healthy snacks for all recess breaks
 - Kindergarten – 1 recess
 - 1st – 5th – 2 recesses
- ✓ Birthday celebrations must be coordinated with the teacher in advance and must be peanut free. Please do not send items that need to be refrigerated or kept frozen. Flowers and balloons are not allowed at school. Celebrations are the last 15 minutes of the day.
- ✓ Late lunch drop-off in the office.
- ✓ EduText is available for 3rd – 5th grade parents (2nd grade is available in January).
 - Text your Parent PIN to 28527 and hit send for access.
- ✓ ATLAS Parent Portal is available for 1st – 5th grade students.
- ✓ Parent Square for school communication.
- ✓ Do not send students to school if they have a fever or have thrown up in the last 24 hours.

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SCHOOL CONTACT INFORMATION

Fresno Innovative Charter School, Inc. * Dailey Elementary Charter School

3135 N. Harrison Ave, Fresno, CA 93704

Office: (559) 248-7060 * Fax: (559) 248-7068 *Website: <https://fics.us/dailey>

DAILEY CHARTER SOCIAL MEDIA & WEBSITE

Dailey Charter Website:

<https://fics.us/dailey/>

- Program Information
- Dress Code Policy and Information
- Enrollment
- School Calendar
- School Events
- Parent resources to support learning

Parent Square:

- School Communication
- Teacher Communication
- Sign-ups
- Newsletter
- School Calendar

Social Media Accounts (Twitter, Instagram, Facebook, TikTok):

- School Events
- Classroom Learning
- Reminders
- Important Announcements

School Sponsored Social Media Accounts:

- Dailey Charter Twitter (@daileycharter1)
- Dailey Charter Instagram (@dailey_charter1)
- Dailey Charter TikTok (daileycharter1)
- Dailey Charter Facebook (www.facebook.com/daileycharter1)
- Dailey Charter PVC (www.facebook.com/DaileyPVC)

These are the only school supported Facebook pages. Any other pages do not have permission, alignment, or support of Dailey Charter.

SCHEDULES AND IMPORTANT DATES

Daily Schedule	
Kindergarten 7:55 a.m. - 2:00 p.m.	
First - Fifth Grade Monday, Wednesday, Friday 7:55 a.m. - 3:30 p.m. Tuesday and Thursday 7:55 a.m. – 3:00 p.m.	
9:20 a.m. - 9:40 a.m.	Kindergarten, First, Second Grade Recess
9:50 a.m. - 10:10 a.m.	Third, Fourth, Fifth Grade Recess
11:10 a.m. - 11:50 a.m. Kindergarten, Second, Fifth Grade Lunch	
11:10 a.m. - 11:30 a.m.	Kindergarten, 2nd, and 5th Grade Eat
11:30 a.m. - 11:50 a.m.	Kindergarten, 2nd, and 5th Grade Recess
11:55 a.m. - 12:35 p.m. First, Third, Fourth Grade Lunch	
11:55 a.m. -12:05 p.m.	1st, 3rd, 4th Grade Eat
12:05 p.m. - 12:35 p.m.	1st, 3rd, 4th Grade Recess
2:00 p.m. - 2:15 p.m.	1 st & 2 nd Grade Recess
2:15 p.m. - 2:30 p.m.	3 rd , 4 th , 5 th Grade Recess

Dailey Elementary Academic Calendar

2024-2025

July						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August ~ Balanced						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September ~ Principled						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Key Dates:						
Aug. 15 Back to School Night						
Aug. 19 th First Day of School						
Sept. 2 nd Holiday						
Sept. 27 th Early Release 1pm						
Oct. 14 th – 18 th Student Conferences/Early Release 1pm						
November 1 st Teacher Training Day						
Nov. 11 th Holiday						
Nov. 22 nd Early Release 1pm						
Nov. 25 th – 29 th Thanksgiving Vacation						
Dec. 20 th Early Release 1pm						
Dec. 23 rd – Jan. 10 th Winter Break						
Jan. 13 th Teacher Training Day						
Jan. 20 th - Holiday						
Feb. 10 th Holiday						
Feb. 17 th Holiday						
Mar. 14 th Teacher Training Day						
Apr. 11 th Early Release 1pm						
Apr. 14 th – 21 st Spring Break						
May 2 nd Teacher Training Day						
May 26 th Holiday						
June 6 th Early Release/Event 1pm						
Jun. 12 th Early Release/Last Day of School						

October ~ Communicators						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November ~ Open-Minded						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December ~ Reflective						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January ~ Thinkers						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February ~ Caring						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March ~ Inquirers						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April ~ Knowledgeable						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May ~ Risk-Taker						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June ~ Reflective						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Early Release 1:00 p.m.
Teacher Training Day – No Sch.
Breaks & Holidays Office is Closed

Regular Office Hours
7:30 a.m. – 4:00 p.m.

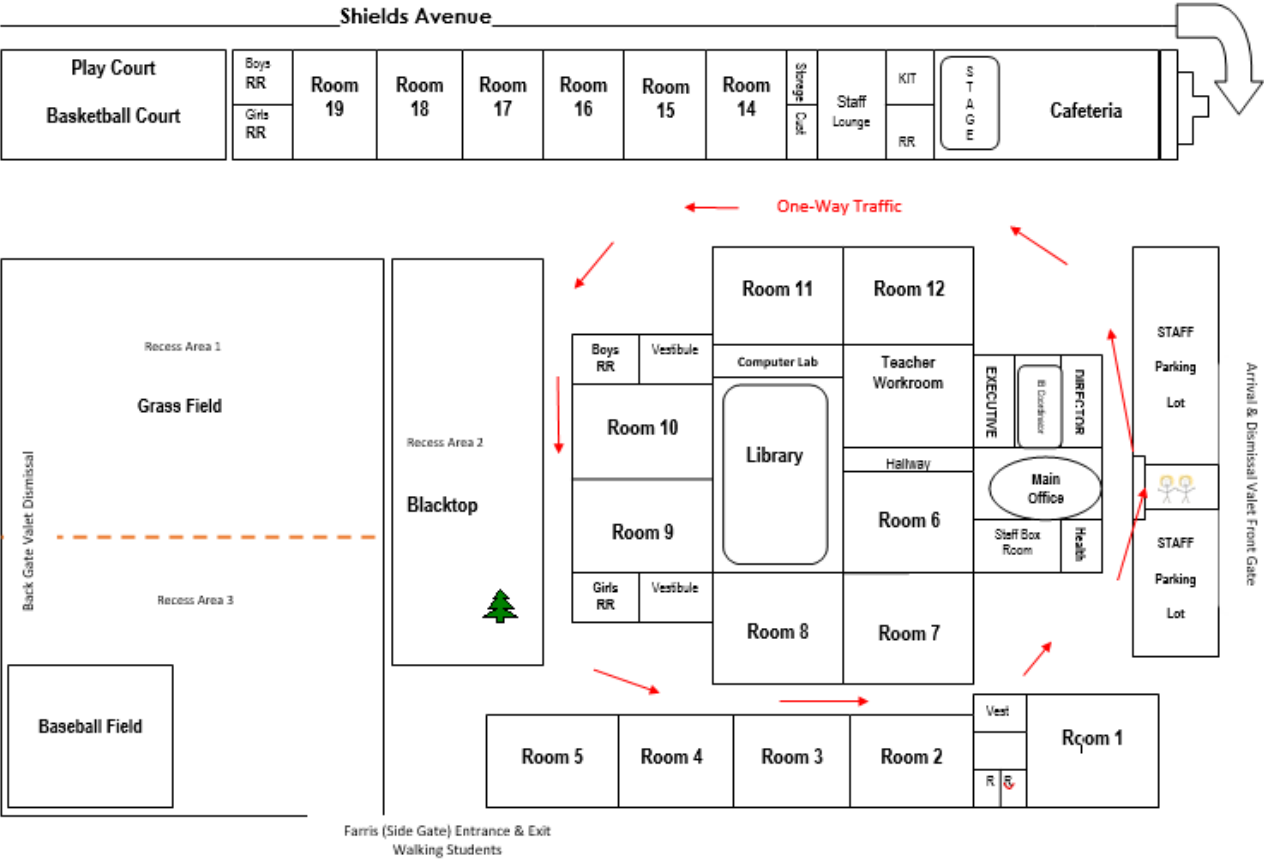
● Holiday ● Teacher Training Days ● Breaks ● Early Release Days (1:00 p.m.) ● Events ● First & Last Day of School

Please note that Dailey's calendar is different than Fresno Unified.



If your child will be missing more than three days of school in a row, please contact the office for information regarding our Independent Study option.

SCHOOL MAP

DAILEY ELEMENTARY CHARTER SCHOOL



UNIFORM DRESS CODE POLICY

<div style="display: flex; justify-content: space-between; align-items: center;">  <div style="text-align: center;"> Dailey Elementary Charter School Uniform Dress Code Policy </div>  </div>		
<p>Purpose: Dailey Elementary Charter School upholds a school uniform policy to maintain a focus on the school being a learning place for students. The policy helps foster a sense of school pride and professionalism.</p>		
Overall Dress Code Expectations	<ul style="list-style-type: none"> • Shirts tucked in (body check) • Clothing labeled with student name • All clothing must be solid/plain in dress code colors • Collard shirts worn at all times except for Friday • Dailey spirit shirts can be worn on Fridays only • All visible clothing must follow dress code colors 	
Tops	Meeting Expectation	Unacceptable
<ul style="list-style-type: none"> • Navy Blue • White • Dark Forest Green • Dark Purple 	<ul style="list-style-type: none"> • Polo shirt or button down with collar • Short or long sleeve • Turtleneck / mock turtlenecks must be worn under a collared shirt • Undershirts must be in dress code colors (if wearing) 	<ul style="list-style-type: none"> • Incorrect color • Writing, labels, logos • Tears or rips • Team logos or insignias • Untucked shirts • Sweaters worn without a collared shirt • Hoods worn in buildings (Headwear worn for purposes of religious observance will be permissible indoors and outdoors.) • Bright lining or trim that is visible • Athletic bottoms or sweats • Bottoms in sweat material • 1 inch or higher heeled shoes • Jeans/jean material • Baggy, saggy, or tight fitted bottoms • Sparkles, lace, metal studs, or other decorations on any clothing or shoes • Colored hair or feathers • Mohawks, faux hawks, tails, or unusual razor cuts • Crown headbands, or cat ears, do-rags • Temporary tattoos • Fake fingernails • neckties • Fake Glasses • Jegging style pants • Smartwatches • Non Dailey made spirit wear • Two toned or multiple colored jackets & sweaters
Sweaters	Meeting Expectation	
<ul style="list-style-type: none"> • Navy Blue • White • Dark Forest Green • Dark Purple 	<ul style="list-style-type: none"> • Solid / Plain • Cardigan, v-neck, crew neck, button down, pull over • Hoods are acceptable • Worn as outerwear 	
Sweatshirts	Meeting Expectation	
<ul style="list-style-type: none"> • Navy Blue • White • Dark Forest Green • Dark Purple 	<ul style="list-style-type: none"> • Solid / Plain • Crew neck, pullover, zipper with hood • Worn as outerwear 	
Coats	Meeting Expectation	
<ul style="list-style-type: none"> • Navy Blue • White • Dark Forest Green • Dark Purple • Khaki (tan) 	<ul style="list-style-type: none"> • Solid / Plain • Solid colored lining in dress code colors • Hooded coats acceptable • Worn as outerwear • Fleece material acceptable 	
Bottoms	Meeting Expectation	
<ul style="list-style-type: none"> • Navy Blue • Khaki (tan) 	<ul style="list-style-type: none"> • Solid / Plain • Long pants, capris, walking shorts, skorts, skirts, jumpers, polo-type dress • Shorts, skorts, skirts, jumpers, and dresses must be 2 inches above the knee or longer • Worn as outerwear 	
Tights	Meeting Expectation	
<ul style="list-style-type: none"> • Navy Blue • White • Black 	<ul style="list-style-type: none"> • Solid / Plain • Tights, leggings, bike shorts/workout shorts • Worn under skirts, shorts, jumpers, or dresses 	

Parent/Guardian may be required to remedy the dress code requirement in order for students to be within the Uniform Dress Code Policy if loaners are not available.



Dailey Elementary Charter School Uniform Dress Code Policy



Overall Dress Code Expectations	<ul style="list-style-type: none"> Shirts tucked in (body check) Clothing labeled with student name All clothing must be solid/plain in dress code colors Collared shirts worn at all times except for Friday Dailey spirit shirts can be worn on Fridays only All visible clothing must follow dress code colors 	
Socks	Meeting Expectation	What happens if my child is not in dress code? As stated in Dailey's Policies of Enrollment, part of your commitment to Dailey is our Uniform Dress Code Policy. All students will follow the Uniform Dress Code Policy everyday without exception. The focus at Dailey is firmly on academics. Habitual breaking of the Uniform Dress Code Policy will not be tolerated. If your child is out of dress code, please expect the following: Dress Code Notification Process 1st Verbal Warning 2nd Written notice sent home 3rd Phone call or email from staff notifying parent of uniform dress code violation 4th Parent and administration meeting
<ul style="list-style-type: none"> Navy Blue White Black Khaki (tan) Gray 	<ul style="list-style-type: none"> Solid / Plain Short or knee-high 	
Shoes	Meeting Expectation	
<ul style="list-style-type: none"> Navy Blue White Dark Forest Green Dark Purple Black Tan/Brown 	<ul style="list-style-type: none"> Solid / Plain High or low top, basic sneakers, oxfords, short ankle boots (2" max from ankle) Laces in dress code colors Visible trim in dress code colors Rain boots in dress code colors—no higher than mid calf—solid dress code colors 	
Hair	Meeting Expectation	
<ul style="list-style-type: none"> Natural 	<ul style="list-style-type: none"> Professional styles that do not detract from the educational environment Hair accessories that allow students to see clearly and learn without distraction 	
Accessories	Meeting Expectation	
<ul style="list-style-type: none"> Navy Blue White Dark Forest Green Dark Purple Black Khaki (tan) 	<ul style="list-style-type: none"> Bow ties, scarves, gloves, caps, beanies Solid color Earrings can be studs only Prescription glasses (can be any color or design) Belts can be braided, leather, or canvas and worn in belt loops Any item that is or becomes a distraction in class will be taken away Lunch bags and backpacks can be any color or design 	
Spirit Wear	Meeting Expectation	
	<ul style="list-style-type: none"> Purchased from Dailey Provided by Dailey 	

The dressing and grooming of students that tends to obstruct or inhibit the instructional program is prohibited. Any apparel, hairstyle, or cosmetics, even if not specifically mentioned, which creates a safety concern, draws undue attention to the wearer, or which tends to detract from the educational process will not be accepted. Dailey is a graffiti free school. Exceptions to the above rules may be made by the Executive Director for special events or as need arises.

- Examples of clothing in dress code can be found at <http://fics.us/dailey/> and in the school's office.
- Please write your child's first and last name on outer garments, backpacks, lunch bags, and water bottles.

Parent Signature

Date



Parent/Guardian may be required to remedy the dress code requirement in order for students to be within the Uniform Dress Code Policy if loaners are not available.

IB MISSION STATEMENT

The International Baccalaureate aims to develop inquiring, knowledgeable, and caring young people who help to create a better and more peaceful world through intercultural understanding and respect.

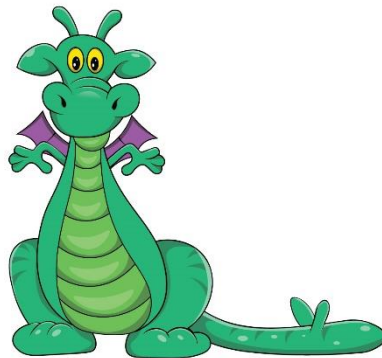
To this end the organization works with schools, governments and international organizations to develop challenging programs of international education and rigorous assessment.

These programs encourage students across the world to become active, compassionate and lifelong learners who understand that other people, with their differences, can also be right.

