

# ATKINSON ACADEMY

**Quality Education for All**



## **FAMILY HANDBOOK**

**2017-2018**

**4718 Engle Rd Carmichael, CA 95608**

**Telephone No. 916-977-3790**

**Fax No. 916-977-3793**

**Office Hours: Monday- Friday 8:30am-4:30pm**

Website: [www.atkinsonacademy.org](http://www.atkinsonacademy.org)



**Atkinson Academy**  
4718 Engle Road, Carmichael CA. 95608  
Phone: 916-977-3790  
Fax: 916-977-3793

Dear Parents,

On behalf of the Administration and Instructional Leaders at Atkinson Academy School, I am happy to welcome you to the 2017-18 school year! We are looking forward to a productive partnership with you to ensure our students can achieve their highest potential. We recognize that in order to be successful in school, our students need support from both the home and school. We know a strong partnership with you will make a great difference in your child's education. As partners, we share the responsibility for our students' success and want you to know that we will do our very best to carry out our responsibilities. We ask that you guide and support your child's learning by ensuring that he/she:

- 1) Attends school daily, ready for the day's learning experience
- 2) Completes all assignments on time
- 3) Reads daily to develop a love for reading and to improve literacy skills
- 4) Shares school experiences with you so that you are aware of his/her school life
- 5) Informs you if he/she needs additional support in any area or subject
- 6) Knows that you expect him/her to succeed in school

Please consider joining our school volunteer program as our students can greatly benefit from your involvement and contributions to the school's program and its operations. We seek volunteers to help us with the following activities:

- 1) Teacher-led instructional support, on campus support
- 2) Reading with children who need extra help
- 3) School-wide events
- 4) Student recognition events
- 5) Outreach and recruitment of parent and community volunteers

If you have any questions about the rules and expectations, please feel free to contact me or to discuss them with your child's teacher. It is very important that you and your child are fully informed regarding standards related to appropriate behavior for a safe and productive school year. Please feel free to review the Atkinson Academy Family Handbook that was sent home or that can be accessed on our website at [www.atkinsonacademy.org](http://www.atkinsonacademy.org). The wonderful Atkinson Academy staff and I feel privileged to be a part of this school family. We thank you for your support and look forward to seeing you on **Monday, August 14, 2017** for the first day of school.

Sincerely,

Mrs. Johann Rubia-Miller  
**Director of Education**

**Atkinson Academy**  
**2017-2018 Student/ Parent Handbook**

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Atkinson Academy  
4718 Engle Rd. Carmichael, CA 95608  
(916) 977-3790

Dear Student and Families,

Welcome to Atkinson Academy. We are looking forward to working with you during the 2017-2018 school year. Please take the time to read and discuss the information included in our school handbook. School rules, safety procedures, policies, and other important information is contained herein. If you have any questions regarding this information feel free to contact the school between 8:00am and 4:30pm, Monday through Friday. Students schedule are to made between 8:30am-3:30pm. Students are no more than 4 hour block period on campus.

The key to each student's success is for the home and school to work together to promote an environment where children become independent, confident, lifelong learners with a strong sense of self and are encouraged to make decisions and appropriate choices. We expect our students to be responsible citizens who will succeed in public school and life. Your involvement, support, cooperation, and communication are critical to the success of our school and fulfillment of our mission. We look forward to working with you in making your child's experiences here at Atkinson Academy rewarding and productive.

After you have finished reading and discussing the information in this handbook, please sign the verification form below and return it to your child's teacher or to the admin office. Please keep this handbook in a place where you can easily refer to it throughout the school year, should any questions arise.

Thank you,

**Johann Rubia-Miller**  
Director of Education

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Please return this portion signed to the school within one week of receiving this handbook

**Verification Form**

We have read and discussed the 2017-2018 Family handbook and agreeing to abide by rules and procedures.

\_\_\_\_\_  
Parent/Guardian/Caregiver Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

## **Atkinson Academy Administration/Personnel**

Jim Atkinson  
Cesar Castaneda  
Johann Rubia-Miller  
Cescerile Dongallo

CEO  
Director of Business Operations  
Director of Education  
Administrative Assistant

### **School Mission**

Atkinson Academy Charter School offers on-line learning with available on-site instruction in enrichment and elective courses to empower students to achieve their highest potential through an individualized rigorous standards-based curriculum with available social and emotional support for the students and family.