DAILEY ELEMENTARY CHARTER SCHOOL MISSION STATEMENT

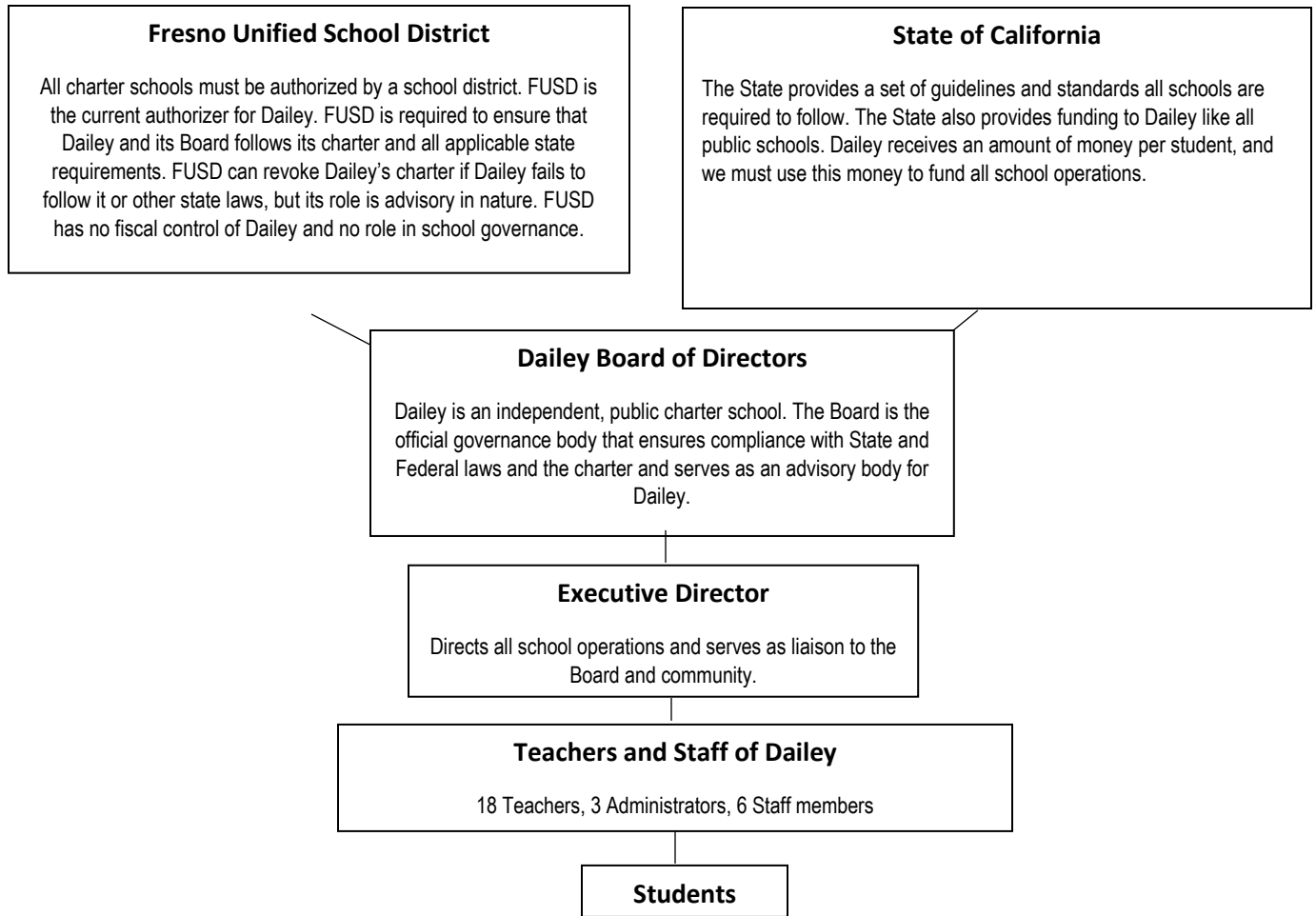
Dailey Elementary Charter School aims to develop and empower internationally minded students. We aim to do this by balancing the International Baccalaureate Primary Years Program and the State Standards, to foster caring and compassionate life-long learners.

As part of the K-12 continuum, students will be equipped with agency and the critical life skills necessary for success. Students will think critically and creatively. Individually and collaboratively, students will make connections with the world around them to become active global citizens that are inspired to take action and create a better world.



Dailey's prospectus is located in the school's office.

DAILEY ELEMENTARY ORGANIZATIONAL CHART



Fresno Unified

Dailey is chartered through the Fresno Unified School District. The Charter office within Fresno Unified provides oversight and support.

Dailey School Board

Dailey is governed by its own Board of Directors. The Board of Directors are comprised of parents, community members, FUSD Board members, and FUSD Superintendent. Board meetings occur several times throughout the year, with public sessions beginning at 5:00 p.m. For specific dates and times of board meetings visit our website.

INTERNATIONAL BACCALAUREATE PRIMARY YEARS PROGRAM

ESSENTIAL ELEMENTS



Learner Profile

The Learner Profile is central to the PYP definition of what it means to be internationally minded. Through the Learner Profile we hope students will leave the PYP school with a strong foundation upon which international-mindedness will develop and flourish.

Principled I am honest, fair, respectful, and responsible.	Communicator I can share and receive ideas and information in more than one way.
Caring I show sensitivity towards the needs and feelings of others.	Balanced I take care of my mind, body, and feelings.
Open-Minded I appreciate my culture and the views, values, and traditions of other individuals and cultures.	Risk-Taker/Courageous I am brave and courageous. I explore new roles, ideas, and strategies.
Inquirer I am curious, I ask questions. I love to learn.	Knowledgeable I know about the world near and far and seek to know more.
Thinker I apply my thinking skills critically and creatively to make good decisions and to solve problems.	

Transdisciplinary Themes

The Transdisciplinary Themes contain the significant, relevant content that we want the students to explore and know about, taking into consideration their prior experience and understanding. The themes guide students to inquire into, and learn about globally significant issues. Each grade level will explore a unit of inquiry into each transdisciplinary theme within the school year.

Who We Are	Where We Are In Place and Time	How We Express Ourselves
How the World Works	How We Organize Ourselves	Sharing the Planet

Concepts

The PYP is committed to a concept-driven curriculum as a means of supporting structured inquiry. There are eight key concepts in the program that provide a structure for the exploration of significant and authentic content. In the course of students' exploration, their understanding of the concepts will deepen through their K-5 experience.

Form What is it like?	Causation Why is it like it is?	Connection How is it connected to other things?
Change How is it changing?	Perspective What are the points of view?	Responsibility What is our responsibility?
Function How does it work?		

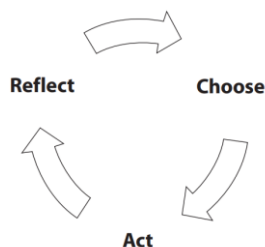
Skills

Within students' learning throughout the program, student acquire and apply a set of transdisciplinary skills.

Thinking	Social	Communication	Research	Self-management
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Action

In the Primary Years Program, it is believed that education must extend beyond the intellectual to include not only socially responsible attitudes but also thoughtful and appropriate action. Action may be taken by individual students or by groups of students working collaboratively on or off campus.



International Baccalaureate Organization. (2009). *Making the PYP Happen* Wales, United Kingdom

IB Policies

The following policies can be found on our Dailey website and are available in the office:

- Language Policy
- Assessment Policy
- Academic Integrity Policy
- Inclusion Policy

For more information, please refer to our website or email our IB Coordinator at Annette.arvizu@fics.us

OPERATIONAL INFORMATION

Arrival Overview

- 7:30 a.m. Front gate opens
 - Supervision begins
 - Breakfast opens
- Front gate valet traffic – must be ready to exit the vehicle quickly
- 7:30 a.m. All students report to the cafeteria

- 7:40 a.m. Students walk to the blacktop and line up at room numbers
- 7:50 a.m. First bell rings
 - Kindergarten – 5th leaves the blacktop
- 7:55 a.m. Second bell rings
 - Instruction begins
 - Late arrivals report to the office

Additional Notes

- Students enter through the front gate, not the staff parking lot gate
- Students use north hallway to line up on the blacktop
- Parents not permitted to walk students to their classrooms

Dismissal Overview

- 2:00 p.m. Kindergarten dismissal at front
- 3:30 p.m. First – Fifth grade at the front gate
 - First grade & Second Grade will wait by the Kindergarten playground gate
- For all families wanting to park and walk to a gate please use our side gate option on Farris Ave.
- *1:00 p.m. dismissal for all students during Conferences, Early Release Days, Dailey Olympics and the last day of school*
- **Every Tuesday and Thursday is a 3:00 p.m. dismissal**

Additional Notes

- In 4th quarter kindergarten will move to two gate dismissal

Loading Zone

- Located in the front of the school
- For drop off and pick up only
- No parking between 7:00 a.m. – 8:00 a.m. or 2:30 p.m. – 4:00 p.m.
 - Adjustments may be made to these hours due to field trips and events
- Students may never be dropped off alongside Shields Avenue or before the loading zone due to safety concerns
- Exit the loading zone as soon as possible
- Students will not be released to parents who are double parked
- Do not stop in the lane of traffic and call your child into the street to your car
- Do not stop on Shields Ave. and hold up traffic flow. You may need to go around the block and return to the dismissal line.
- **This is a no U-turn area.**

Parking

- Please do not block the entrances to the parking lots in order to drop off or pick up your child. *This applies even during rainy weather.*
- Do not stop or park in red zones at any time
- Do not double park your car
- Be patient and courteous with the school personnel during drop-off and pick-up times. They are providing a safe path for your children.
- Be aware of students crossing the street in the crosswalks
- Drive safely and slowly – follow the speed limit
- Park past the loading zones
- Please use crosswalks at all times

Staff Parking Lot

- Parking lot is for staff only
- Please do not drop off students or park in the staff parking lot, as this constitutes a safety hazard

- The handicapped parking spots are off limits at all times unless you display the handicapped parking sticker in your windshield or on your license plate
- No parent parking during events
- Handicap parking is available
- After School Program Pickup is to park on the street not the staff parking lot

Front Gate Dismissal Procedures

1. Remain in your vehicle if you are in the white loading zone at the front of the school. Exit the loading zone as soon as possible so that other parents can pick up children.
2. Teachers will not release students to cars that are double parked. Double parking is never permissible and is illegal. Please pull up parallel to the white loading zones curb so students can safely enter vehicles.
3. The red curb at the corner of Shields and Harrison is a designated red zone. Please do not park or wait in your car at the red curb as it is against traffic regulations. If you cannot pull parallel into the loading zone, you must drive around the block. In addition, the red curbs at the corner of Harrison and Simpson are to remain clear at all times.
4. Cars need to pull all the way forward, there are two loading zones
5. Students will be released to you once they have made contact with a staff member and their car is in the correct location.

Side Gate Dismissal Procedures

1. Please park down the street and away from the gate.
2. Students will line up behind the gate and be dismissed by an adult.
3. Please use the side walk to walk back to your vehicle or home.
4. Please do NOT walk on neighbors yards.
5. Side gate is not a valet line.

Food Services

Dailey purchases food services from Fresno Unified. A breakfast and lunch calendar is sent out every month and is also located on Parent Square.

Breakfast

- Breakfast is served daily from 7:30 a.m. – 7:50 a.m. in the cafeteria
- Breakfast is free for all students
- No breakfast will be served after 7:50 a.m.
- Breakfast must be eaten in the cafeteria
- No food can leave the cafeteria and be eaten at a later time or on the blacktop
- Milk comes with a school breakfast

Lunch

- Kindergarten, second, and fifth grade lunch is served daily from 11:10 a.m. – 11:50 a.m.
- First, third, and fourth grade lunch is served daily from 11:55 a.m. – 12:35 p.m.
- Lunch is free for all students
- Lunches that are dropped off in the office after arrival will be left on the cafeteria stage
- Milk comes with a school lunch
- School lunches can only be taken out of the cafeteria during a scheduled picnic lunch

Meal Accommodations

Students with a milk or food allergy must complete a Meal Accommodation Form and submit it to the school's Office Manager before students can receive a substitute to the original menu.

All special diets are required to be cleared through Fresno Unified Schools District's Food Service and Nutrition Center. This process can take several weeks. Parents will need to provide meals until the form is received and cleared.

Snacks

Snacks are not provided by the school. Please pack snacks that are nutritious and filling.

- Kindergarten has one recess where students can eat snacks
- First – Fifth have two recesses where students can eat snacks
- Water is the only beverage that is allowed in classrooms
- The office does not provide students with snacks

Please do not send students to school with large bags of chips of any kind, cookies, candy, or soda.

Only water will be allowed in the classrooms for students to drink (no other beverages)

Homework Policy

Due to Dailey having an extended learning day and our desire to foster balanced learners, Dailey does not send home nightly homework.

Based on what learning is taking place in the classroom students may be asked to complete additional research, project work, and/or reflections at home when needed. Additional work can also be sent home by teachers to help support students' development and understanding when needed.

Incomplete Student Work

Per teacher discretion students may take incomplete work home to finish. Work that is sent home for completion will not be graded. Assessment(s) will not be sent home for completion or correction to impact grades.

Extra Credit Policy

Dailey does not offer students extra credit.

Absent Work

Students who are absent will be provided with their makeup work once they return to campus. Work will be completed once they return and will be completed on campus.

Academic Support

Dailey Charter implements a rigorous and accelerated academic program. For students who are experiencing academic struggles a teacher / parent meeting will take place. This meeting will provide time for teachers and parents to discuss current areas of concern and strategies that can be used to support the student. Strategies and suggestions provided may require parent support at home.

Personal Possessions, Cellphones, Smart Watches

Dailey does not assume responsibility for personal or unnecessary items brought to school. Items such as toys, sports equipment, games, technology, etc. are distracting and can be lost or broken. Such items are not allowed at school and should remain in student's backpack if brought on campus.

Cell phones and smart watches are not allowed to be used during the instructional day at any time. If a student has a cell phone or a smart watch for emergency reasons, it must be kept in their backpack, turned off, and not taken out until the student is off campus. If a cell phone or smart watch is used or taken out during school hours, it will be sent to the office to be picked up by a parent.

Lost and Found

All lost and found items are placed in a bin located in the office. Every month unclaimed items will be donated.

To help staff return items to the proper student please clearly label with students first and last name on:

- Clothing
- Lunch boxes
- Water bottles
- Backpacks

Supplies / Textbooks

Every child is encouraged to utilize a backpack to store everyday school items.

Basic school supplies are provided to all students at school. However, additional items that support your student's learning may need to be provided. Student supply lists are located on the school's website. Teachers request that student donations are brought to Back-to-School Night in a bag or box with the student's name.

Teachers will issue textbooks / curriculum to students. Students are responsible for the care of textbooks and other non-consumable items issued to them. Students will be charged for books that are lost, stolen, and damaged.

1) It is recommended that all textbooks be covered at all times. *Do not use self-adhering covers.

2) Students will be held responsible for any damage to books issued to them for the school year.

<u>Types of Damage</u>	<u>Typical Repair Charges</u>
Missing Barcode	\$5
Miscellaneous markings/dirt	\$5
Broken/torn corners or cover	\$5 – up to full rebinding fee (\$16)

3) If you receive a damaged textbook, return it to the library for assessment. The damage will be noted or the book replaced. If the book is not returned within one week of receiving it, the student will be held financially responsible for the replacement or repair costs.

4) If a book is returned with damaged covers, damaged or loose binding, or graffiti, then a repair or rebind fee will be charged. Rebinding charge is \$16.00. If the damage cannot be repaired, the student will be charged the full replacement cost of the book.

5) If there is evidence of water/liquid damage, the student will be charged the replacement cost of the book; particularly if the book cannot be used again.

6) If a student loses a book, he/she will be required to pay the replacement cost of the book.

7) DO NOT LEND your books to anyone or check out books for a friend. You are responsible for any instructional materials checked out in your name.

8) All library books are due 2 weeks before the end of the school year. If they are not returned, they will be marked as lost and the student will be charged the replacement cost of the book.

9) All fees must be paid or library books returned prior to the end of the school year or Report Card will be held in the office.

ATTENDANCE

Attendance Summary

A student shall be excused from school for the following reasons:

1. Personal illness, including an absence for the benefit of the pupil's mental or behavior health;
2. Quarantine under the direction of a county or city health officer;
3. Medical, dental, optometric, or chiropractic appointments;
4. For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five (5) days per incident. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
5. For any of the following reasons, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died.
 - a. To access services from a victim services organization or agency.

- b. To access grief support services.
- c. To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

Absences under this section shall not be excused for more than three (3) days per incident, unless extended on a case-by-case basis at the discretion of the school administrator. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

- 6. Participation in religious instruction or exercises in accordance with Charter School policy:
 - a. The student shall be excused for this purpose on no more than four school days per month.
- 7. To permit the student to spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
- 8. Attendance at the student's naturalization ceremony to become a United States citizen.
- 9. A students who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industry for a maximum of up to five (5) absences per year subject to the requirements of Education Code section 48225.5.
- 10. In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5) days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
- 11. For the purpose of participating in a cultural ceremony or event. "Cultural" for the purpose's means relating to the habits, practices, beliefs, and traditions of a certain group of people.
- 12. For the following justifiable personal reasons for a maximum of five (5) school days per school year (unless otherwise indicated), upon advance written request by the student's parent or guardian and approval by the Executive Director or designee pursuant to uniform standards.
 - a. Appearance in court.
 - b. Observance of a holiday or ceremony of the pupil's religion.
 - c. Attendance at a religious retreats (not to exceed one school day per semester).
 - d. Attendance at an employment conference.
 - e. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

Method of Verification

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences:

- 1. Signed, written note from parent/guardian, parent representative;
- 2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student;
 - b. Name of parent/guardian or parent representative;
 - c. Name of verifying employee;
 - d. Date or dates of absence; and
 - e. Reason for absence.
- 3. Visit to the student's home by the verifying employee, or any other reasonable method, which establishes the fact that the student was absent for the reasons stated. A written recording shall be made, including information outlined above.
- 4. Healthcare provider verification

- a. When excusing students for confidential medical services or verifying such appointments, Charter School staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
- b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has had 14 absences in the school year for illness verified by methods listed in #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.

To clear absences please call 559-248-7067 or email office staff. Absences must be cleared through the office each day the student is not present at school.

Unexcused Absences/Truancy for Classroom Based Attendance

Students shall be classified as truant if the student is absent from school without a valid excuse three full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. Such students shall be reported to the Executive Director or designee.

In addition, students shall be classified as a chronic truant if the student is absent from school without a valid excuse for 10 percent or more of the school days in one school, from the date of enrollment to the current date.

The Director, or designee, shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive unexcused absences. In addition, the Charter School is fiscally dependent on student attendance and is negatively impacted by excessive unexcused absences. If all attempts to resolve the student's attendance problem are unsuccessful, the Charter School will implement the processes described below.