### **Core Values**

- 1. *Inclusion*** - Atkinson Academy is committed to developing a culture that accepts, embraces, and celebrates all differences, cultures, and abilities and all individuals to be fully immersed in the school community without separation, isolation, or seclusion.
- 2. *Independence*** - Atkinson Academy will teach students the skills sets of confidence, communication, and analytical decision making. Students will have the capability of self-advocacy, determination, and motivation and the know how to control one's choices and be responsible for actions and outcomes.
- 3. *Personal Success*** - Atkinson Academy's fundamental structure is based on one's own achievement and accomplishment of personal goals of ability level. The standards are driven by the needs of the individual and are met in the framework designed by personal choice.
- 4. *Civic Engagement*** - Atkinson Academy will teach students to consciously choose to help community members and be an advocate for change. Students will develop the character traits and personal integrity to make a difference in the world.
- 5. *Innovation*** - Atkinson Academy wants all students to embrace and contribute to the ever changing fast-paced society of transformation and invention. All students will be knowledgeable and competent in technology and will encourage change and new wave thinking. Students accept and enhance approaches and methodologies of best practices.

## Program Description

Atkinson Academy students will receive academic instruction in all core areas utilizing Common Core State aligned curriculum through our 100% online learning education. Our Online education which is also known as “distance learning” and consists of taking classes via the internet provides flexibility and convenience to our students. Atkinson Academy students can attend class sessions from the comfort of their home and complete assignments any time of the day. Atkinson Academy students will also be issued and receive a computer device for personal use to access the online curriculum and complete all necessary individual and group assignments, projects and virtual wet and dry science lab experiments. Students will have the option to participate in elective courses, clubs, and school activities onsite as well as receive free in-person tutoring. Atkinson Academy Charter School students and their family members can receive individual and group counseling both social and emotional. Atkinson Academy students who are parent(s) can bring their children to the school and complete work and receive tutoring. Our onsite resources include site based tutoring with our instructional leaders, site based behavioral health services with our clinicians, Individual Success Plan development with our Instructional Leaders, course counseling and graduation planning with our Director of Education, enrichment and elective classes and clubs with our Instructional Leaders.

## Open Campus

The campus is open for assistance of teachers **Monday- Thursday 8:30am- 3:30pm** and **Friday 8:30am- 12:30pm**. Scheduled time on campus is not to exceed **4 hours** unless determined otherwise through the Individual Success Plan (ISP) process.

## Curriculum and Instructional Design

Atkinson Academy will provide appropriate instructional material that addresses all required areas of study. Students will have direct access both online and in-person to communicate with Administration and Instructional leaders to enable to complete the assigned work. The curriculum is customized to each student’s learning plan to meet his or her specific educational needs and interests. Students are able to learn in a manner that works best for them, improving learning comprehension and retention, while providing them equitable learning encouraging their development into persons capable of and determined to make meaningful contributions to society, thereby fulfilling the educational goals to become self-motivated, competent and life-long learners. Communication response from teachers are in 24hours, Teacher Graded Assignments will be 72hours, Automatic Final Grades will be 24hours, Manual Final Grades will be 72hours and Helpdesk/Technical Support available 24hours 7days a week. A courseware resource includes those that are reasonably necessary to the achievement of the course objectives and that are available to all students. Orientation will be provided to parents/guardian and students on how to use the online curriculum program and receive a tutorial on the software and hardware requirements, how to set up the student’s computer and work environment, and gain an understanding of time commitments. This tutorial will describe the experience of learning online and what is needed to manage challenges successfully.

The Atkinson Academy's schedule and annual calendar currently amounts to more than the minimum number of instructional days set forth in Education Code 47612.5 and more than the required number of 175 school days.

### **Community Service Requirement**

Students are required to complete community service hours to fulfill Atkinson Academy's core value of Civic Engagement. Students of Atkinson Academy are encouraged to help community members and be an advocate for change. Through this experience students will develop the character traits and personal integrity to make a difference in the world. Students have the choice to select type of service, but it needs to be approved by the school. Students will need to keep a log of the hours completed and submit a reflection on their experience. The hours required per grade are listed below:

- K- 5<sup>th</sup> grade **5 hours** required
- 6- 8<sup>th</sup> grade **10 hours** required
- 9- 10<sup>th</sup> grade **15 hours** required
- 11- 12<sup>th</sup> grade **20 hours** required

### **Admission Criteria**

#### **1. APPLY FOR ADMISSION:**

Student application for enrollment to Atkinson Academy must be submitted either online through the website or onsite. Parents/Guardian/Caregivers must fill-out the forms and provide complete information. Submitted application forms will be dated and time stamped and student names added to an application roster to track receipt. If by the close of open enrollment, the number of forms received is less than the number of spaces available, all applicants will be accepted and enrolled in the school, upon submission of an enrollment packet. If enrollment exceeds the allocated amount for that school year, there will be a lottery. Subsequent application form will be accepted until our capacity is reached.

#### **2. RECEIVE NOTIFICATION OF ADMISSION STATUS:**

Within two business days, you will receive a response (via email) or phone call regarding student admission status. If accepted for admission, you will receive an Atkinson Academy student ID number and password. This will allow the student to login to *Student Information System*, where you can verify, view your registration, and confirm that your student is enrolled. If changes to the registration are needed, they need to inform school administration.

#### **3. ESTABLISH YOUR ONLINE ACCESS:**

Students will receive an email issued by the school with username and password to access their courses and complete assignments. Using your username and password, you can log in to the curriculum website. Your username and password will give you access to our online learning system and the schools WebMail system. Students will also be issued a school email for communication with their teachers.

#### **4. START YOUR ONLINE LEARNING ADVENTURE:**

Instructions will be provided on when and how to access your particular course(s). Students are required online attendance and set their own due dates prior to the specified due dates set by the Instructional Leader. All courses are flexible and self-paced. Technology requirements, testing procedures, and assignment submission instructions will be provided by your teacher through the dashboard.

## Grading Policy

Grading Policy is based on demonstration of mastery of the California Content Standards. Grades will include student performance in completing coursework, individual and group participation, homework, assessments, and other components as applicable to each content area. Refer to the chart below:

<b>Grading Policy</b>		
<b>Letter Grade</b>	<b>Percentage</b>	<b>Definition</b>
A+	98%-100%	A student earning an A in a course
A	93%-97%	is consistently demonstrating advanced
A-	90%-92%	levels of mastery with the content standards.
B+	88%-89%	A student earning a B in a course is
B	83%-87%	consistently demonstrating proficiency
B-	80%-82%	with the content standards.
C+	78%-79%	A student earning a C in a course is consistently
C	73%-77%	demonstrating basic competency with content
C-	70%-72%	standards.
D+	67%-69%	A student earning a D in a course is consistently
D	63%-66%	demonstrating below basic competency with
D-	60%-62%	content standards
F	0-59%	A student earning an F in a course is consistently not meeting competency with content standards.

## Promotion and Retention Policy

Any grade below 60% means that a student is failing. If a student fails any class over the course of the year, he/she is in danger of repeating the subject. Students will be offered academic assistance during regular assigned periods, to build skills above the 60% pass/fail level. Students will be promoted but will need to repeat the core courses they failed. A Credit and Recovery program is available online for courses failed in previous years. Parents/guardians whose child is failing one or more classes at the end of a semester are required to attend a parent/teacher conference to discuss the child's progress. If a child is not failing, the parent can always request a conference with the child's Instructional Leader at any time during the semester.

## Credits

We are a public charter school with the ability to assign credits. Any student in grades 9<sup>th</sup>-12<sup>th</sup> will earn 5 credits for every 90 hours or 18 hours per credit of work completed and passed in a specific subject area. Updated credit reports are generated two times a year sent home at the end of each semester.

## Attendance

Students are expected to do their online activity everyday and meet the due dates of every lesson. Instructional Leaders are monitoring each child's academic progress daily and how the child is meeting the standards through online activities. Attendance is accounted and tracked based on assignments completed within a certain time period.

## Honor Roll System

An important part of our mission at Atkinson Academy is to prepare our students for college and the 21st Century workforce. In order to do that, Atkinson Academy believes it important to recognize hard work and dedication of our students who do some quality work that is significantly beyond competence and exceptionally well at the end of each semester in their core classes. Atkinson Academy's Honor Roll System has been arranged in ranking based on earn Percentage in every core classes.

Honor Roll at Atkinson Academy is divided into 3 categories: **President's List Award**, **Principal's List Award**, and **Honor's List Award**.

1. **President's List Award-** Students earn a 90% or better in every core class for the semester and pass their elective class/ classes.
2. **Principal's List Award-** Students earn a 85% or better in every core class for the semester and their elective class/ classes.
3. **Honor's List Award-** Students earn a 80% or better in every core class for the semester and pass their elective class/classes.

## CSU & CU Admissions Requirements

The University of California has three paths to eligibility for freshmen:

1. **Eligibility by Examination Alone-** Students must achieve specified high scores on their college admissions tests.
2. **Eligibility in the Local Context (ELC)-** Students must rank in the top four percent of their graduating class at a participating California high school.
3. **Eligibility in the Statewide Context-** Students must complete specific coursework and college admission tests and earn the required GPA and test scores.

The following website links provide more information regarding University of California admission requirements:

- <http://admission.universityofcalifornia.edu/index.html>
- <http://www.universityofcalifornia.edu/admissions/freshman/requirements/index.html>

The California State University system has A-G standards that must be met in each of the following areas:

- Specific high school courses
- Grades in specified courses and test scores
- Graduation from high school

*Atkinson Academy offer courses that are aligned to UC & CSU Universities (A-G Courses).*

The following website link provides more information regarding the California State University admission requirements: <http://www.csumentor.edu/planning/>.