PROCESS FOR UPHOLDING THE ATTENDANCE POLICY

First Day of School Process:

When students are not in attendance on the first five (5) days of school, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first five (5) days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify the school of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance due to an unexcused absence by the fifth day of school will be disenrolled from the school roster, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first day of school will be contacted by phone to ensure their intent to enroll.
2. Students who have indicated their intent to enroll, but have not attended by the third day and do not have an excused absence will receive a letter indicating the student will be disenrolled after the fifth day of school if the student has not attended school without valid excuse.
3. Students who have indicated their intent to enroll, but have not attended by the fifth day and do not have an excused absence will receive a phone call reiterating the content of the letter.
4. Students who have not attended by the sixth day, and do not have an excused absence will receive an Involuntary Removal Notice and the CDE Enrollment Complaint Notice and Form. The Charter School will follow the Involuntary Removal Process described below, which includes an additional five (5) school days for the parent/guardian to respond to the Charter School and request a hearing before disenrollment.
5. The School will use the contact information provided by the parent/guardian in the registration packet.
6. The District of Residence will be notified of the student's failure to attend Charter School and the disenrollment.
7. Any documentation received by the Charter School regarding a student's enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a voluntary disenrollment and shall not trigger the Involuntary Removal Process.

Truancy Process

Most of the learning at Dailey is through hands-on engagements that require peer and teacher collaboration and cannot always be made up with alternative assignments. In order to support attendance concerns, the following will occur:

ATTENDANCE TRIGGER	CONSEQUENCES
1: 2 Tardies over 30 minutes/ Unexcused absences	Call home to the parent/guardian by the Executive Director or designee. The student's classroom teacher may also call home.
3-4 Tardies over 30 minutes / Unexcused absences	Parent/guardian will receive "Truancy Letter #1 – Truancy Classification Notice" from the Charter School notifying the parent/guardian of the student's "Truant" status. This letter must be signed by the parent/guardian and returned to the Charter School.
5 Tardies over 30 minutes / Unexcused absences	Parent/guardian will receive "Truancy Letter 2 – Habitual Truant Classification Notice and Conference Request" notifying the parent/guardian of the student's Habitual Truant" status and a parent/guardian conference will be scheduled to discuss the truancy issue.
6 Tardies over 30 minutes / Unexcused	Parent/guardian will receive "Truancy Letter #3 -Referral to SART Meeting" and students will be referred to a Student Success Team (SST) and the SART.
Conditions of the SART contract are not met/ unexcused absences continue	Student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the school's Involuntary Removal Process.
Student is absent ten (10) or more consecutive school days without valid excuse and the student's parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School's communication attempts.	Students may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the school's Involuntary Removal Process.

For further information, please refer to the FICS Attendance Board Policy #5006.

Tardies

- Students need to be in class by 7:55 a.m. or they are considered tardy
- Students arriving tardy must report to the office for a tardy slip
- Early and/or late pick-ups are factored into your child's attendance profile, along with tardies and absences (both excused and unexcused)
- Attendance notices are sent home on a regular basis. These notices are to inform families of their student's attendance.

Appointments

If your student has an appointment that takes place during the instructional day, please notify their teacher and office staff by email or note in advance. This allows for the teacher to have your child ready and with their backpacks and homework.

If you would like to excuse your child from school early, you must sign the student out in the office. The student will be called from class and released to the parent in the office.

Habitual early check-outs are monitored closely as this impacts students instructional time and is part of their attendance record.

Release of Children During School Hours

When picking up students from school during school hours, all parents and guardians must sign their children out in the office. Children will not be released to anyone not listed as an emergency contact and/or release contact in their profile. Parents with court ordered custody papers must provide a copy of current court orders to the office to avoid confusion or conflict. No child may leave the school grounds unless the school office has granted approval. Please do not ask to have your child leave during recesses and lunches.

Parents are not allowed to go directly to their child's class, as this disrupts classroom instruction and violates the school's safety plan.

Independent Study

Independent study is an option for students who will be absent for a period of a minimum of three days to a maximum of 14 consecutive school days.

- Teachers and Office Staff must be given at least *five* school days of notice whenever possible.
- An Independent Study contract will need to be filled at and given to the school's office manager.
- The contract must be signed by the student, parents, teacher, and administrator
- All contracted assignments are due upon the student's return to school
- If assigned work is not completed during the period student is on independent study, then the student may still incur unexcused absences
- A student may not participate in more than *two* independent studies per year.

For further information, please refer to the FICS Independent Study Board Policy #5013.

Know your Educational Rights

Your Child has the Right to a Free Public Education

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

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.
- Confidentiality of Personal Information
- Federal and State laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information". If they do, then each year, your child's school district must provide parents/guardians with written notice of the school's directory policy, and let you know of your option to refuse release of your child's information in the directory.

Family Safety Plans If You Are Detained or Deported

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

ENROLLMENT AND HEALTH REQUIREMENTS

Minimum Age of Admissions

A child shall be admitted to the kindergarten program at the beginning of the school year, or at any later time in the same school year if the child will have his or her fifth (5th) birthday on or before September 1st.

Emergency Information

For the protection of a student's health and welfare, Dailey requires the parent/guardian of a student to keep their current emergency information including the home address and telephone, along with the telephone numbers of relatives or friends who are authorized to care for the student in any emergency situation if the parent/guardian cannot be reached.

HEALTH POLICIES AND PROCEDURES

Health Office

The Health office is managed by Office Staff that is trained in First Aid and CPR. The Health Office does not have a registered nurse on duty. Due to the amount of students seen in the Health Office, phone calls for every student visit is unattainable. However, every effort will be made to contact parents or guardians regarding a concerning injury or illness.

Fever Policy

Our school recognizes elevated body temperatures as 99.9 or higher. Any student with a 99.9 F body temperature will be sent home. We have a 24 hour fever-free policy. A student may return to school when the fever is gone for 24 hours, without administering medication.

Lice or Nits

If your child has active lice they will be sent home. If your child has lice eggs (nits), a notice will be sent home to treat the student for lice. After they have been treated at home with the proper medication and every egg and lice is removed they will be admitted back to school. They are expected to return immediately on removal of lice/nits. Students are only excused for 1 day.

Student Medication at School

California Education Code allows school staff to assist students with medication they are required to take during the regular school day. In order for students to take medication at school the following conditions must be met:

1. The school must have a written statement form the student's authorized health care provider detailing the method, amount, and time medication is to be taken.
2. The school also needs a written statement form the parent/guardian of the student giving permission for school staff to assist the student with the medication; and
3. The medication must be in a container with the pharmacist label attached (or the original container for non-prescription medications)
4. Upon written request by the parent/guardian and with the approval of the student's physician, a student may be allowed to carry and self-administer auto injectable epinephrine or inhaled asthma medication. The physician must confirm that the student is able to self-administer the medication (Education Code 49423, 49423.1)

All medications, prescription and over-the-counter, require a written note from the doctor. The instructions on the pharmacy label are not enough. Medications brought to school without following the above guidelines will NOT be given at school.

School regulations require that all medications, prescription or non-prescription, be kept in a locked cabinet. Students may not carry prescription or non-prescription medicine such as *cough drops, throat lozenges, or pain medication* in their backpacks or pockets.

If a Medication Order specifies that a student is authorized to carry their medication on them, the office requests that the student administer the medication in the Health Office.

Exclusion Due to Infectious Disease

E.C. 48213

The School desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students. The School recognizes that prevention and education are the most effective means of limiting the spread of infectious diseases.

Parent/guardians are strongly encouraged to inform the school staff if their child has an infectious disease so that school staff may work cooperatively with the child/s parent/guardians and when appropriated, with public health officials, to minimize exposure to other students. Students may be excluded, in accordance with law, until the infectious period has passed. Any student with a fever of 99.9 degrees or greater should stay at home until they have been without fever for 24 hours, without medication.

Healthy and Safety Services

- Emergency (Fire, Sheriff, Ambulance): 911
- Fresno County Sheriff Dispatch: 600-8401
- Health Department: 600-1377
- Poison Control Center: 1-800-222-1222
- Fresno Police Department: 559-621-7000

Hotlines to Answer Questions and Provide Referrals

- Mental Health Youth Services: 453-8918
- Department of Behavior Health: 600-9180
- National Suicide Prevention: 1-800-273-8255 (hotline)
- Youth America Hotline (Counseling for Teens by Teens): 1-877-968-8454
- Youth Crisis Line: 1-800-222-1222
- Trevor Lifeline: 1-866-488-7386
- National Hopeline Network (Suicide Prevention) 1-877-235-4525

Counseling/Support Services

- Marjorie Mason Center: 237-4706
- Rape Counseling Services of Fresno: 222-7273
- Child Protective Services (Fresno): 255-8320
- National Runaway Switchboard: 1-800-786-2829
- Sanctuary: 489-8543 Hotline: 1-800-820-4968
- Fresno Family Counseling: 229-3085
- Substance Abuse: Fresno NEW Connection: 248-1548

STUDENT BEHAVIOR AND DISCIPLINE
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The Dailey Way

- Make eye contact and smile
- Shake hands when meeting new people
- Stay body checked

- Shoes Tied
 - Shirt Tucked In
- Use Kind Words
 - “Yes, please”
 - “Thank You”
- Have Pride in Learning
 - Speak and write in complete thoughts
 - Use academic vocabulary
- Have Pride in Our School
 - Clean, organized working areas

Morris E. Dailey Elementary School

Code of Conduct and Positive Behavior

Dailey Charter is a community of principled, compassionate, and open-minded scholars. As lifelong learners, we aim to understand perspectives and respect the differences of others. Every day we strive to become global citizens in which our mindsets play a role in changing our community and the world.

As a school community we recognize the importance of establishing clear and consistent school-wide and classroom-level behavior and conduct expectations. Students are expected to demonstrate the attributes of the IB Learner Profile as well as treat each other with dignity and respect.

Students at Dailey Charter are expected to showcase the attributes of the learner profile. Informed by the International Baccalaureate (IB) mission to develop active, compassionate and lifelong learners, the IB programs foster a distinctive set of attributes. These qualities—embodied in the IB learner profile—prepare IB students to make exceptional contributions on campus.

- Inquirers-They develop their natural curiosity. They acquire the skills necessary to conduct inquiry and research and show independence in learning. They actively enjoy learning and this love of learning will be sustained throughout their lives.
- Knowledgeable-They explore concepts, ideas and issues that have local and global significance. In doing so, they acquire in-depth knowledge and develop understanding across a broad and balanced range of disciplines.
- Thinkers-They exercise initiative in applying thinking skills critically and creatively to recognize and approach complex problems, and make reasoned, ethical decisions.
- Communicators-They understand and express ideas and information confidently and creatively in more than one language and in a variety of modes of communication. They work effectively and willingly in collaboration with others.
- Principled-They act with integrity and honesty, with a strong sense of fairness, justice and respect for the dignity of the individual, groups and communities. They take responsibility for their own actions and the consequences that accompany them.
- Open-minded-They understand and appreciate their own cultures and personal histories, and are open to the perspectives, values and traditions of other individuals and communities. They are accustomed to seeking and evaluating a range of points of view and are willing to grow from the experience.
- Caring-They show empathy, compassion and respect towards the needs and feelings of others. They have a personal commitment to service, and act to make a positive difference in the lives of others and in the environment.
- Risk-takers-They approach unfamiliar situations and uncertainty with courage and forethought and have the independence of spirit to explore new roles, ideas and strategies. They are brave and articulate in defending their beliefs.
- Balanced-They understand the importance of intellectual, physical and emotional balance to achieve personal well-being for themselves and others.
- Reflective-They understand by thinking about and asking themselves questions about the things they learn and do.

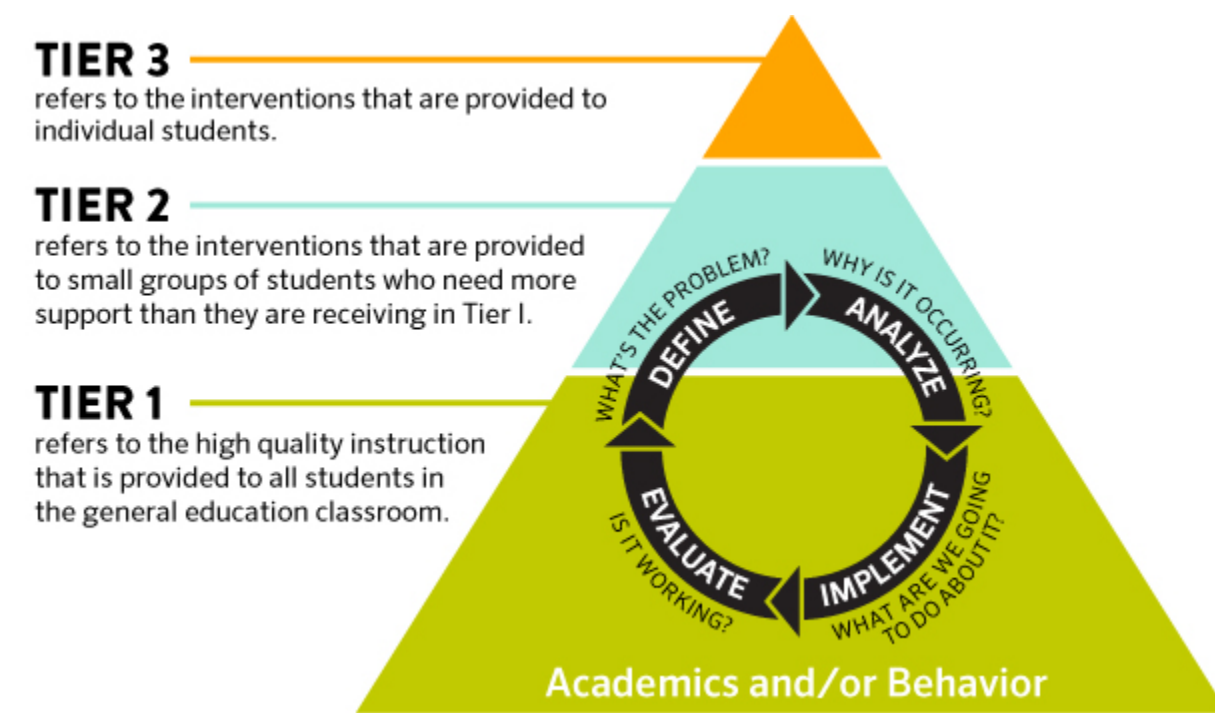
Student behavior is closely related to learning and an effective educational program requires a safe, consistent, and positive school environment. Each student must adhere to the Code of Student Conduct governing student behavior, with the goal of providing students with a positive learning climate.

Our school-wide positive behavior expectations are:

- We are Spirited: We show positive spirit in and out of the classroom
- We are Original: We use our own ideas to connect and broaden our knowledge
- We show the Attributes of the Learner profile: We strive to be internationally minded
- We are Resilient: We have a growth mindset in the face of challenges

Dailey Charter's student Code of Conduct is designed with enough flexibility so that teachers can exercise judgment which is within the scope of the school-wide expectations, their classroom behavior management system, and the student's personal behavior monitoring system.

Dailey Charter Follows a three-tiered system of interventions and supports. While restorative consequences will be assigned wherever possible and practicable, please note that the school administration reserves the right to discretionarily impose suspension and/or expulsion for offenses enumerated within the school's Suspension & Expulsion Policy (even on a first offense). The Suspension & Expulsion Policy is located within this handbook, in the "Annual Notifications and Complete Policies" section.



The following pages outline the three tiers, typical key behaviors, and interventions and supports offered at Dailey Charter.

**Depending on the severity of the incident, a "Tier one" referral is not always the first used. **

Tier One Infractions

Defined: Refer to minor misbehavior on the part of the student that impedes or disrupts orderly classroom procedures or school operations. These infractions will be addressed by the appropriate school personnel as well as contacting parents/guardians. Administrative action will typically not occur with these misbehaviors. Typically, tier one behaviors will be managed by the classroom teacher, with support from administration.

Examples but Not Limited To:

- Disruptive Classroom/School Behavior
- Repeated failure to complete or carry out directions
- Verbal harassment or bothering of others
- Dishonesty
- Inappropriate language
- Mild Physical violence: a push, shove, hit during a game, a light hit
- Mild insubordination
- Academic dishonesty
- Inappropriate use of technology

Intervention Options:

- Verbal or written reprimand
- Reflection Think Sheet
- 1-on-1 Goal Setting
- Parental notification (email or phone call)
- Special Assignment (Reflective in nature)
- Behavior Conferences
- Behavior Coaching
- Behavior Reflection
- Action Projects

Tier Two Infractions

Defined: Misbehavior that is frequent or serious enough that it disrupts the learning climate of the school and/or endangers the health or safety of others. These infractions, which usually result from the continuation of Tier One incidents require the intervention of administrative personnel because the prior consequences have failed to modify the behavior. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others, but whose educational consequences once again require a corrective action on the part of administrative personnel. Typically, tier two infractions result in individual student case studies wherein the classroom teacher, administration, and family or guardian created a form of data collection and reflection to ensure a student is making positive progress towards a behavior goal.

Examples but Not Limited To:

- Continuation of Level One misconduct
- Abusive, obscene, or disrespectful language, writings, drawings, or gestures
- Bullying/Cyber Bullying
- Harassment
- Theft
- Vandalism
- Plagiarism/Cheating
- Hands-off violation
- Significant defiance of authority, disrespectful behavior to staff
- Repeated inappropriate use of technology

- Throwing food/objects
- Student has disrupted learning to a significant degree

Intervention Options:

- Verbal or written reprimand
- Reflection Think Sheet
- 1-on-1 Goal Setting
- Parental notification (email or phone call)
- Special Assignment (Reflective in nature)
- Office Discipline Referral (ODR)
- Behavior Conferences
- Behavior Coaching
- Behavior Reflection
- Action Projects

Tier Three Infractions

Defined: Acts that are frequent or serious in nature that disrupts the learning environment of the school or acts that pose a threat or danger to the health, safety, or welfare of others in the school. These acts will require administrative actions which could result in the immediate removal of the student from the school and possible intervention of law enforcement authorities. Typically, tier three infractions require a team of personnel to support the student. This team may include, but not limited to school psychologist, behavior support specialist, classroom teacher, family/guardians, and school administration.