### **Honors and AP Courses**

Atkinson Academy has comprehensive Honors and Advanced Placement programs to make it possible for academically talented and high achieving students to increase the challenge of their studies. Atkinson Academy is dedicated to helping students achieve and excel in their academic endeavors. Atkinson Academy's online curriculum and the teachers in the Honors/AP programs are committed to preparing students to achieve academic excellence that will ensure superior preparation for college course work. An Honors level online course is more rigorous than regular courses. Students are working on the curriculum at a faster pace and in greater depth while incorporating more complex analysis. An Advanced Placement class is a college level course that culminates with an exam, which can earn college credit for the student. The online instructional program offers in-depth study and is not intended to accelerate the date of graduation.

### **English Learner Program**

The English Learner Program provides instruction for all students who are learning English. Students receive instruction primarily in English in our online curriculum and are provided with an English Language Development program. In addition, students receive sheltered instruction in the core content areas and primary language support as needed both online and onsite. They will continue to receive instruction in English Language Development and core subjects through effective instructional strategies from teachers. When students achieve English fluency they are re-designated "Fluent English Proficient." They then exit the English Language Development program and are enrolled in regular English/ Language Arts online classes without modification. Parents are notified annually of their child's English fluency level and program placement.

## **Progress Reports**

A weekly progress report will be provided by the teacher corresponding to the assignments submitted by the student in each subject. The weekly progress report is not part of the student's formal academic record, rather, it is an opportunity to communicate with parents/guardians on how their child is doing everyday with their assignments. Progress reports will include a numerical grade, the corresponding letter grade indicating the student's grade. A parent/guardian whose child is failing a course at the progress report time should schedule a meeting with the Instructional Leader within one week of receiving the progress report. The Instructional Leader will also request conferences with parents/guardians through Team Meetings to help provide academic supports for students and review the ISP if deemed necessary.

## **Tutoring**

At Atkinson Academy our goal is to ensure each and every student reaches their full academic potential. Our Instructional Leaders are available and are dedicated to equipping your student with the tools and skills they need in order to reach their true potential, both in and out of the classroom. Tutoring is available both one-on-one and in a group setting for all subject matter. Tutoring sessions will be scheduled throughout the week at the school site as well as in the community per student and parent request. Our tutoring program is designed to be flexible and support our personalized learning structure.

## **Property Use**

For the purposes of this policy, "technology resources" refers to all Atkinson Academy electronic devices and systems, software, and means of electronic communication including, but not limited to, the following:

1. All digital computers and workstations, including laptop computers, desktop computers, and server computers;
2. Computer hardware and peripheral equipment such as disk drives, printers, modems, scanners, fax machines, and copiers;
3. Supported and designated computer software applications and associated system and user-created files and data;
4. Standard and cellular telephones, voicemail systems, electronic-mail systems, portable computer devices, personal digital assistant devices and organizers (i.e. PDA's), digital cameras, and video recorders.

Atkinson Academy property also refers to objects owned and housed on Atkinson Academy premises, including, but not limited to: desks, tables, workstations, cabinets, drawers, and shelves, as well as books, textbooks, maps, materials, instruments, tools, machines, and vehicles., such as equipment, telephones, computers, and software, is not for private use. "Acceptable Use" of technology is defined as the collection of individual behavior, interaction, and utilization, with and of, all computing and peripheral equipment, software, and technology services that are procured, implemented, and supported by Atkinson Academy.

Atkinson Academy provides members of the Atkinson Academy community with access to property and technology resources as necessary and appropriate to fulfill assigned responsibilities. Atkinson Academy community members who use Atkinson Academy technology resources must do so responsibly, and are required to comply with all state and federal laws, the policies of Atkinson Academy, and with standards of professional and personal courtesy and conduct.

When using Atkinson Academy property, the Atkinson Academy community is expected to exercise care, perform required maintenance where assigned, and follow all operating instructions, safety standards, and guidelines. The Atkinson Academy community may not use any technology resource to access, transmit, save, share, or print sexually explicit images, messages, or any other medium containing such content. In addition, the Atkinson Academy community may not access, transmit, save, share, or print materials that contain ethnic slurs, racial epithets, derogatory, defamatory, obscene or offensive statements or images, or any other content that may be construed as harassing based on someone's race, national origin, sex, gender expression, gender identity, sexual orientation, physical or mental disability, religious beliefs, or any other characteristic protected by federal, state, or local laws.

Atkinson Academy technology resources are to be used by the Atkinson Academy community for the purpose of school activities. This policy does not prohibit use of technology resources for reasons of a personal or social nature on the community members' non-work time, provided use does not violate any of Atkinson Academy's policies, break local, state, or federal law, result in any monetary cost to Atkinson Academy, impair intended use and functionality by the addition, removal, or alteration of equipment or software, or detract from the employee's performance of his or her job duties. Atkinson Academy does not support the storage and installation of personal hardware or software and related data on Atkinson Academy technology resources.