Examples but Not Limited To:

- Continuation of or extreme Tier One and Two misconduct
- Assault
- Fighting
- Verbal or Physical Threats
- Ethnic or racial slurs
- Sexual harassment
- Vandalism
- Indecent exposure
- Destruction of property
- Possession of a weapon
- Possession of drugs or alcohol
- Other violation of federal, state, or local laws

Disciplinary Options:

- School Suspension
- Restitution
- Referral to outside agency
- School case study team
- Behavior Conferences
- Behavior Coaching
- Behavior Reflection
- Action Projects

School Wide Behavior System

Creating a safe learning environment is a number one priority at Dailey. Following the expectations in the classroom and around campus is a great way to build a positive learning community. In our classrooms, all students are expected to follow the school-wide expectations which are: show respect, be organized, showcase the attributes of the learner profile, and be ready to learn. We must remember that we are all learners. Mistakes will be made, but every day brings a new beginning.

At Dailey we work with student to build and foster their intrinsic motivation so that each individual student experiences success. We achieve this by:

- Teaching behavior management skills
 - Individual lessons
 - IB Learner profile and skills
 - Natural consequences
- Meeting the physical, social, and emotional needs of students
- Giving all students time and practicing patience
- Building relationships and encouraging self-reflection

Dailey's classroom behavior system encourages and guides students to make positive choices about their behavior. This enables them to develop self-discipline, good work habits, resolve conflicts peacefully, and think critically and independently.

Student Procedures

Lines

1. Students walk in a straight line
2. Students stay on the yellow line
3. Students are silent while walking in hallways and during fire drills
4. Hands are folded, in pockets, or at their sides
5. Teacher is positioned to **monitor** all student behavior

Cafeteria

1. Wash hands or use hand sanitizer in classroom
2. Enter cafeteria quietly
3. Pick up milk, lunch, and utensils
4. Walk to the next available table. Go to the end of the table and then sit down
5. Begin eating using restaurant manners and hand signals when needed
6. Conversations should be no more than 2 people away (talking is in a whisper to a neighbor next to you)
7. Follow 3 step dismissal system
8. Wait to be dismissed by adult and place trash in can (table needs to be clean before dismissal)
9. Walk quietly and **directly** to the playground on the yellow line

Assembly

1. Follow procedures for walking in a line
2. Enter cafeteria silently and take seats per adult direction
3. Eyes are up front and students are seated with hands in their laps
4. Appropriate clapping
5. When assembly is finished, students wait for teacher's instructions on when to exit
6. Exit in the same manner as entering

Bathroom

- Quietly use the restroom
- Use the restroom (Don't play)

- Individually use the restroom (Don't go in with friends, and respect peoples' privacy)
- Clean hands
- Keep restroom clean. (Put trash in the cans)
- Exit restroom when finished
- Report immediately back to your classroom

Playground Rules

Dailey Dragons demonstrate the Learner Profile by following these rules on the blacktop area:

- NO PLAY FIGHTING OR WRESTLING ALLOWED
- Use bathrooms and drinking fountains appropriately and as intended
- Play on the blacktop areas only, keeping out of restricted areas such as: hallways and classroom corridors
- Leave all toys at home
- Walk on the blacktop except when playing an organized game
- Listen for adults and their whistle and follow directions given
- Get drinks and use the restroom during play time before the bell rings.

Dailey Dragons demonstrate the Learner Profile by following these rules on the field area:

- Use the grass area for soccer and running games
- No tackle football
- Only soccer balls can be kicked. Do not kick red balls, volleyballs, or basketballs.
- Share your game with any interested parties
- Listen to adults and follow directions

Dailey Dragons demonstrate the Learner Profile by following these rules for snacks:

- Bring healthy snacks
- Throw trash in trash cans and plastic only in recycling bins
- Do not share snacks
- Return to playground when finished

Dailey Dragons demonstrate the Learner Profile by following these rules on the play structure:

***Do:**

- Go down the slides feet first, with backsides on the slide
- Use the monkey bars, one at a time in one direction

***Don't:**

- Play with or throw wood chips.
- Sit, stand, or jump off top of bars
- Spin on bars
- Play tag or running games in play structure area

Dailey Dragons demonstrate the Learner Profile by following these rules in the hallway:

- Students walk in a straight line
- Students stay on the yellow lines
- Students are quiet while walking in line
- Hands are folded, in pockets, or at their sides

SCHOOL SAFETY

Locked Gates

For increased safety of students and staff, all gates are locked during school hours with the exception of one gate near the main office and one gate used as an entrance and exit for staff and delivery vehicles.

Lock Down/Fire Drills, and Earthquake Preparedness Drills

In order to better prepare our staff/students Dailey requires the following drills be practiced each year:

- 1 fire drill per month
- 3 lock-down drills per year
- 4 earthquake preparedness drills per year

School safety plan is available in the office.

Emergency Cards

One emergency card is required to be filled out at the beginning of the school year. One card will be kept in the office and the other in child's classroom. It is your responsibility to notify the school immediately if any of the contact information changes.

Cards are used for:

- Emergency contact information
- School contact to student's home

The school requests that a primary and secondary contact be documented on the card for each child.

- In case we cannot reach you by phone, please list four names and numbers of relatives or friends who can be contacted to take responsibility for your child.
- Anyone besides a parent or legal guardian will be required to show ID to the office staff and must be 18 in order for staff to release the student.

If you do not provide us with current phone numbers and your child needs to be sent home, Child Protective Services or the Fresno Police Department will be contacted immediately. If emergency medical or dental treatment is needed and you cannot be reached, 911 will be called. Fresno Innovative Charter Schools, Inc. cannot assume responsibility for payment of medical fees incurred.

All parents will be given equal rights to information regarding their children that can be taken from school during the day, or any other parent rights unless you provide documentation that instructs the school otherwise. Parents must provide the office copies of any legal documents that explain special circumstances regarding custody, visitation rights, etc. Always notify the office if there are any changes in legal paperwork.

Emergency and Crisis Information

Rapid Alert: Parent Square

Rapid Alert is a text notification system that will send a text message to the cell phones of parents or guardians in the event of a safety issue or incident occurs on or near the school. This system provides an additional tool for quickly notifying parents/guardians and staff, and beyond the Parent Square notification system. The system only allows for 160 character in a text message. The message will be brief, but will provide pertinent and any necessary instructions.

Dailey will send an emergency notice out in the event there is a safety issue at school that is going to 1) disrupt the school day or 2) cause an early dismissal.

It is extremely important that parents/guardians provide the school with a cell phone number at the beginning of the school year and update the phone number in the school office when changes have been made.

Civility Policy

B.P. 1000

Maintaining an environment supportive of learning and free of disruptive conduct is important to the success of our children's education. To further this goal, it is the intent of Fresno Innovative Charter Schools, Inc., Dailey Elementary Charter School to promote, through this policy, mutual respect, civility and orderly conduct among FICS employees, parents/guardians, and other members of the public. It is also the intent of this policy to encourage positive communication and discourage disruptive, volatile, hostile or aggressive communication or actions. Furthermore, this policy is intended to maintain, to the extent possible, a safe, harassment-free workplace for teachers, students, administrators, other staff, parents/guardians and the public. It is not the FICS's intent to deprive any person of his/her right to freedom of expression. FICS encourages the public's cooperation with and adherence to this policy.

Expected Level of Behavior

1. FICS employees and representatives should treat parents/guardians and other members of the public with civility, courtesy and respect.
2. Parents/guardians and other members of the public should treat staff and students and each other, while on school grounds and/or participating in school-related activities, with civility, courtesy and respect.

Unacceptable/Disruptive Behavior

Any conduct that disrupts or interferes with the discipline, good order, lawful conduct or administration of any school class or activity of the school, constitutes unacceptable conduct behavior. Unacceptable conduct includes but is not limited to:

1. Disruption of or threats to disrupt school classrooms, activities, and/or operations;
2. Threats to the health and safety of students or FICS employees;
3. Battery or assault upon students, FICS employees or other persons;
4. Using obscenities or speaking in an insulting and/or demeaning manner; and/or
5. Unauthorized entry onto school premises.

Student Safety

Student safety is always our number one priority and we will be teaching and reinforcing these safety rules with your child:

- Walking at all times, except if involved in an organized game
- Walking on the painted yellow lines in hallways
- Walking quietly and in a straight-line during an emergency
- Staying in supervised areas of the school during recesses, arrival, and dismissal
- Staying out of the staff parking lot, unless with an adult
- Following all school expectations
- Using the crosswalk at all times

School Events

- No running in the front of the school. It is slippery and can be uneven in some areas
- Stay off the play structure
- Pod restrooms are open (blacktop area)
- All children must be supervised by their adult

Technology Usage

B.P. 5022

The Morris E. Dailey Elementary School ("Charter School" or "Dailey") Governing Board, Fresno Innovative Charter Schools, Inc ("FICS") finds that new technologies are modifying the way in which information may be accessed, communicated and transferred. Those changes also alter instruction and student learning. The Charter School offers students access to technologies that may include Internet access, electronic mail, and equipment, such as computers, tablets, or other multimedia hardware. By its adoption of this Policy, the Board intends that technological resources provided by the Charter School be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

Definitions

- "Educational purpose" means classroom activities, research in academic subjects, career or professional development activities, Charter School approved personal research activities, or other purposes as defined by the Charter School from time to time.
- "Inappropriate use" means a use that is inconsistent with an educational purpose or that is in clear violation of this Policy and the Acceptable Use Agreement.

Approved Use of Charter School Technology

Use of Charter School equipment and access to the Internet via Charter School equipment and resource networks is intended to serve and pursue educational goals and purposes. Student use of the Internet is therefore limited to only those activities that further or enhance the delivery of an educational purpose. Students and staff have a duty to use Charter School resources only in a manner specified in the Policy.

Notice and Acceptable Use Agreement

The Charter School shall notify students and parents/guardians about authorized uses of Charter School computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities.

Before a student is authorized to use the Charter School's technological resources, the student and the student's parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and the student's parent/guardian shall agree not to hold the Charter School or any Charter School staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the Charter School and Charter School personnel for any damages or costs incurred.

Safety

The Charter School shall ensure that all Charter School computers with Internet access have a technology protection measure that blocks or filters Internet access to websites that have no educational purpose and/or contain visual depictions that are obscene, constitute child pornography, or that are harmful to minors. While the Charter School is able to exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence.

To reinforce these measures, the Executive Director or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate material on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall monitor students while they are using Dailey computers, laptops, or tablets to access the internet or online services on the Dailey campus and may have teacher aides, student aides, and volunteers assist in this monitoring. Parents/guardians are required to supervise and monitor their child's use of Dailey equipment including but not limited to their child's access to the internet and any online services through such equipment any and all times during which any Charter School equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.

The Executive Director or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

The Executive Director or designees shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, maintaining the student's online reputation and ensuring their personal safety by keeping their personal information private, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.¹ Students are expected to follow safe practices when using Charter School technology.

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 pupil or group of pupils, directed toward one or more pupils that has or can be reasonably predicted to have one or more of the following effects:

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

Dailey advises students:

1. To never share passwords, personal data, or private photos online.
2. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
3. 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.
4. To consider how it would feel receiving such comments before making comments about others online.

Students shall not use the Internet to perform any illegal act or to help others perform illegal acts. Illegal acts include, but are not limited to, any activities in violation of local, state, and federal law and/or accessing information designed to further criminal or dangerous activities. Such information includes, but is not limited to, information that if acted upon could cause damage, present a danger, or cause disruption to the Charter School, other students, or the community. Damaging, debilitating or disabling computers, computer networks or systems through the intentional or overuse of electronic distribution or the spreading of computer viruses or other harmful programs shall be prohibited. Any unauthorized online access to other computers by means of hacking into other computers, downloading hacker tools such as port scanners and password crackers designed to evade restrictions shall also be strictly prohibited.

Student use of Charter School computers to access social networking sites is not prohibited, but access is limited to educational purposes only. To the extent possible, the Executive Director or designee shall block access to such sites on Charter School computers with Internet access.

The Executive Director or designee shall oversee the maintenance of the Charter School's technological resources and may establish guidelines and limits on their use.

All employees shall receive a copy of this policy and the accompanying Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All employees shall comply with this policy and the Acceptable Use Agreement, in addition to any separate policies governing employee use of technology.

Student use of Charter School's computers, networks, and Internet services is a privilege, not a right. Compliance with the Charter School's policies and rules concerning computer use is mandatory. Students who violate these policies and rules may

As used in connection with "bullying," an "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.
- A post on a social network Internet Web site, including, but not limited to:
 - Posting to or creating a "burn page" (i.e., an Internet Web site created for the purpose of bullying).
 - Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects of bullying. To create a "credible impersonation" means to (knowingly and without consent) impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - Creating a false profile for the purpose of having one or more of the effects of bullying. A "false profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- An act of cyber sexual bullying. The term "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects of bullying. 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. The term "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.

have their computer privileges limited and may be subject to discipline, including but not limited to suspension or expulsion per school policy.

ACCEPTABLE USE AGREEMENT

The Charter School believes that providing access to technology enhances the educational experience for students. However, student use of Charter School computers, networks, and Internet services is a privilege, not a right. To make that experience successful for everyone, students must abide by the following terms and conditions:

1. **Security.** Students shall not impair the security of Charter School technology resources. Students are expected to:
 - a. Safeguard all personal passwords. Students should not share passwords with others and should change passwords frequently. Students are expected to notify an administrator immediately if they believe their student account has been compromised.
2. Access technology only with their account or with a shared account as directed by their teacher and not to allow others to use their account or to use the accounts of others, with or without the account owner's authorization. **Authorized Use.** Students may use Charter School technology resources when directed by a teacher, when technology has been designated for open student use (e.g., computers in the library), and for other educational purposes.
3. **Protection Measures.** While the Charter School is able to exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff, employees, officers, directors or volunteers shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. The student and parent/guardian agree not to hold the Charter School or any Charter School staff, employees, officers, directors or volunteers responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. They also agree to indemnify and hold harmless the Charter School, Charter School staff, employees, officers, directors and volunteers for any damages or costs incurred. Parents/guardians are required to supervise and monitor their child's use of Dailey equipment including but not limited to their child's access to the internet and any online services through such equipment any and all times during which any Dailey equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.
4. **Inappropriate Use.** Charter School technology, hardware, software and bandwidth are shared and limited resources and all users have an obligation to use those resources responsibly. Students are provided access to the Charter School technology primarily for educational purposes. Students shall not use Charter School technology or equipment for personal activities or for activities that violate Charter School policy or local law. These include but are not limited to:
 - a. Playing games or online gaming.
 - b. Downloading software, music, movies or other content in violation of licensing requirements, copyright or other intellectual property rights.
 - c. Installing software on Charter School equipment without the permission of a teacher or other authorized Charter School staff person.
 - d. Downloading, viewing or sharing inappropriate content, including pornographic, defamatory or otherwise offensive material.
 - e. Conducting any activity that is in violation of Charter School policy, the student code of conduct or local, state or federal law.
 - f. Engaging in any activity that is harmful to other student(s), including the use of technology to harass, intimidate, bully or otherwise disrupt the educational process.
 - g. Conducting for-profit business.
 - h. Using hacking tools on the network or intentionally introducing malicious code or viruses into the Charter School's network.
 - i. Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
 - j. Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
 - k. Accessing or attempting to access material or systems on the network that the student is not authorized to access.

5. **No Expectation of Privacy.** Students acknowledge that computer equipment, Internet access networks, email accounts, and any other technology resources are owned by Charter School and provided to students for educational purposes. The Charter School may require staff to monitor and supervise all access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens may be positioned so that they are visible to the staff member supervising the students. The Charter School reserves the right to access stored computer records and communications, files, and other data stored on Charter School equipment or sent over Charter School networks. Such communications, files, and data are not private and may be accessed during routine system maintenance; during inspection of Charter School equipment at the end of the school year/term or agreed upon use period; and review of individual files or monitoring of individual activity when there is a reasonable suspicion that the student is engaging in an inappropriate use.
6. **Disruptive Activity.** Students should not intentionally interfere with the performance of the Charter School's network or intentionally damage any Charter School technology resources.
7. **Unauthorized Networks.** Students may not create unauthorized wireless networks to access the Charter School's network. This includes establishing wireless access points, wireless routers and open networks on personal devices.
8. **Consequences of Inappropriate Use.** Students who violate this Agreement will be subject to discipline, which may include loss of access to Charter School technology resources and/or other appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws.
9. **Technology Systems/Equipment Care.** Students are not permitted to have food or drink near computers/other technology and must keep equipment and assigned areas free of vandalism.

After reading the Student Use of Technology Policy and the Acceptable Use Agreement, please complete this form to indicate that you agree with the terms and conditions provided. The signature of both the student and parent/guardian are mandatory before access may be granted to the technologies available. This document, which incorporates the Use Procedure, reflects the entire agreement and understanding of all parties. Dailey encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

As a user of Charter School technologies, I have read Student Use of Technology Policy and hereby agree to comply with it and the Acceptable Use Agreement.

I understand that computer use is a privilege and not a right. I understand that students who violate this policy in any way will be subject to a referral and possible suspension or expulsion. I understand that if a student willfully damages Dailey's property, including but not limited to Dailey's technology, equipment, and networks, or fails to return Dailey's property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct up to an amount not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, Dailey may withhold the student's grades and/or transcripts until the damages have been paid or the property has been returned. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, Dailey will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades and transcripts will be released. A student over the age of majority shall be liable for the same. (Education Code Section 48904).

PARENT INVOLVEMENT / SUPPORT

Parent Involvement

The IB Primary Years Program sees learning as a partnership between students, parents and the school. Parents can support their student and the school's mission by doing the following:

- Read with your child and share books with them for 30 minutes each day
- Speak in complete sentences with your child
- Assist and support your child in research that connects to their classroom learning
- Ask your student what they learned that day
- Attend student conferences and other school events throughout the year
- Read unit letters and school newsletters
- Support students in their homework and review classwork
- Follow all policies and requirements that are stated and initialed in the enrollment paperwork

Parent Visitation and Volunteering

B.P. 1003

Morris E. Dailey Elementary Charter School ("DESC" or the "School") encourages parents/guardians and interested members of the community to visit the School and view the educational program. 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, DESC has established the following procedures to facilitate volunteering and visitations during regular school days:

Volunteering

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

1. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be (1) fingerprinted and (2) receive background clearance with the Department of Justice and Federal Bureau of Investigation prior to volunteering without the direct supervision of a credentialed employee.
2. A volunteer shall also have on file with DESC a certificate showing that, upon initial volunteer assignment, the person submitted to a tuberculosis ("TB") risk assessment and, if TB risk factors were identified, was examined and found to be free of infectious TB. If no risk factors are identified, an examination is not required. At the discretion of the DESC Board of Directors, this paragraph shall not apply to a volunteer whose functions do not require frequent or prolonged contact with pupils.
3. Volunteering must be arranged with the classroom teacher and Executive Director or designee, at least forty-eight (48) hours in advance.
4. A volunteer may not volunteer in the classroom for more than three (3) hours per month.
5. 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.
6. Information gained by volunteers regarding students (e.g. academic performance or behavior) is to be maintained in strict confidentiality.
7. 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.
8. This Policy does not authorize DESC 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.
9. DESC may terminate Volunteer's services at any time with or without cause or advance notice, at the School's sole and unreviewable discretion. This Policy is not an employment contract and is not intended to support or initiate an employment relationship.

Visitation

1. Visits during school hours should first be arranged with the teacher and Executive Director or designee, at least seventy-two (72) hours in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least seventy-two (72) hours in advance. Parents seeking to visit a classroom during school hours must first obtain the approval of the classroom teacher and the Executive Director or designee.

2. All visitors shall register in the main office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor is required to provide his/her name, address, age (if under 21), his/her purpose for entering school grounds, and proof of identity.
3. 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. DESC 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 DESC, consistent with the law. The DESC Governing Board 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.

For purposes of school safety and security, the Executive Director or designee may design a visible means of identification for visitors while on school premises.

4. Except for unusual circumstances, approved by the Executive Director, DESC visits should not exceed approximately sixty (60) minutes in length and may not occur more than twice per semester.
5. 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 Executive Director's written permission.
6. Before leaving campus, the visitor shall sign out in the main office.
7. The Executive Director, 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.
8. The Executive Director or designee may withdraw consent to be on campus 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 DESC's orderly operation. If consent is withdrawn by someone other than the Executive Director, the Executive Director may reinstate consent for the visitor if the Executive Director believes that the person's presence will not constitute a disruption or substantial and material threat to DESC's orderly operation. Consent can be withdrawn for up to fourteen (14) days.
9. The Executive Director 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. When a visitor is directed to leave, the Executive Director or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.
10. Any visitor that is denied registration or has his/her registration revoked may request a conference with the Executive Director. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of conference is to be sent, and shall be delivered to the Executive Director with fourteen (14) days of the denial or revocation of consent. The Executive Director shall promptly mail a written notice of the date, time, and place of the conference to the person who requested the conference. A conference with the Executive Director shall be held within seven (7) days after the Executive Director receives the request. If no resolution can be agreed upon, the Executive Director shall forward notice of the complaint to the DESC Board of Directors. The DESC Board of Directors shall address the Complaint at the next regular board meeting and make a final determination.

11. At each entrance to the campus, signs shall be posted specifying the hours during which registration is required, stating where the office of the Executive Director or designee is located, and what route to take to that office, and setting forth the penalties for violation of this policy.
12. The Executive Director or designee shall seek the assistance of the police in managing or reporting any visitor in violation of this Policy.

Parent Volunteer Committee

The Parent Volunteer Committee (PVC) is comprised of Dailey parents who are taking an active role in the school's activities. The PVC meets after the Director's Chats with the following goals:

- Organize volunteers for school events
- Promote school fundraisers
- Communicate to other parents the items discussed
- Assist with school activities

Room Parents

Classrooms will select one room parent per classroom that will assist with the following:

- Send group emails to parents with classroom information, donation needs, and/or volunteering opportunities
- Coordinate classroom events that have been approved by the teacher
- Assist with school events
- Promote participation in school events and/or fundraising
- Maintain a positive working relationship with the teacher

In the event that more than one parent is interested in being room parent, a random drawing will be held.

Classroom Readers

One day a week at the end of the day classrooms will have time for one classroom reader. The school will provide the book or the book title needs to be submitted to the classroom teacher three days in advance for approval.

EduText/ATLAS

EduText is a text message service that provides frequent grade and attendance updates to parents / guardians. It is available for students in 3rd – 5th grade and 2nd grade beginning in January.

- Text your Parent Pin (located on student progress report, school office, Atlas Parent Portal and report cards) to 28527 and hit send.

Parent Portal also provides parents / guardians with information regarding assignments and student's current grades.

- Log-in information and directions is sent home at the beginning of the school year to each student. It is also located on student progress reports and report cards.

If you need any additional information on EduText or Parent Portal please contact the school's office.

Donations

Dailey is a non-profit organization and is happy to accept donations of any kind. Dailey's tax ID is available upon donation, please contact the office for more information. Donations can be sent on our school website.

Fundraising

As non-profit organization, fundraising is a critical component for the success of the instructional and extracurricular program at Dailey Charter. All Dailey parents and community members are encouraged to help develop, plan, and support fundraising opportunities. Please contact the office for more information.

GENERAL INFORMATION

Classroom Celebrations

Classroom celebrations are planned and organized by the classroom teacher with the support of the room parent. Celebrations are held the last 30 minutes of the instructional day.

There are three classroom celebrations:

- Winter Break – December
- Valentine's Day – February
- End of the Year – June

Birthdays

- The school will not host a celebration
- Treats provided by the family are welcome during the last 15 minutes of the instructional day
- The teacher must be notified prior
- Treats need to be nut free due to student allergies
- Refrigerator and freezer storage space is not available
- Balloons and flowers are not permitted on campus and will be held in the office until the end of the day

Out of respect for our custodial staff we ask that parents do not bring treats that have a large amount of frosting.

Also, to avoid hurt feelings of uninvited students, individual invitations to private parties at home should be either mailed or distributed after school hours off campus. No parties may begin or end on the school campus, including limousines, or private vehicles transporting students to or from campus.

Student Gifts

Although we appreciate parents' intent to acknowledge a special day in their child's life, we also must recognize that these can be very distracting to the learning environment. To protect all students' learning we ask that families do not send balloons, flowers, or any other gifts to individual students. If items are brought or sent to the school they will be held in the office until dismissal.

Student Classroom Placement

We do not accept parent requests for specific teachers. We consider the assignment of students to their teachers as an educational decision, which is crucial to both individual student and class success. Careful consideration and deliberate attention is given to each student and the development of each class with respect to gender, achievement, citizenship, and student needs. Dailey does not conduct parent-teacher interviews or observations for class year placement. All class lists will be posted in August of each school year.

Parent requested room moves are taken very seriously and are a last resort practice. First, parents and/or guardians need to meet with the student's teacher to discuss concerns and possible solutions. If concerns are not resolved, then a parent and/or guardian meeting will take place with the student's teacher and administration to develop a plan. The school has four weeks to implement the plan (vacations and holidays excluded). At the end of four weeks administration will reach out to families to confirm if progress has been made. A follow-up meeting can be arranged with a room move discussed.

Field Trips

Field trips and on-campus activities are scheduled to support and enrich students' learning.

- Students will need to have written permission from a parent or guardian
- Transportation will be provided by Fresno Unified buses or local charter buses
- Donations may be necessary to offset the cost of transportation
- Scholarships are available for students if needed
- There is no required amount of field trips that grade levels must take in a school year

When volunteers and/or chaperones are needed on a field trip, the following will apply:

- Volunteers are selected through a random drawing
- Classroom teacher will notify parents who were selected from the drawing
- Room parents receive first choice to chaperone
- A Volunteer Application must be completed and cleared by the office to be eligible to chaperone along with a TB test.

Bicycles at School

Bicycles are brought to school at the owners own risk. Occasionally, bicycles are vandalized or stolen. Unless there is an eyewitness to the offense, there is very little that can be done in the form of retribution. Police reports may be taken for vandalism and theft.

- Bicycles must be parked in the bicycle rack and individually locked
- Bicycles are not to be ridden on school grounds, per City of Fresno's Municipal Code
- All bicycle safety laws must be followed
- Bicycles ridden to school must be walked through the front gate towards the front gate and bike rack
- Riding bicycles in the front of the parking lot and hallways is prohibited for safety. Bicycles being ridden will be picked up and kept in the office and returned to parents.
- Roller blades, scooters, and skateboards may not be ridden or brought on campus. This is also a violation of the Fresno Municipal Code.
- Heeleys are not allowed unless the wheels are left at home.

Student Use of the Telephone

Students have access to the telephones in their classrooms and in the office during school hours. Students wanting to make phone calls to parents are made only on an as needed basis which is determined by school personnel.

Please make all arrangements regarding after school prior to leaving to school. If plans change please call the office and they will inform teachers.

Voluntary Withdrawal

If you are transferring to another school, please notify Dailey's office. Please provide a *three-day* notification that you are withdrawing your child from Dailey. All books and other school materials must be returned before leaving Dailey Charter.

Student Fees

B.P. 5021

The Morris E. Dailey Elementary School ("Charter School") Governing Board, Fresno Innovative Charter Schools, Inc. ("FICS") recognizes that every California public school student is entitled to a free public education. Therefore, Charter School has adopted the following policy regarding charging students' fees for participating in educational activities that are a fundamental part of the curricular and extracurricular program. Nothing in this policy limits a parent/guardian or student's right to voluntarily contribute time or things of value to our schools. This policy is subject to Charter School's Uniform Complaint Procedure.

The Free School Guarantee

In accordance with Education Code Section 49011, "a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity." That includes any fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians for any of the following:

- Registering for or participating in a class or extracurricular activity, whether required or elective and without regard to whether the activity is credit-bearing
- A security deposit or other payment required to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment
- A purchase of any supplies, materials, equipment, or uniforms associated with an educational activity

Education Code section 49010(a) defines "educational activity" as an activity offered by a charter school that constitutes "an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular

activities.” That does not include, and therefore a fee may be charged, for non-educational services that a charter school elects to provide such as bus transportation, health services, or nutrition services.

Additional Assurances

With regard to charging fees, Charter School also adopts the following policies:

- No pupil or parent/guardian will be required to request a fee waiver.
- No pupil or parent/guardian will be offered a two-tier educational activity with a minimal opportunity for free and a second, higher opportunity for a fee.
- No pupil will be offered or denied the opportunity to participate in educational activities based on whether his or her parent/guardian contributed money, good, or services to the school.

Voluntary Contributions

Pupils, parents, and guardians are still encouraged to make voluntary contributions or donations of time, money, or property and to participate in fund raising activities. Pupils may be encouraged to participate in fundraising activities through prizes or other recognition for voluntary participation.

RIGHTS AND RESPONSIBILITIES

Rights of Students

- To attend school unless removed under due process as specified in the Education Code;
- To attend school in a secure academic and social climate, free of fear and violence;
- To enjoy the full benefit of their teachers, undiluted by the disruptive student;
- To have ready access to a designated teacher;
- To be fully informed of school rules and regulations;

Responsibility of Students

- To attend school and classes regularly and on time;
- To be prepared for class with appropriate materials and work;
- To know and obey school rules and regulations
- To respect the rights of school personnel, fellow students, and the public in general;
- To demonstrate the Learner Profile; and
- To demonstrate pride in the appearance of school buildings and grounds.

Rights of Parents/Guardians

- To expect that their child will spend time at school in a safe, wholesome, stimulating atmosphere engaged in productive activity under the care and direction of a dedicated staff;
- To have assurance that school personnel will at no time preempt parental propagative;
- To be informed of School policies, rules, and regulations and
- To review their child's record with a certificated staff member providing services

Responsibility of Parents/Guardians

- To visit school periodically to participate in conferences with teachers or administrations regarding the academic and behavioral status of their child;
- To provide supportive action by making sure that their child has enough sleep, adequate nutrition, and appropriate clothing before coming to school;
- To maintain consistent and adequate control over their child and to approve of reasonable control measures as applied by school personnel;
- To cooperate with the school in bringing about improvements designed to enhance the educational program offered to students;
- To provide the school with current information regarding legal address, phone, medical data, and other facts which may help the school to serve their child; and

- To become familiar with School policies, rules, and regulations.

Rights of Teachers

- To expect and receive the attention, effort, and participation of the students attending their classes.
- To have parental and administrative backing when enforcing rules designed to provide an optimum learning climate;
- To teach with interruptions held to an absolute minimum regardless of the causes of source; and
- To enjoy the same level of respect and courteous treatment accorded members of the class individually and collectively.

Responsibilities of Teachers

- To consider the personal worth of each individual student as a single, unique, important human being;
- To attempt to equip each learner with the knowledge, skills, attitudes, and values required for successful living;
- To hold students accountable for their actions at all times;
- To assess divergent ideas, opinions, and expressions objectively, and deal with them in a balanced, unbiased manner;
- To keep parents/guardians and students informed with timely or periodic reports, including all pertinent data related to the student's school experience;
- To demonstrate the Learner Profile;
- To consistently critique their own performance with the objective of an ever-growing professional stature; and
- To initiate and enforce individual classroom rules consistent with the school policies.

Right of Administrators

- To initiate such control measures as needed to establish and maintain an environment in which optimum learning and teaching conditional prevail;
- To make decisions on all issues confronting the school, primarily on the basis of what is best for the students;
- To hold students accountable for their conduct; and to take prompt and appropriate action toward those guilty of violations; and
- To expect that all school employees recognize and fulfill their roles in terms of campus control.

Responsibilities of Administrators

- To provide leadership that will establish; encourage, and promote good teaching and effective learning;
- To demonstrate the Learner Profile;
- To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students;
- To make a determined effort to stay attuned to expressions of student, staff, parent/guardian, community concerns and to react with sensitivity toward them.

POLICIES / EXPECTATIONS

General Complaints Policy

Dailey Elementary School's policy for addressing complaints about instructional materials or school personnel. For complaints regarding instruction, the recourse is for the student or parent to request a meeting with the teacher to discuss the problem. For complaints regarding school personnel, parents can contact or schedule a meeting with the Executive Director. Contact will remain confidential at parent request. The official complaint form can be located in the front office or on the school's website.

Complaints that meet specific criteria may fall under the purview of the school's Uniform Complaint Procedure or Title IX Complaint Procedures. Please see the annual notice appendix within this handbook for more information about those processes.

Communication Guidelines

We welcome ongoing communication with our Dailey community in order to support student success. In order for teachers to use time effectively to plan and prepare quality instruction for your child, and with the direction from the FICS Board of Directors, we want to ensure positive communication throughout the school year.

Please be aware of the following key communication guidelines:

- Communication takes place through:
 - Notes home
 - Student work
 - Rubrics
 - In-person conversations
 - Progress reports
 - Report cards
 - Phone calls
 - Emails
 - Parent Square
- Emails to staff should be brief, respectful, and collaborative in nature.
 - High frequency and lengthy emails take teachers away from instruction and planning.
 - Emails that are negative in nature can be demoralizing to staff who go above and beyond to provide the best possible education to each child on campus and will not be tolerated per Dailey's Civility Policy.
- Email content should entail important information to your student's teacher and office staff regarding your child's academics, illnesses, appointments, and /or other relevant information pertinent to your child's success.
- Teachers will respond to emails during their duty day (7:40 a.m. – 4:30 p.m.) within *three* school days.
- Based on the content of emails, not all emails will receive a response.
 - For example: If an additional copy of a report card is needed, one will be sent home with the student, but would not require a written response to be sent home.

Student Health and Wellness Resources

Student Health and Wellness Resources

Dear Dailey Families,

We understand that growing up can be extremely stressful. It is important to us that our students are healthy and happy. To help ensure students' overall well being, below are resources for students and families in our community.

-
- Family Alliance for the Mentally Ill (559) 265-6665
 - Northwest Family Center (559) 225-3222
 - Asi Counseling Services (559) 499-1011
 - Kids Turn (559) 278-0225
 - Youth Link (559) 600-8918
 - ALATEEN (559) 444-0224
 - Uplift Family Services (877) 412-7474
 - Mental Health Systems (559) 225-9117
 - Aid in Divorce Adjustment Problems of Today (ADAPT) (559) 488-6512
 - Fresno Family Counseling Center (559) 278-0300
 - The Sullivan Center for Children (559) 271-1186
 - Metro Area Outpatient Clinic (559) 600-4099
 - Community Behavioral Health Center (559) 449-8000
 - Family and Youth Alternatives (559) 225-9117
 - The Boys Town National Hotline (800) 448-3000
 - Comprehensive Youth Services, INC. (559) 229-3561
 - Fresno County Asian Pacific Islander Clinic (559) 600-5984
 - Alternative Health Consultants (559) 289-0669
 - California Psychological Institute (CPI) (559) 256-2000
 - Kingsview Mental Health (559) 256-0100

ANNUAL NOTIFICATIONS AND COMPLETE POLICIES

Availability of Prospectus

Dailey has a prospectus which includes the curriculum, including titles, descriptions, and instructional aims of every course offered at Dailey. The prospectus is available in the front office to any parent or legal guardian. Please note that, pursuant to law, the Charter School may charge for the prospectus in an amount not to exceed the cost of duplication.