Therefore, Atkinson Academy will not repair or backup such data and software. This includes personal music, videos, pictures, and other documents. Atkinson Academy reserves the right to determine when personal use of technology resources or other Atkinson Academy property is excessive or improper, and may require reimbursement or other remediation from a community member and/or discipline the community member when he/she has used the resources excessively or improperly.

The following activities are prohibited while using Atkinson Academy technology resources:

1. Knowingly giving one's password to others;\*
2. Attempting to gain unauthorized access to Atkinson Academy technology resources, attempts to disrupt it in any way, or attempts to destroy alter data;\*
3. Downloading or installing any commercial software, shareware, or freeware without permission from the network administrator;\*
4. Plagiarism involves copying material almost word for word from any source and turning it in as your own work.
5. Using Atkinson Academy Education's time and resources for personal gain;\*
6. Sending or posting discriminatory, harassing, or threatening messages or images;\*
7. Using abusive or otherwise objectionable language in either public or private messages;\*
8. Stealing, using, or disclosing someone else's code or password without authorization;
9. Attempting to break into the computer system of another organization or person;
10. Accessing , saving, transmitting or printing any pornographic materials;
11. Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities;
12. Using the internet for political causes or activities, religious activities, or any sort of gambling;\*
13. Changing any computer file that does not belong to the user. Students are responsible for damages made to technology devices/ laptops/ computers;
14. Cheating or copying from another's paper or receiving unauthorized assistance from another during an academic exercise or in the submission of academic material.

**\* Please refer to the Internet and Atkinson Academy Network Systems Acceptable Use Contract.**

Parents/Guardian and Students are to sign a separate Internet acceptable use contract.

### **Parent Involvement**

Parents/caregivers will serve as the primary "facilitator" or as "mentor" of their child's education, parents/caregivers work very closely with the supervising teacher and other school staff in the development and implementation of their child's personalized learning plan. All parents/caregivers would be invited to participate in our elective classes, clubs, and school activities on campus by helping the teacher with various tasks. Parents/caregivers would be invited to form a council or group to work together to represent the parents' requests for suggestions, improvements, or events and activities. Parents/caregivers will have the opportunity to serve as a representative on the School Board. Parents/caregivers will have access to the progress of their child and have direct immediate feedback from their child's teacher(s). Parents/caregivers will participate in the design of the instructional program of their student, goal setting, and post-secondary plans.

Atkinson Academy Charter School defines mentor as an adult that oversees an online student's learning. A devoted mentor is instrumental in a students' success in online learning.

A **Mentor** has skills in...

Using a computer to:

- Send and receive emails
- Check on student progress
- Create word processing, spreadsheet, and presentation products
- Browse the internet
- Following basic directions to enhance technology performance (such as clearing the cache)
- Motivating students

**Mentors** provide support and motivation for an online student. Atkinson Academy and the parent/caregiver will work collaboratively towards successful course completion. Parents/caregivers will assist in the instructional program at home 30% of the time and for K-5<sup>th</sup> students up to 50%. Atkinson Academy parent mentors will be provided login information and computer basic training and system orientation upon enrollment. Mentors will be able to monitor course progress by logging into the system and accessing the gradebook and tools within the learning management system that show student progress. Mentors will be asked to approve any assessment resets or date changes requested by the student.

### **Visiting the School/Parent Teacher Conferences**

Please feel free to visit Atkinson Academy. State law requires that all visitors check in at the office before going classroom. Since the teacher is responsible for providing onsite instruction, it is not possible to hold conferences during school hours. If you have concern about your child's performance, the teacher should be consulted over the phone, onsite, or through online communication.

For any meeting with the teacher, an appointment should be made. A note sent through email or phone call to the office should be sufficient to set a conference time.

## Health

- **Immunizations**

Effective July 1, 2016 SB 277 law states that all students attending school or participating in any school related activities are mandated to have the required vaccinations.

Families that do not comply with the one-size-fits-all vaccine mandate; will lose their State Constitutional right for a free and appropriate education in public and private K-12 schools. The use of licensed daycare facilities, in-home daycare, public or private preschools and even after school care programs are also included in SB 277. Students who will participate in the onsite activities are required to present an updated immunization record.

- **Medication in School**

Atkinson Academy will adhere to Education Code §49423 regarding administration of medication in school. If it is necessary for a student to receive medication during school hours, the following procedure must be followed:

1. A Release of School Time Medication form must be filled out and signed by a physician if a prescribed medication
2. Over-the-counter medications must have a form filled out by the parent/guardian, unless student lives in a Residential Facility, which requires a physician signature
3. Medications MUST be sent to the school in the original container or packaging and properly labeled with the prescription number, name of pharmacy, date the dosage clearly marked on the container. Do not send the medications in a bag, Tupperware or other containment package.