California Healthy Kids Survey

The Charter School will administer the California Healthy Kids Survey ("CHKS") to students whose parent or guardian provides written permission. The CHKS is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency that enables the Charter School to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence.

Campus Search and Seizure

The Charter School recognizes and has determined that the occurrence of incidents which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law or Charter School rules and regulations, jeopardizes the health, safety and welfare of students and Charter School employees.

The California Constitution requires that all students and staff of public schools have the inalienable right to attend campuses which are safe, secure, and peaceful. As such, Charter School has adopted a Policy outlining the reasonable search of students and their property, student use areas, and/or student lockers and the seizure of illegal, unsafe, unauthorized or contraband items and materials through a search based upon reasonable suspicion.

A student's personal cell phone, smartphone, or other personal electronic device shall not be searched by school officials without a warrant, the student's consent, or a legitimate emergency, unless the device is lost or abandoned. An emergency is any situation involving danger of death or serious physical injury to any person, that requires access to the information located or reasonably believed to be located on the electronic device. If the Charter School has a good faith belief that the device is lost, stolen, or abandoned, the Charter School may only access electronic device information in order to attempt to identify, verify, or contact the owner of the device.

The Charter School is not prohibited from seizing/confiscating a student's personal electronic device, without searching its contents, if the student's use or possession of the private electronic device is in violation of Charter School rules or regulations. The complete Policy is available for review at the main office.

Diabetes

The Charter School will provide an information sheet regarding type 1 diabetes to the parent or guardian of a student when the student is first enrolled in elementary school, pursuant to Education Code Section 49452.6. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 1 diabetes.
2. A description of the risk factors and warning signs associated with type 1 diabetes.
3. A recommendation that parents or guardians of students displaying warning signs associated with type 1 diabetes should immediately consult with the student's primary care provider to determine if immediate screening for type 1 diabetes is appropriate.
4. A description of the screening process for type 1 diabetes and the implications of test results.
5. A recommendation that, following a type 1 diagnosis, parents or guardians should consult with the pupil's primary care provider to develop an appropriate treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

A copy of the information sheet regarding type 1 diabetes is available at: <https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp>. Please contact the office if you need a copy of this information sheet or if you have any questions about this information sheet

Dangers of Synthetic Drugs

The illicit use and abuse of synthetic drugs represents an emerging and ongoing public health threat in California. The fentanyl crisis specifically, has impacted communities across the state, leading to a sharp increase in fentanyl poisonings and deaths in recent years.

This notice aims to address the crisis with a preventative approach ensuring students and families are educated on the deadly consequences of recreational drug use.

A synthetic drug is a drug with properties and effects similar to a known hallucinogen or narcotic but having a slightly altered chemical structure, especially such a drug created in order to evade existing restrictions against illegal substances.

Synthetic drugs include but are not limited to synthetic cannabinoids ("synthetic marijuana," "Spice," "K2"), methamphetamines, bath salts, and fentanyl.

The California Department of Public Health ("CDPH") has expounded on the extreme danger of drugs laced with fentanyl. Illicit fentanyl can be added to other drugs to make them cheaper, more powerful, and more addictive. Illicit fentanyl has been found in many drugs, including heroin, methamphetamine, counterfeit pills, and cocaine. Fentanyl mixed with any drug increases the likelihood of a fatal overdose. Furthermore, it is nearly impossible to tell if drugs have been laced with fentanyl without additional testing, because fentanyl cannot be seen, smelled, or tasted when used as a lacing agent.

Additional information regarding fentanyl from the CDPH's Substance and Addiction Prevention Branch <https://www.cdph.ca.gov/Programs/CCDPHP/sapb/pages/fentanyl.aspx>.

Education of Foster and Mobile Youth

Definitions: For the purposes of this annual notice the terms are defined as follows:

- *"Foster youth"* means any of the following:
 1. A child who has been removed from their home pursuant to Section 309 of the California Welfare and Institutions Code ("WIC").
 2. A child who is the subject of a petition filed pursuant to WIC section 300 or 602 (whether or not the child has been removed from the child's home by juvenile court).
 3. A child who is the subject of a petition filed pursuant WIC section 602, has been removed from the child's home by the juvenile court, and is in foster care.
 4. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
 - a. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
 - b. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
 - c. The nonminor is participating in a transitional independent living case plan.

5. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court.²
 6. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.
- “*Former juvenile court school student*” means a student who, upon completion of the student’s second year of high school, transfers from a juvenile court school to the Charter School, excluding a school district operated by the Division of Juvenile Justice of the Department of Corrections and Rehabilitation, from a juvenile court school.
 - “*Child of a military family*” refers to a student who resides in the household of an active duty military member.
 - “*Currently Migratory Child*” refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency (“LEA”), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. This includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
 - “*Newcomer pupil*” is a person aged 3 to 21 years, who was not born in any of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, and has not been attending one or more schools in any one or more of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, for more than three (3) full academic years.
 - “*Educational Rights Holder*” (“ERH”) means a parent, guardian, or responsible adult appointed by a court to make educational decisions for a minor pursuant to WIC sections 319, 361 or 726, or a person holding the right to make educational decisions for the student pursuant to Education Code section 56055.
 - “*School of origin*” means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the Charter School liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin. For a foster youth who is an individual with exceptional needs as defined in Education Code section 56026, “school” as used in the definition of “school of origin” includes a placement in a nonpublic, nonsectarian school as defined in Education Code section 56034, subject to the requirements of Education Code section 56325.
 - “*Best interests*” means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all Charter School students.
 - “*Partial coursework satisfactorily completed*” includes any portion of an individual course, even if the student did not complete the entire course.

Within this notice, foster youth, former juvenile court school students, a child of a military family, a currently migratory child, and a newcomer pupil will be collectively referred to as “Foster and Mobile Youth.” Within this notice, a parent, guardian, or other person holding the educational rights for a Foster and Mobile Youth will be referred to as a “parent/guardian” or “ERH.”

Foster and Mobile Youth Liaison: The Executive Director or designee designates the following staff person as the Liaison for Foster and Mobile Youth:

² The Charter School shall not require an Indian tribe or tribal court representative to certify that any student is a dependent of an Indian tribe, consortium of tribes, or tribal organization.

Rebecca Trevino
Director
3135 N. Harrison Ave, Fresno Ca 93704
559-248-7060
Rebecca.trevino@fics.us

The Foster and Mobile Youth Liaison's responsibilities include but are not limited to the following:

1. Ensuring and facilitating the proper educational placement, enrollment in school, and checkout from school of foster children.
2. Assisting foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.

School Stability: The Charter School will work with foster youth and their parent/guardian to ensure that each student is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not necessarily limited to, interscholastic sports. All decisions regarding a foster youth's education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

Foster youth, currently migratory children and children of military families have the right to remain in their school of origin if it is in their best interest. The Charter School will immediately enroll a foster youth, currently migratory child or child of a military family seeking reenrollment in the Charter School as the student's school of origin (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy). If a dispute arises regarding a foster youth's request to remain in the Charter School as the school of origin, the foster youth has the right to remain in the Charter School pending the resolution of the dispute. The Charter School will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to the Charter School (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g., producing medical records or academic records from a previous school).

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the child's status as a foster youth, currently migratory child or child of a military family, as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the Charter School operates an intersession program, Charter School shall grant priority access to foster youths. Notwithstanding any other law, if the foster youth will be moving during an intersession period, the pupil's educational rights holder, or Indian custodian in the case of an Indian child, shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by the Charter School on non-school days, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

Acceptance of Course Work: The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a Foster and Mobile Youth.

The Charter School will provide Foster and Mobile Youth credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the Charter School shall not require the student to retake

the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the Foster and Mobile Youth shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

Student Records: When the Charter School receives a transfer request and/or student records request for the educational information and records of a foster youth from a new local educational agency ("LEA"), the Charter School shall provide these student records within two (2) business days. The Charter School shall compile the complete educational record of the student, including but not limited to a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the student's special education records including assessments, IEPs, and/or 504 plans. All requests for student records will be shared with the Foster and Mobile Youth Liaison, who shall be aware of the specific educational recordkeeping needs of Foster and Mobile Youth.

The Charter School shall not lower a foster youth's grades as a result of the student's absence due to a verified court appearance, related court ordered activity, or a change the placement of the student made by a county or placing agency. If a foster youth is absent from school due to a decision to change the placement of the student made by a county or placing agency, the grades and credits of the pupil will be calculated as of the date the student left the Charter School.

In accordance with the Charter School's Educational Records and Student Information Policy, under limited circumstances, the Charter School may disclose student records or personally identifiable information contained in those records to certain requesting parties including but not limited to a foster family agency and state and local authorities within a juvenile justice system, without parent/guardian consent.

Discipline Determinations: If the Charter School intends to extend the suspension of any foster youth pending a recommendation for expulsion, the Charter School will invite the student's attorney and an appropriate representative from the relevant county agency to participate in the meeting at which the extension of the suspension will be discussed.

If the Charter School intends to suspend for more than ten (10) consecutive school days or expel a student with a disability who is also a foster youth due to an act for which the recommendation for expulsion is discretionary, the Charter School will invite the student's attorney and an appropriate representative from the relevant county agency to participate in the Manifestation Determination Review meeting.

Complaints of Noncompliance: A complaint of noncompliance with any of the requirements outlined above may be filed through the Charter School's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

Availability of Complete Policy: For any Foster and Mobile Youth who enrolls at the Charter School, a copy of the Charter School's complete foster youth policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.

Education of Homeless Children and Youth

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence. It includes children and youths who (42 U.S.C. § 11434a):

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
3. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and/or

4. Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition of “homeless.”

Homeless status is determined in cooperation with the parent or guardian. In the case of unaccompanied youth, status is determined by the Charter School Liaison.

School Liaison: The Executive Director or designee designates the following staff person as the School Liaison for homeless students (42 U.S.C. § 11432(g)(1)(J)(ii)):

Rebecca Trevino
Director
3135 North Harrison Ave. Fresno, Ca 93704
559-248-7060
Rebecca.trevino@fics.us

The Charter School Liaison shall ensure that (42 U.S.C. § 11432(g)(6)):

1. Homeless students are identified by Charter School personnel through outreach and coordination activities with other entities and agencies and through the annual housing questionnaire administered by the Charter School
2. Homeless students enroll in and have a full and equal opportunity to succeed at the Charter School.
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by the Charter School, if any, and referrals to health care services, dental services, mental health services and substance abuse services, housing services, and other appropriate services.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, the Charter School’s charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. Charter School personnel providing services receive professional development and other support.
9. The Charter School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the Charter School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

The California Department of Education publishes a list of the contact information for the Homeless Education Liaisons in the state, which is available at: <https://www.cde.ca.gov/sp/hs/>

Housing Questionnaire: Charter School shall administer a housing questionnaire for purposes of identifying homeless children and youth. Charter School shall ensure that the housing questionnaire is based on the best practices developed by the CDE. Charter School shall annually provide the housing questionnaire to all parents/guardians of students and to all unaccompanied youths at Charter School. The housing questionnaire shall include an explanation of the rights and protections a student has as a homeless child or youth or as an unaccompanied youth. The housing questionnaire shall be available in paper form. The housing questionnaire shall be available in English, and if fifteen (15) percent or more of the students enrolled at Charter School speak a single primary language other than English, it shall also be written in the primary language. The questionnaire shall be translated into other languages upon request of a student's parent/guardian or an unaccompanied youth. Charter School shall collect the completed housing questionnaires and annually report to the CDE the number of homeless children and youths and unaccompanied youths enrolled. (Education Code Section 48851.)

School Stability: The Charter School will work with homeless students and their parent/guardian to ensure that each student is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not necessarily limited to, interscholastic sports. All decisions regarding a homeless student's education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

Homeless students have the right to remain in their school of origin if it is in their best interest. The Charter School will immediately enroll a homeless student seeking reenrollment in the Charter School as the student's school of origin (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy). The Charter School will also immediately enroll any homeless student seeking to transfer to the Charter School (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g., producing medical records or academic records from a previous school).

Homeless students have the right to remain in their school of origin following the termination of the child's status as a homeless student as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the Charter School operates an intersession program, Charter School shall grant priority access to homeless students. Notwithstanding any other law, if the homeless student will be moving during an intersession period, the pupil's parent, guardian, educational rights holder, Indian custodian³ in the case of an Indian child, or, if none of the preceding are applicable, an accompanied homeless student themselves shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by the Charter School on nonschooldays, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

Acceptance of Course Work: The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a homeless student.

³ "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child. *Section 1903 of Title 25 of the United States Code*

The Charter School will provide homeless students credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

Complaints of Noncompliance: A complaint of noncompliance with any of the requirements outlined above may be filed through the Charter School's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

Availability of Complete Policy: For any homeless student who enrolls at the Charter School, a copy of the Charter School's complete policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.

English Learners

The Charter School is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for English language learning. The Charter School will meet all applicable legal requirements for English Learners as they pertain to annual notification to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

Human Trafficking Prevention

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. The Morris E. Dailey Elementary Charter School believes it is a priority to inform our students about (1) the prevalence, nature of and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance, and (2) how social media and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, DEC will provide age-appropriate instruction on the prevention of human trafficking, including sexual abuse, assault, and harassment. You have the right to excuse your child from all or part of the instruction on the prevention of human trafficking. An opt-out form is available at the main office for your convenience. Your consent for this instruction is NOT required. If we do not receive a written request to excuse your child, your child will be included in the instruction.

Information and materials for parents/guardians about the curriculum and resources on prevention of human trafficking and abuse, including sexual abuse, assault, and harassment are available on DEC's website for your review.

Immunizations

Pursuant to the California Health and Safety Code and the California Code of Regulations, children must provide proof of having received required immunizations (shots) before they can attend school unless they meet the requirements for an exemption. Immunization records are required for all incoming students. Verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic. To ensure a safe learning environment for all students, the Charter School follows and abides by the health standards set forth by the state of California. The immunization status of all students will be reviewed periodically. Those students who are not in compliance with the State requirements must be excluded from attendance until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of the Charter School.

These required immunizations include:

Child's Grade	List of shots required to attend school
TK/K-12 Admission	<p>Diphtheria, Tetanus and Pertussis (DTaP) - Five (5) doses Polio - Four (4) doses</p> <p>Measles, Mumps, and Rubella (MMR) - Two (2) doses Hepatitis B (Hep B) - Three (3) doses</p> <p>Varicella (chickenpox) – Two (2) doses</p> <p>NOTE: Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement for DTaP. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.</p>

Involuntary Removal Process

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action ("Involuntary Removal Notice"). The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student's basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with the Charter School's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, 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 pursuant to the Charter School's suspension and expulsion policy.

Upon parent/guardian request for a hearing, the Charter School will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall include a copy of the Charter School's expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If the parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the student will be disenrolled effective the date of the hearing.

If, as a result of the hearing, the student is disenrolled, notice will be sent to the student's last known school district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy continue or re-occur.

Lost or Damaged School Property

Dailey believes students should respect Charter School property and assist in its preservation for future use by others. If a student willfully damages Dailey's property or the personal property of a Dailey employee, or fails to return a textbook, library book, computer/tablet or other Charter School property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, Dailey may withhold the student's grades and transcripts until the damages have been paid. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, the Charter School will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades will be released.

Mental Health Services

Dailey recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and/or violence. Access to mental health services at Dailey and in our community is not only critical to improving the physical and emotional safety of students, but it also helps address barriers to learning and provides support so that all students can learn problem-solving skills and achieve in school and, ultimately, in life. The following resources are available to your child:

Available on Campus:

- Special education services – if you believe your child may have a disability, you are encouraged to directly contact a Rebecca Trevino at 559-248-7060 to request an evaluation.
- Prescription medication while on campus – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this medication to your child, please contact a Vanessa Leyva at 559-248-7060.

Available in the Community:

- Family Alliance for the Mentally Ill (559) 265-6665
- Northwest Family Center (559) 225-3222
- Asi Counseling Services (559) 499-1011
- Kids Turn (559) 278-0225
- Youth Link (559) 600-8918
- ALATEEN (559) 444-0224
- Uplift Family Services (877) 412-7474
- Mental Health Systems (559) 225-9117
- Aid in Divorce Adjustment Problems of Today (ADAPT) (559) 488-6512
- Fresno Family Counseling Center (559) 278-0300
- The Sullivan Center for Children (559) 271-1186
- Metro Area Outpatient Clinic (559) 600-4099
- Community Behavioral Health Center (559) 449-8000
- Family and Youth Alternatives (559) 225-9117

- The Boys Town National Hotline (800) 448-3000
- Comprehensive Youth Services, INC. (559) 229-3561
- Fresno County Asian Pacific Islander Clinic (559) 600-5984
- Alternative Health Consultants (559) 289-0669
- California Psychological Institute (CPI) (559) 256-2000
- Kingsview Mental Health (559) 256-0100

Available Nationally:

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at 1-800-273-8255.
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. **Available at 1-866-488-7386 or visit <https://www.thetrevorproject.org/>.**
- Big Brothers/Big Sisters of America – This organization is a community- based mentorship program. Community-specific program information can be found online at <https://www.bbbs.org> or by calling (813) 720-8778.

Nondiscrimination Statement

Morris E. Dailey Elementary Charter School (“DEC,” “Dailey,” or “Charter School”) does not discriminate against any person on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in the California.

The Charter School Board of Directors shall not refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction or any book or other resource in a school library on the basis that it includes a study of the role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, or members of other ethnic, cultural, religious, or socioeconomic status groups.

DEC adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Individuals with Disabilities Education Act (“IDEA”).

Dailey does not discourage students from enrolling or seeking to enroll in DEC for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. DEC shall not encourage a student currently attending DEC to disenroll or transfer to another school based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with DEC’s charter and relevant policies.

DEC does not request nor require student records prior to a student’s enrollment.

DEC shall provide a copy of the California Department of Education Complaint Notice and Form to any parent, guardian, or student over the age of 18 at the following times: (1) when a parent, guardian, or student over the age of 18 inquires about enrollment; (2) before conducting an enrollment lottery; and (3) before disenrollment of a student.

DEC is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination Act of 1975; the IDEA; and Section 504 and Title II of the ADA (mental or physical disability). DEC also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual

orientation, or any other basis protected by federal, state, local law, ordinance or regulation. DEC does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with whom DEC does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. DEC will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the DEC Uniform Complaint Procedures (“UCP”) Compliance Officer:

Jeanne Pentorali
Executive Director
559-248-7060
3135 N. Harrison Ave
Fresno, California 93704

The lack of English language skills will not be a barrier to admission or participation in the Charter School’s programs or activities. The Charter School prohibits retaliation against anyone who files a complaint or who participates or refuses to participate in a complaint investigation.

Oral Health Assessment

Students enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school are required to have an oral health assessment completed by a dental professional. Please contact the main office if you have questions about this requirement.

Physical Examinations and Right to Refuse

All students must complete a health screening examination on or before the 90th day after the student’s entrance into first grade or such students must have obtained a waiver pursuant to Health and Safety Code Sections 124040 and 124085. This examination can be obtained from your family physician or possibly through the services provided by your County Health Department. Information and forms are distributed to students enrolled in kindergarten. If your child’s medical status changes, please provide the teacher with a physician’s written verification of the medical issue, especially if it impacts in any way your child’s ability to perform schoolwork.

A parent/guardian having control or charge of any child enrolled in the Charter School may file annually with the Executive Director a written and signed statement stating that the parent/guardian will not consent to a physical examination of the child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

Pregnant and Parenting Students

The charter school recognizes that pregnant and parenting students are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. A pregnant or parenting student is entitled to eight (8) weeks of parental leave, or more if deemed medically necessary by the student’s physician, which the student may take before the birth of the student’s infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The Charter School will ensure that absences from the student’s regular school program are excused until the student is able to return to regular school program.

Upon return to school after taking parental leave, a pregnant or parenting student will be able to make up work missed during the pregnant or parenting student’s leave, including, but not limited to, makeup work plans and re enrollment in courses. Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the Charter School if it is necessary in order for the student to be able to complete any graduation requirements, unless the Charter

School determines that the student is reasonably able to complete the graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

Complaints of noncompliance with laws relating to pregnant or parenting students may be filed under the Uniform Complaint Procedures ("UCP") of the Charter School. The complaint may be filed in writing with the compliance officer:

Jeanne Pentorali
Executive Director
3135 North Harrison Avenue, CA, Fresno
559-248-7060

A copy of the UCP is available upon request at the main office and school website. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Executive Director.

Safe Storage of Firearms

The purpose of this notice is to inform and to remind parents and legal guardians of all students at the Charter School of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home.

These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand their legal responsibilities, this notice spells out California law regarding the storage of firearms. Please take some time to review this notice and evaluate your own personal practices to assure that you and your family are in compliance with California law:

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.
 - The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

The county or city may have additional restrictions regarding the safe storage of firearms. Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

School Safety Plan

Dailey is committed to providing a safe and secure environment for students and employees. The Charter School has established a Comprehensive School Safety Plan. The Plan is available upon request at the main office.

Section 504

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise subjected to discrimination under any program of the Charter School. Any student who has an objectively identified disability which substantially limits a major life activity, including, but not limited to learning, is eligible for accommodations by the Charter School. The parent of any student suspected of needing or qualifying for accommodations under Section 504 may make a referral for an evaluation to the Executive Director. A copy of the Charter School's Section 504 policies and procedures is available upon request at the main office.

State Testing: California Assessment of Student Performance and Progress ("CAASPP")

The Charter School shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress ["CAASPP"].) Notwithstanding any other provision of law, a parent's or guardian's written request to Charter School officials to excuse their child from any or all parts of the CAASPP shall be granted. Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

Recently-Arrived English Learners

English Learners (EL) who have: (1) been enrolled in United States schools for less than 12 months are not required to take the English Language Arts/Literacy assessment but will take the mathematics assessment.

Students With Exceptional Needs

5 C.C.R. 853, 853.5 Individualized Education Plans (IEP) Students in Special Education programs with Individualized Education Plans (IEP) are allowed accommodations such as, Braille, extended time, or the use of a reader, scribe, or calculator. The IEP must state the specific accommodation. Also, students with current plans under Section 504 of the Rehabilitation Act of 1973 specifying such accommodations will be tested with the prescribed accommodations. No other students are allowed testing accommodations. Students with significant cognitive disabilities take the California Alternate Assessment (CAA).

California Alternate Assessment

As part of the CAASPP Program, the California Alternate Assessment (CAA) provides students with significant cognitive disabilities the opportunity to demonstrate achievement in English Language Arts/Literacy and mathematics by taking a test commensurate with their abilities. This test is designed for students in grades 3-8 and 11, who have an individualized education program and who have a significant cognitive disability. CAA is administered online only and one-on-one by a test examiner. A certificated or licensed test examiner who is familiar with the student will administer the test. The CAA for Science Test will be administered to eligible students in grades 5 and 8, and one time in high school.

California Science Test

The California Science Test (CAST) is an online test based on the California Next Generation Science Standards. Students in grades 5 and 8, and one time high school will participate. The CAST uses the current CAASPP test delivery system and is administered online.

CAASPP - Parent Right to Exempt

C.C.R., Title 5, Sec. 852; E.C. 33051, 60605 (g) & (h), 60615, 60640, 60651 A parent/guardian may submit to the school a written and signed request to excuse his/her child from any or all parts of the CAASPP tests. The District and its employees may discuss the CAASPP program with parents/guardians and may inform them of the availability of exemptions under E.C. 60615. However, the District and its employees shall not solicit or encourage any written exemption request on behalf of any student or group of students.

Student Records, including Records Challenges and Directory Information

The Family Educational Rights and Privacy Act ("FERPA") affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 5 business days after the day the Charter School receives a request for access. Parents or eligible students should submit to the Charter School Executive Director or designee a written request that identifies the records they wish to inspect. The Charter School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the Charter School to amend a record should write the Charter School's Executive Director or designee, clearly identify the part of the record they want changed and specify why it should be changed. If the Charter School decides not to amend the record as requested by the parent or eligible student, the Charter School will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. If the Charter School decides to amend the record as requested by the parent or eligible student, the Executive Director must order the correction or the removal and destruction of the information and inform the parent or eligible student of the amendment in writing.

3. The right to provide written consent before the Charter School discloses personally identifiable information ("PII") from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to Charter School officials with legitimate educational interests. A Charter School official is a person employed by the Charter School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Charter School's Board of Directors. A Charter School official also may include a volunteer, consultant, vendor, or contractor outside of the Charter School who performs an institutional service or function for which the Charter School would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, therapist, or contracted provider of digital educational platforms and/or services; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another Charter School official in performing their tasks. A Charter School official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, the Charter School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student's enrollment or transfer.

Note that Charter School will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

5. The right to request that the Charter School not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

FERPA permits the disclosure of PII from a student's education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to Charter School officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the Charter School to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A Charter School may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student to the following parties:

1. Charter School officials who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, the Charter School will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. The Charter School will make a reasonable attempt to notify the parent or eligible student of the request for records at the parent's or eligible student's last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, the Charter School will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for a hearing;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for the Charter School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section [152 of the Internal Revenue Code](#) of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. § 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
9. Persons who need to know in cases of health and safety emergencies;
10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by the Charter School for students and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by the Charter School; and/or
12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceedings conducted by the Charter School with respect to that alleged crime or offense. The Charter School discloses the final results of the disciplinary proceeding regardless of whether the Charter School concluded a violation was committed.

“Directory Information” is information that is generally not considered harmful or an invasion of privacy if released. The Charter School may disclose the personally identifiable information that it has designated as directory information without a parent’s or eligible student’s prior written consent. The Charter School has designated the following information as directory information:

1. Student’s name
2. Student’s address
3. Parent’s/guardian’s address
4. Telephone listing
5. Student’s electronic mail address
6. Parent’s/guardian’s electronic mail address
7. Photograph/video
8. Date and place of birth
9. Dates of attendance
10. Grade level
11. The most recent educational agency or institution attended
12. Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student’s social security number, in whole or in part, cannot be used for this purpose.)

If you do not want the Charter School to disclose directory information from your child’s education records without your prior written consent, you must notify the Charter School in writing at the time of enrollment or re-enrollment.

Please notify the Executive Director at: jeanne.pentorali@fics.us. A copy of the complete Policy is available upon request at the main office.

Uniform Complaint Procedures (UCP)

To all students, employees, parents or guardians of its students, school, and appropriate private school officials or representatives, and other interested parties:

Dailey Charter Elementary is the local agency primarily responsible for compliance with applicable state federal laws and regulations governing educational programs. Dailey shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our Governing Board for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity. Unlawful discrimination includes, but is not limited to, noncompliance with Education Code section 243(a).
2. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Accommodations for Pregnant, Parenting or Lactating Students; Adult Education Programs; Consolidated Categorical Aid Programs;; Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and

Children of Military Families; Every Student Succeeds Act; Regional Occupational Centers and Programs; School Safety Plans and/or State Preschool Programs.

3. Complaints alleging noncompliance with laws relating to pupil fees. A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:

- i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit
- ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment
- iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

Complaints of noncompliance with laws relating to pupil fees may be filed with the Executive Director or the Compliance Officer identified below.

4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula ("LCFF") or Local Control and Accountability Plans ("LCAP") under Sections 47606.5 and 47607.3 of the Education Code, as applicable. If the Charter School adopts a School Plan for Student Achievement ("SPSA") in addition to its LCAP, complaints of noncompliance with the requirements of the SPSA under Education Code section 64000, 64001, 65000, and 65001 shall also fall under the UCP.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations ("C.F.R.") sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations ("C.C.R.") sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

Complaints other than complaints relating to pupil fees must be filed in writing with the following Compliance Officer:

Jeanne Pentorali
Executive Director
3135 N. Harrison Ave, Fresno, Ca. 93704
559.248.7060
Jeanne.pentorali@fics.us

Only complaints regarding pupil fees or LCAP compliance may be filed anonymously and only if the anonymous complainant provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees or LCAP.

Complaints alleging unlawful discrimination, harassment, intimidation or bullying must be filed within six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date when the complaint first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. All other complaints under the UCP shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the Charter School's Board of Directors approved the LCAP or the annual update was adopted by the Charter School.

The Compliance Officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and the Charter School's UCP Policy. The Compliance Officer shall provide the complainant with a

final written investigation report (“Decision”) within sixty (60) calendar days from the Charter School’s receipt of the complaint. These sixty (60) calendars day time period may be extended by written agreement of the complainant.

The complainant has a right to appeal the Charter School’s Decision to the California Department of Education (“CDE”) by filing a written appeal within thirty (30) calendar days of the date of the Charter School’s written Decision, except if the Charter School has used its UCP to address a complaint that is not subject to the UCP requirements. The appeal must include a copy of the complaint filed with the Charter School, a copy of the Charter School’s Decision, and the complainant must specify and explain the basis for the appeal of the Decision, including at least one of the following:

1. The Charter School failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the Charter School’s Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the Charter School’s Decision are not supported by substantial evidence.
4. The legal conclusion in the Charter School’s Decision is inconsistent with the law.
5. In a case in which the Charter School’s Decision found noncompliance, the corrective actions fail to provide a proper remedy.

A complainant who appeals the Charter School’s Decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE’s receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

Within thirty (30) calendar days of the date of the CDE’s appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction (“SSPI”) or the SSPI’s designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE’s appeal Decision.

If a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.

If the Charter School finds merit in a UCP complaint, or the CDE finds merit in an appeal, the Charter School shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.

A complaint may pursue available civil law remedies outside of the Charter School’s complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complaint must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

A copy of the UCP shall be available upon request free of charge in the main office or on the Dailey website. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the UCP, please contact the Executive Director.

Universal School Meals

The Charter School participates in the National School Lunch Program. Pursuant to California law, the Charter School shall make available a nutritionally adequate breakfast and a nutritionally adequate lunch free of charge and with adequate time to eat, during each school day to any student who requests a meal without consideration of the student's eligibility for a federally funded free or reduced-price meal, with a maximum of one (1) free breakfast meal and one (1) free lunch meal during each school day. This shall apply to all pupils in kindergarten through grade twelve (12).

Applications for school meals are included in the first day packets to all families and can also be obtained on the Charter School website and in the main office. All families are encouraged to complete the application form. Completed application forms can be returned to the main office.

Dailey purchases food services from Fresno Unified. A breakfast and lunch calendar is sent out every month and is also located at <https://schools.mealviewer.com/school/DaileyCharter>

Use of Student Information Learned from Social Media

The Charter School complies with all federal, state, and local guidelines regarding the gathering and/or maintenance of information about any enrolled student obtained from social media in the student's educational record. The Charter School gathers student information from social media. Such information shall be maintained in the Charter School's records with regard to the student and shall be destroyed within one (1) year after a student turns 18 years of age or within one (1) year after the student is no longer enrolled in the Charter School, whichever occurs first.

A non-minor student or a student's parent or guardian may access the student's records for examination of the information, request the removal of information or corrections made to information gathered or maintained by the Charter School by contacting the Executive Director.

Suspension and Expulsion Policy

This Pupil Suspension and Expulsion Policy has been established by the Morris E. Dailey Elementary School Governing Board, Fresno Innovative Charter Schools, Inc. ("FICS") in order to promote learning and protect the safety and well being of all students. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions, expulsions, and involuntary removal. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension, expulsion, or involuntary removal.

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 and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians⁴ are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

⁴ The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term "parent/guardian" shall include these parties.

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 IDEA or who is qualified for services under 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 requires additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to 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 to due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays 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, and shall inform the student, and the student's parent/guardian of the basis for which the student is being involuntarily removed and the student's parent/guardian's right to request a hearing to challenge the involuntary removal. If a student's parent/guardian requests a hearing, the Charter shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent/ guardian requests a hearing, 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 removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

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; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. **Discretionary Suspension Offenses.** Students may be suspended for any of the following acts 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.
 - 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 subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- 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 section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 12, 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 12, 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:
 - i. Placing a reasonable student (defined as a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 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:
 - i. A message, text, sound, video, or image.
 - ii. 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 pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (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 pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in 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 clause, "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.

- v) 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).
- w) 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 Executive Director or designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts 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 object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director 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 as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or 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 for any of the following acts 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, 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.
- 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 subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- 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 section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for 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 section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, 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 12, 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 12, 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:
 - i. Placing a reasonable student (defined as a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 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:
 - i. A message, text, sound, video, or image.
 - ii. 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 pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (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 pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in 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 clause, "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 Executive Director or designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device 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 Executive Director 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 as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289, or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

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 pupil 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 3 ½ 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 a 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 Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.

The conference may be omitted if the Executive Director 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.

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. Penalties shall not be imposed on a student for failure of the student's parent or 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 or 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 in person, by email, or by telephone. 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. 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 Executive Director or Executive Director's designee, the student and the student's guardian 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 and 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 Executive Director 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, 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 following a hearing before it or by the Charter School Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board. 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 Executive Director or designee determines that the pupil has committed an expellable offense and recommends the student for expulsion.

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:

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 pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) 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.
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 his or her 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 his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Expulsion Hearing

The Charter School may contract with Fresno Unified School District ("FUSD") to administer the expulsion hearing of a student. If the Charter School contracts with FUSD to administer the expulsion of a student, FUSD shall follow the procedures set forth herein and make a recommendation to the neutral and impartial Charter School Board, which shall make the final determination of whether to expel.

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 pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

H. 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.

I. Presentation of Evidence

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

J. 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, which will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board is final.

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

The Board may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. 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.

K. Written Notice to Expel

The Executive Director or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board's 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) 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 Executive Director or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) the student's name; and (b) the specific expellable offense committed by the student.

L. Disciplinary Records

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

M. No Right to Appeal

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

N. Expelled Students/Alternative Education

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.

O. Rehabilitation Plans

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

P. Readmission or Admission of Previously Expelled Student

The decision to readmit a student 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 following a meeting with the Executive Director or designee and the student and student's parent/guardian 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 Executive Director or designee shall make a recommendation to the Board following the meeting regarding the Executive Director'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.

Q. 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 as set forth above.

R. Involuntary Removal for Truancy

As charter schools are schools of choice and as a charter school student who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the Charter School's Board adopted Attendance Policy for truancy and only after the Charter School follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal. Students who are involuntarily removed for truancy will be given a rehabilitation plan and will be subject to the readmission procedures set forth herein.

S. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal 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 who the Charter School or SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent/guardian, 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 parent/guardian 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/guardian, 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/guardian, 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 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 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 USC Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent/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 Executive Director 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

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 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 parent/guardian; 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.

Employee Interactions with Students Policy

Charter School recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

Corporal Punishment

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 property.

For clarification purposes, the following examples are offered for direction and guidance of School personnel:

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

Duty to Report Suspected Misconduct

When any employee reasonably suspects or believes that another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a school administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

Examples of Specific Behaviors

The following examples are not an exhaustive list:

Unacceptable Staff/Student Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

(These behaviors should only be exercised when a staff member has parent and supervisor permission.)

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home.

Cautionary Staff/Student Behaviors

(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages or letters to students if the content is not about school activities.