A trained staff member will administer medications and log the distribution in the medication log book. They will only administer if the above procedures have been followed. All empty medication containers will be sent home to be discarded.

### **Drug Free/Alcohol Free/Smoke Free Environment**

Atkinson Academy shall function as a drug, alcohol, and tobacco free workplace. Atkinson Academy is committed to provide an employment and academic environment where all employees and students adhere to a program of policies and activities designed to provide a safe workplace, discourage alcohol, tobacco, and drug use.

## **Comprehensive Sexual Harassment Policies and Procedures**

Atkinson Academy is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. Atkinson Academy will develop a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at Atkinson Academy (including employee to employee, employee to student, and student to employee misconduct).

Misconduct of this nature is very serious and will be addressed in a sexual misconduct policy that will be developed prior to hiring any employees.

### **Facility Safety**

Atkinson Academy will comply with Education Code §47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the State Building Code, including provisions for seismic safety. Atkinson Academy agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times.

### **Fire, Earthquake, and Evacuation Drills**

Students and staff will participate in earthquake drills every other month, fire drills monthly, and at least one lock-down drill annually.

### **Emergency Preparedness**

Atkinson Academy will adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall prior to the school opening. This handbook will include, but not be limited to the following responses: fire, flood, earthquake, lockdown, hostile intruder situations, and other natural disasters. If assuming a facility used prior as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for Atkinson Academy. All staff will be trained on emergency preparedness procedures. **The school's Safety Plan can be downloaded through the school's website.**

## **Child Abuse**

All instructional staff administrative shall immediately report any cases of suspected Child Protective Services or the police/sheriff department. Written Notification of suspected child abuse shall be sent Child's Protective Services within 36 hours of initial report.

### **Regulations**

Penal Code Section 11166 requires that that school personnel report observed or suspected instances of child abuse both by phone and in writing to a local child protective service, or a county welfare depart). The report by telephone must be made immediately and the written report must be filled within 36 hours.

1. The obligation to report is incumbent on individuals, and no supervisor or administrator may impede on inhibit such reporting.
2. No person making a report of child abuse shall be subject to any sanction for making the report.
3. The school is to present an annual in-service to all teachers about recognizing and reporting child abuse.

## **Student Photo Release**

Atkinson Academy is committed to protecting the privacy and safety of all students. There are times when teachers or administrators feel it is appropriate to recognize students and their work in a school wide forum. Examples of such recognition included publishing student's names (first names only), displaying their work on school webpages, and photographs. Photos of our students are sometimes used to show their work in the classroom, for school yearbooks, or displaying in the office or classroom. If you have any questions regarding this please contact the school.

## **Student Confidentiality**

At Atkinson Academy we ensure the privacy of all students in regards to their academic progress and information and even to those students who have Individualized Education Plan. It is our policy to uphold the privacy of every student and enforce and support their right to speak to any member of the team in confidence. Only with the student's permission will information be shared including to other members of IEP team.

## School Rules

When we created school rules we wanted to make them as easy as possible to remember and evaluate.

1. **BE SAFE:** Safety is #1 on our campus. We expect each student who comes for tutoring or any related school works to make choices, on campus and even on outings that does not compromise their personal safety or safety of others.
2. **BE RESPECTFUL:** Each student is expected to show respect towards staff, peers and themselves. The areas we focus on are personal space, others property, manners, and appropriate ways to address people in different situations.
3. **DO YOUR JOB:** At school each of us has our own job. We have teachers, administrators, and students. Each student is expected to be a learner as well as good choice maker. That is the **student's job**.

## Dress Code

The students at Atkinson Academy are given as much freedom in their choices of clothing as possible, with few exceptions.

1. Baggy or oversized pants **must cover undergarments** at all times.
2. A belt must be worn with pants that are oversized.
3. Shirts that display inappropriate messages and/or promote weapons, tobacco, drugs or gangs will not be permitted.
4. Tops must cover torso, chest and midriff. No tube tops, bare midriffs, bare back, or other revealing clothing of any kind is to be worn. Straps must at least one inch wide (**no spaghetti straps**)
5. Gang affiliated bandanas are prohibited from being worn at **any** time.
6. All undergarments should be covered at all times.
7. Sunglasses are prohibited in class, unless prescribed by a physician for medical reasons.

## Cell Phone Policy

Cell phones are not allowed to be used inside the classrooms, library and other activity room where students are working. Cellphones should be in silent mode or turned-off prior to entering the activity area. Students may use their cell phones outside the activity area as not to the disturb teachers, other students in sessions.

## Auxiliary Services

- **Psychological Services:** An Educational Psychologist is available for testing in cognitive and intellectual ability and for consultation regarding individual needs of students and behavior intervention.
- **Psychiatric Services:** consulting, assessing, and evaluations of medications.
- **Educational Testing:** an Educational Psychologist/Instructional Leaders are available to administer the WJIII-revised (Woodcock-Johnson III) test of academic achievements as well as other criterion referenced and norm-based academic tests.
- **Speech and Language:** A Licensed Speech Language Pathologist provides speech and Language services on site. This service is available if written into the students Individualized Education Program.
- **Occupational Therapist:** An Occupational Therapist that will work with our students to help them achieve a fulfilled and satisfied state in life through the use of purposeful activity or interventions designed to achieve functional outcomes which promote health, prevent injury or disability and which develop, improve, sustain or restore the highest possible level of independence.
- **Adaptive Physical Education:** An Adaptive Physical Education Specialist is available to adopt or modify the physical education program and to provide interventions appropriate for the individual.

### Local Control Funding Formula (LCFF) and Local Control Accountability Plan (LCAP)

California's 2013-14 Budget Act included landmark legislation that greatly simplifies the state's school finance system. The changes introduce the Local Control Funding Formula (LCFF) which represents a major shift in how California funds public schools. For nearly 40 years, California has relied on a system that included general purpose funding (known as revenue limits) and more than 40 tightly defined categorical programs to provide state funding school districts. Under LCFF, California funds school districts per student with adjustment based on grade levels and demographic characteristics.

This major change comes with state mandates for new accountability measures that included the development of Local Control Accountability Plan (LCAP) that requires parent and community input prior to adoption. The LCAP describes the actions, services and expenditures that support student growth. The LCAP clarifies how programs/ services will be measurably improved in quantity or quality, proportionate to the increase in funding. The LCAP is three-year plan that must be adopted by July 1 and updated each year. For more information on LCFF and LCAP visit

[www.cde.ca.gov/fg/aa/lc/lcfffaq.asp](http://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp)

## Testing

California students take several mandated and option-al statewide tests. Taken together, these tests provide parents, teachers and educators with information about how well students are learning core academic skills and preparing for college readiness. Instructional Leaders use this information, along with progress monitoring assessments, to help them prepare instruction based on the needs of each student. Results are also used for state and federal accountability purposes – the Academic Performance Index (API) and Adequate Yearly Progress (AYP).

- **CAHSEE** (California High School Exit Exam) Under state law, each student is required to pass the California High School Exit Exam (CAHSEE) to receive a high school diploma in addition to fulfilling state and local graduation requirements [E.C. 48980(e), 60850]. Students must pass both the English and mathematics sections of the CAHSEE. Each student first takes the CAHSEE beginning in 10th grade and may retake the examination twice in 11th and up to five times in 12<sup>th</sup> grade. Students who have not yet passed the CAHSEE by the end of 12th grade are entitled to receive intensive instruction and services for up to two consecutive academic years after completion of 12th grade or until the student has passed both parts of the CAHSEE, whichever comes first. ( *Suspended for 2015-2016, 2016-2017 and 2017-2018 school years* )

English language learners who fail to pass the exam by the end of 12th grade may also receive assistance with English proficiency, as needed, based on the results of diagnostic assessments and previous results on the CAHSEE. Students with disabilities are also required to pass the CAHSEE to receive a diploma. Students with disabilities may take the exam with modifications or accommodations that are specified in their IEP or 504 Plan [E.C. 48980(e), 60850 et seq.]. Parents will receive notice of the exam date, requirements for passing and information concerning the consequences of not passing the exam. To learn when CAHSEE testing is offered, please contact your child's school.

- **CAASPP** (California Assessment of Student Performance and Progress) CAASPP is California's statewide testing program. Pursuant to California Education Code 60615, parents may annually submit to the school a written request to excuse their child from any or all of CAASPP. CAASPP consists of the following assessments: SBAC (Smarter Balanced Assessment Consortium) Assessments These computer adaptive assessments are aligned to the CCSS (Common Core State Standards). ELA and math tests are administered in grades 3-8 and 11 with the intent to measure whether or not students are on track to college and career readiness. Tests include a variety of item types including, but not limited to: multiple choice, constructed response, technology enabled/enhanced items and performance tasks. In grade 11, results from the ELA and math assessments can be used as an indicator of college readiness—students who score well can be exempted from placement tests at the CSU and select California Community Colleges.