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Executive Director about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

Suicide Prevention Policy

Scope

The Board of Directors of Morris E. Dailey Elementary Charter School ("Dailey" or the "Charter School") recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with Dailey and community stakeholders, Dailey school-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, the county mental health plan law enforcement, and community organizations in planning, implementing, and evaluating Dailey's strategies for suicide prevention and intervention. Dailey must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, Dailey shall appoint an individual (or team) to serve as the suicide prevention point of contact for Dailey. The suicide prevention point of contact for Dailey and the Executive Director shall ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. This policy shall be reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

Suicide Prevention Crisis Team

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, Dailey created an in-house Suicide Prevention Crisis Team ("SPCT") consisting of administrators, mental health professionals, relevant staff, parents.

Dailey designates the following administrators to act as the primary and secondary suicide prevention liaisons to lead the SPCT:

1. School Psychologist
2. Executive Director

The functions of the SPCT are to:

- Review mental health related school policies and procedures;
- Provide annual updates on school and district data and trends;
- Review and revise school prevention policies;
- Review and select general and specialized mental health and suicide prevention training;
- Review and oversee staff, parent/guardian, and student trainings;
- Ensuring the suicide prevention policy, protocols, and resources are posted on the district and school websites;
- Collaborate with community mental health organizations,
- Identify resources and agencies that provide evidence-based or evidence-informed treatment,
- Help inform and build skills among law enforcement and other relevant partners, and
- Collaborate to build community response.

A. Staff Development

Dailey, along with its partners, has carefully reviewed available staff training to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Training shall be provided for all school staff members. It may also be provided, when appropriate, for other adults on campus (such as substitutes and intermittent staff, volunteers, interns, tutors, coaches, and afterschool staff). Training shall include the following:

- All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Charter School has collaborated with [Insert Names of One Or More County and/or Community Mental Health Agencies] to review the training materials and content to ensure it is evidence-based, evidence-informed, and aligned with best practices.
- Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
- Charter School shall ensure that training is available for new hires during the school year
- At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
- At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:
 - Suicide risk factors, warning signs, and protective factors;
 - How to talk with a student about thoughts of suicide;
 - How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment;
 - Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member;
 - Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide;
 - Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.
 - Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:[MB4]
 - Youth affected by suicide;
 - Youth with a history of suicide ideation or attempts;
 - Youth with disabilities, mental illness, or substance abuse disorders;
 - Lesbian, gay, bisexual, transgender, or questioning youth;
 - Youth experiencing homelessness or in out-of-home settings, such as foster care;
 - Youth who have suffered traumatic experiences;
 - In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff may include the following components:
 - The impact of traumatic stress on emotional and mental health;
 - Common misconceptions about suicide;

- o Charter School and community suicide prevention resources;
- o Appropriate messaging about suicide (correct terminology, safe messaging guidelines);
- o The factors associated with suicide (risk factors, warning signs, protective factors);
- o How to identify youth who may be at risk of suicide;
- o Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on Dailey guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on Dailey guidelines;
- o Dailey-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed;
- o Dailey-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention);
- o Responding after a suicide occurs (suicide postvention);
- o Resources regarding youth suicide prevention;
- o Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide;
- o Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

Specialized Professional Development for School-based Mental Health Staff (Screening and/or Assessment)

Additional professional development in suicide risk assessment (SRA) and crisis intervention is provided to designated student mental health professionals, including but not limited to school counselors, psychologists, social workers, administrators, and nurses employed by Charter School. Training for these staff is specific to conducting SRAs, intervening during a crisis, de-escalating situations, interventions specific to preventing suicide, making referrals, safety planning, and re-entry.

Specialized Professional Training for targeted School-based mental health staff includes the following components:

- Best practices and skill building on how to conduct an effective suicide risk screening/SRA using an evidence-based, Charter-approved tool; Patient Health Questionnaire 9 (PHQ-9) Depression Scale; BSS Beck Scale for Suicide Ideation ; National Institute of Mental Health (NIMH)'s Ask Suicide-Screening Questions (ASQ) Toolkit; and the Adolescent Suicide Assessment Protocol – 20.
- Best practices on approaching and talking with a student about their thoughts of suicide and how to respond to such thinking, based on district guidelines and protocols.
- Best practices on how to talk with a student about thoughts of suicide and appropriately respond and provide support based on district guidelines and protocols.
- Best practices on follow up with parents/caregivers.
- Best practices on re-entry.

Virtual Screenings for Suicide Risk

Virtual suicide prevention efforts include checking in with all students, promoting access to school and community-based resources that support mental wellbeing and those that address mental illness and give specific guidance on suicide prevention.

Charter School has established a protocol for assigning school staff to connect with students during distance learning and school closures. In the event of a school closure, Charter School has determined a process and protocols to establish daily or

regular contact with all students. Staff understand that any concern about a student's emotional wellbeing and/or safety must be communicated to the appropriate school staff, according to Charter School protocols.

Charter School has determined a process and protocols for school-based mental health professionals to establish regular contact with high-risk students, students who are on their caseloads, and those who are identified by staff as demonstrating need. When connecting with students, staff are directed to begin each conversation by identifying the location of the student and the availability of parents or caregivers. This practice allows for the staff member to ensure the safety of the student, particularly if they have expressed suicidal thoughts.

B. Employee Qualifications and Scope of Services

Employees of Dailey must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of the mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide.

C. Parents, Guardians, and Caregivers Participation and Education

- Parents/guardians/caregivers may be included in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
- This Suicide Prevention Policy shall be prominently displayed on the Dailey Web page and included in the parent handbook.
- Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
- Charter School shall establish and widely disseminate a referral process to all parents/guardians/caregivers/families, so they are aware of how to respond to a crisis and are knowledgeable about protocols and school, community-based, and crisis resources.
- Community-based organizations that provide evidence-based suicide-specific treatments shall be highlighted on the Charter School's website with treatment referral options marked accordingly.
- Staff autoreplies during vacations or absences shall include links to resources and phone/text numbers so parents and students have information readily available.
- All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
 - Suicide risk factors, warning signs, and protective factors;
 - How to talk with a student about thoughts of suicide;
 - How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.
 - Charter School's referral processes and how they or their children can reach out for help, etc.
- Parents/guardians/caregivers are reminded that the Family Educational Rights and Privacy Act ("FERPA") generally protects the confidentiality of student records, which may sometimes include counseling or crisis intervention records. However, FERPA's health or safety emergency provision permits the disclosure of personally identifiable information from a student's education records, to appropriate parties, in order to address a health or safety emergency when the disclosure is necessary to protect the health or safety of the student or other individuals.

D. Student Participation and Education

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, Dailey along with its partners has carefully reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide. Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with Dailey and is characterized by caring staff and harmonious interrelationships among students.

Dailey's instructional and student support program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and resilience. The instruction shall not use the stress model to explain suicide.

Dailey's instructional curriculum may include information about suicide prevention, as appropriate or needed, taking into consideration the grade level and age of the students and be delivered and discussed in a manner that is sensitive to the needs of young students. Under the supervision of an appropriately trained individual acting within the scope of her/his credential or license, students shall:

- Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress;
- Receive developmentally appropriate guidance regarding Dailey's suicide prevention, intervention, and referral procedures.

The content of the education may include:

- Coping strategies for dealing with stress and trauma;
- How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others;
- Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help;
- Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, freshman orientation classes, science, and physical education).

Dailey will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Week, Peer Counseling, Freshman Success, and National Alliance on Mental Illness on Campus High School Clubs).

Charter School maintains a list of current student trainings and is available upon request. Charter School has shared school-based supports and self-reporting procedures, so students are able to seek help if they are experiencing thoughts of suicide or if they recognize signs with peers. Although confidentiality and privacy are important, students should understand safety is a priority and if there is a risk of suicide, school staff are required to report. Charter-based mental health professionals are legally and ethically required to report suicide risk. **When reporting suicidal ideation or an attempt, school staff must maintain confidentiality and only share information limited to the risk or attempt.**

Charter School shall establish and widely disseminate a referral process to all students, so they know how to access support through school, community-based, and crisis services. Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they have knowledge or concerns of another student's emotional distress, suicidal ideation, or attempt.

E. Intervention and Emergency Procedures

Dailey designates the following administrators to act as the primary and secondary suicide prevention liaisons:

- School Psychologist
- Executive Director
- Director

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison.

The suicide prevention liaison shall immediately notify the Executive Director or designee, who shall then notify the student's parent/guardian as soon as possible if appropriate and in the best interest of the student. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

The suicide prevention liaison shall also refer the student to mental health resources at Dailey or in the community.

When a student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911. The call shall NOT be made in the presence of the student and the student shall not be left unsupervised. Staff shall NOT physically restrain or block an exit.

When a suicide attempt or threat is reported on campus or at a school-related activity, the suicide prevention liaison shall, at a minimum:

1. Ensure the student's physical safety by one or more of the following, as appropriate:
 - Securing immediate medical treatment if a suicide attempt has occurred;
 - Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened;
 - Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene.
 - Remaining calm, keeping in mind the student is overwhelmed, confused, and emotionally distressed;
 - Moving all other students out of the immediate area;
 - Not sending the student away or leaving him/her alone, even to go to the restroom;
 - Providing comfort to the student, listening and allowing the student to talk and being comfortable with moments of silence;
 - Promising privacy and help, but not promising confidentiality.
2. Document the incident in writing as soon as feasible.
3. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed and coordinate and consult with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. **Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.**

4. After a referral is made, Dailey shall verify with the parent/guardian that the follow up treatment has been accessed. Parents/guardians will be required to provide documentation of care for the student. If parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide or in emotional distress, the suicide prevention liaisons shall meet with the parent to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of care. If follow up care is still not provided, Dailey may contact Child Protective Services.[MB12]
5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at Dailey.
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

In the event a suicide occurs or is attempted on the Dailey campus, the suicide prevention liaison shall follow the crisis intervention procedures contained in Dailey's safety plan. After consultation with the Executive Director or designee and the student's parent/guardian about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the Executive Director or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. Dailey staff may receive assistance from Dailey counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

In the event a suicide occurs or is attempted off the Dailey campus and unrelated to school activities, the Executive Director or designee shall take the following steps to support the student:[MB14]

1. Contact the parent/guardian and offer support to the family.
2. Discuss with the family how they would like Dailey to respond to the attempt while minimizing widespread rumors among teachers, staff, and students.
3. Obtain permission from the parent/guardian to share information to ensure the facts regarding the crisis are correct.
4. The suicide prevention liaisons shall handle any media requests.
5. Provide care and determine appropriate support to affected students.
6. Offer to the student and parent/guardian steps for reintegration to school. Re-integration may include obtaining a written release from the parent/guardian to speak with any health care providers; conferring with the student and parent/guardian about any specific requests on how to handle the situation; informing the student's teachers about possible days of absences; allowing accommodations for make-up work (being understanding that missed assignments may add stress to the student); appropriate staff maintaining ongoing contact with the student to monitor the student's actions and mood; and working with the parent/guardian to involve the student in an aftercare plan; providing parent's/guardians/caregivers/families local emergency numbers for after school and weekend emergency contacts.

F. Supporting Students during or after a Mental Health Crisis

Students shall be encouraged through the education program and in Dailey activities to notify a teacher, the Executive Director, another Dailey administrator, psychologist, Dailey counselor, suicide prevention liaisons, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions. Dailey staff should treat each report seriously, calmly, and with active listening and support. Staff should be non-judgmental to students and discuss with the student, and parent/guardian, about additional resources to support the student.

G. Responding After a Suicide Death (Postvention)[MB16]

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on the school community, including students and staff.

Dailey shall follow the below action plan for responding to a suicide death, which incorporates both immediate and long-term steps and objectives:

The suicide prevention liaison shall:

- Coordinate with the Executive Director to conduct an initial meeting of the Suicide Prevention Crisis Team to:
 - Confirm death and cause;
 - Identify a staff member to contact deceased's family (within 24 hours);
 - Enact the Suicide Postvention Response;
 - Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
- Coordinate an all-staff meeting, to include:
 - Notification (if not already conducted) to staff about suicide death;
 - Emotional support and resources available to staff;
 - Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration);
 - Share information that is relevant and that which you have permission to disclose.
- Prepare staff to respond to needs of students regarding the following:
 - Review of protocols for referring students for support/assessment;
 - Talking points for staff to notify students;
 - Resources available to students (on and off campus).
- Identify students significantly affected by suicide death and other students at risk of imitative behavior and refer them to a school-based mental health professional;
- Identify students affected by suicide death but not at risk of imitative behavior;
- Communicate with the larger school community about the suicide death; Staff shall not share explicit, graphic, or dramatic content, including the manner of death.
- Consider funeral arrangements for family and school community;
- Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered;
- Identify media spokesperson if needed.
- Ensure that all communications, documents, materials related to messaging about suicide avoid discussing details about method of suicide, avoid oversimplifying (i.e. identifying singular cause of suicide), avoid sensational language, and only includes clear, respectful, people-first language that encourages an environment free of stigma. As part of safe messaging for suicide, we use specific terminology when referring to actions related to suicide or suicidal behavior:

Use	Do Not Use
"Died by suicide" or	"Committed suicide" Note: Use of the word "commit" can imply crime/sin

Use	Do Not Use
“Took their own life”	
“Attempted suicide”	“Successful” or “unsuccessful” Note: There is no success, or lack of success, when dealing with suicide

- Include long-term suicide postvention responses:
 - Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed
 - Support siblings, close friends, teachers, and/or students of deceased
 - Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide

Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, the Morris E. Dailey Elementary School (“Charter School” or “Dailey”) Governing Board, Fresno Innovative Charter Schools, Inc. (“FICS”) prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means, and all acts of the Charter School’s Board of Directors (“Board”) in enacting policies and procedures that govern the Charter School..

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 historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived 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, Dailey 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. Dailey school staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, Dailey will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom Dailey does business, or any other individual, student, or volunteer. This policy applies to all employees, students, or volunteer actions and relationships with Dailey students, regardless of position or gender. Dailey 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 take appropriate corrective action, if warranted Dailey 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”):

Jeanne Pentorali
Executive Director
FICS, Inc., Dailey Charter Elementary
3135 N. Harrison Ave. Fresno, CA 93704
559-248-7060

Definitions

Prohibited Unlawful Harassment

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

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 *et. seq*; 34 C.F.R. § 106.1 *et. seq*) and California state law prohibit discrimination and harassment on the basis of sex. 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;
- 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).

In accordance with these Title IX and existing 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 Dailey.

Dailey 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.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire when: (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.

It is also unlawful to retaliate in any way against an individual who has articulated a good faith concern about sexual harassment against themselves or against another individual.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults and
 - 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
- 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, and
 - 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.

Prohibited Bullying

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

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

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

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

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:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of “bullying,” above
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of “Cyber sexual bullying” including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in Dailey’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that Dailey 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 Charter School’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

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

1. Cyberbullying Prevention Procedures

Dailey advises students:

- A. To never share passwords, personal data, or private photos online.
- B. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- C. 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.
- D. To consider how it would feel receiving such comments before making comments about others online.

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

2. Education

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

Dailey 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.

Dailey'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 nonaggressive 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.

Dailey informs Dailey 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.

3. Professional Development

Dailey 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 Dailey employees who have regular interaction with pupils.

Dailey 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

Dailey also informs certificated employees about the groups of students determined by Dailey, and available research, to be at elevated risk for bullying. 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

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

Grievance Procedures

1. Scope of Grievance Procedures

Dailey 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 that individual has 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 on the basis of 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 Dailey UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, 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, Dailey will utilize the following grievance procedures in addition to its UCP when applicable.

2. Reporting

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

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

Jeanne Pentorali
Executive Director
FICS, Inc., Dailey Charter Elementary
3135 N. Harrison Ave. Fresno, CA 93704
559-248-7060

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. Dailey 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 or other verbal, or physical abuses. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, the Principal, Coordinator, a staff person or a family member so that she/he can get assistance in resolving the issue in a manner that is consistent with this Policy.

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

Dailey prohibits any form of retaliation against any 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 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 coordinator, investigator or decision maker and any person who facilitates an informal resolution process will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

3. Supportive Measures

Upon the receipt of an informal or 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 Dailey's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Dailey'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. Dailey 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 Dailey to provide the supportive measures.

4. Investigation and Response

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of Dailey, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty five (25) school days. If the Coordinator, or administrative designee determines

that an investigation will take longer than twenty five (25) school days, and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator or administrative designee will not reveal confidential information related to other students or employees.

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 Dailey prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
 - Dailey 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 Dailey's policies.
 - Dailey may remove a respondent from Dailey's education program or activity on an emergency basis, in accordance with Dailey's policies, provided that Dailey 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, Dailey may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If Dailey 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.
- Dailey will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
 - The decision-maker will not be the same person(s) as the Coordinator or the investigator. Dailey shall ensure that all decision-makers 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 twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
 - 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, Dailey 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 all 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 investigation reveals that the alleged harassment did not occur in Dailey's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable Dailey policy.
 - Dailey 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 Dailey; or
 - The specific circumstances prevent Dailey 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, Dailey 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.
- Dailey 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 Dailey'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.

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

6. Right of Appeal

Should the reporting individual find Dailey's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of Dailey's decision or resolution, submit a written appeal to the President of the Dailey Board, who will review the investigation and render a final decision.

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

- The complainant and the respondent shall have the same appeal rights and Dailey will implement appeal procedures equally for both parties. Within five (5) business days of Charter School's written decision or dismissal of the complaint, the complainant or respondent may submit a written appeal to the Coordinator.
- The decision-maker(s) for the appeal will not be the same person(s) as the Coordinator, the investigator or the initial decision-maker(s).
- The complainant and respondent may appeal from a determination regarding responsibility, and from Charter School'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 decision-maker(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.
- Dailey will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

7. Recordkeeping

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

Dailey 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.
- 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, decision-makers, 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.

TITLE IX, Harassment, Intimidation, Discrimination & Bullying COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

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

_____ Date: _____

Signature of Complainant

Print Name

To be completed by the Charter School:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____

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