- **Science Assessments** California Standards Tests (CST), California Modified Assessments (CMA), and California Alternate Performance Assessment (CAPA) measure student acquisition of the state science standards. The tests are administered in grades 5, 8 and 10. Students are scored as “far below basic,” “below basic,” “basic,” “proficient,” or “advanced. While both the CST and CMA measure the same content standards, the CMA provides greater access to special education students who have been identified to take it through the IEP process. The CAPA is an alternate assessment for science designed for students who have an individualized education program and a significant cognitive disability.
- **CAPA (California Alternate Performance Assessment)**  
Students with severe cognitive disabilities who are unable to participate in SBAC are tested with the CAPA. The CAPA test is aligned to the California content standards and calls upon students to perform tasks as opposed to answering multiple-choice questions. ELA and math tests are administered in grades 2-11 and science tests are administered in grades 5, 8 and 10. CAA (California Alternate Assessment) The California Alternate Assessment (CAA) for English language arts/literacy and math is administered to students with severe cognitive disability in grades 3-8 and 11. Test items are aligned with the Common Core State Standards (CCSS) and are based on the Core Content Connectors (CCCs). PRELIMINARY SAT (PSAT), SAT, ACT AND AP.
- **CELDT (California English Language Development Test)** The CELDT is based on California English Language Development standards and is administered to students in grades K-12 who speak English as a second language. The purpose of the CELDT is to assess and monitor student English language development skills toward a level of English proficiency. The results of the test are used for federal accountability purposes and as a criterion in the reclassification of “English Learners” to “Redesignated Fluent English Proficient.” PFT (Physical Fitness Test) This test is used to assess the physical fitness of students in grades 5, 7 and 9. It consists of tests in six fitness areas: Aerobic Capacity, Body Composition, Abdominal Strength & Endurance, Trunk Extensor Strength & Flexibility, Upper Body Strength & Endurance and Overall Flexibility. Students are scored as “within the Healthy Fitness Zone,” or “Needs Improvement – Some Risk,” or “Needs Improvement - Health Risk.” To pass the PFT, students must have 5 of 6 fitness standards “within” the Healthy Fitness Zone. Grade 9 students who do not pass will be required to continue in physical education until they pass the Physical Fitness Test as outlined in the district’s wellness policy.

The school also supports preparation for college entrance exams. The PSAT, SAT, American College Test (ACT) and Advanced Placement (AP) exams are offered several times during the year. Please call Director of Education office for information about requirements, deadlines to sign up, testing dates and locations. More information on the PSAT, SAT and AP can be found at [www.collegeboard.org](http://www.collegeboard.org).

Atkinson Academy’s **Suspension & Expulsion** can be downloaded at the school’s website.

# ATKINSON ACADEMY CODE OF CONDUCT

## Grounds for Suspension and Expulsion of Students

Atkinson Academy is committed to review and update its policies and procedures regularly to ensure compliance with Local, State and Federal laws and make changes needed in order to stay compliant.

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.

- Enumerated Offenses
- Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
  1. Caused, attempted to cause, or threatened to cause physical injury to another person.
    2. Willfully used force of violence upon the person of another, except self-defense.
    3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
    4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
    5. Committed or attempted to commit robbery or extortion.
    6. Caused or attempted to cause damage to school property or private property.
    7. Stole or attempted to steal school property or private property.
    8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
    9. Committed an obscene act or engaged in habitual profanity or vulgarity.
    10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
    11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
    12. Knowingly received stolen school property or private property.
    13. 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.
    14. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

15. 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.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. 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.
18. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
19. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
22. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
23. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be

subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline.

24. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director of Education, Principal, or designee's concurrence.

- Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
  1. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Director of Education, Principal, or designee's concurrence.
- Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the pupil:
  1. Caused, attempted to cause, or threatened to cause physical injury to another person.
  2. Willfully used force of violence upon the person of another, except self-defense.
  3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053- 11058, alcoholic beverage, or intoxicant of any kind.
  4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  5. Committed or attempted to commit robbery or extortion.
  6. Caused or attempted to cause damage to school property or private property.
  7. Stole or attempted to steal school property or private property.
  8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
  9. Committed an obscene act or engaged in habitual profanity or vulgarity.
  10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
  11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
  12. Knowingly received stolen school property or private property.
  13. 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.

14. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
15. 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.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. 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.
18. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
19. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
22. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school

personnel.

23. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline.

24. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director of Education, Principal, or designee's concurrence.

- Non-Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:
  1. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Director of Education, Principal, or designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

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

## **Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

### *Conference:*

Suspension shall be preceded, if possible, by a conference conducted by the Director of Education, Principal, or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Atkinson Academy employee who referred the student to the Director of Education or designee.

The conference may be omitted if the Director of Education 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 Atkinson Academy personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Atkinson Academy officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

#### *Notice to Parents/Guardians*

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Atkinson Academy 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.

#### *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 Director of Education, Principal, or designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Director of Education or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

#### **Authority to Expel**

A student may be expelled either by Atkinson Academy Board of Directors following a hearing before it or by Atkinson Academy Board of Directors upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of Atkinson Academy's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

#### *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 School Director or designee determines that the Pupil has committed an expellable offense.

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 three (3) days prior to the hearing.

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

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

### *Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses*

Atkinson Academy 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 Atkinson Academy 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.

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

witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

- The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
- The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
- If one or both of the support persons is also a witness, Atkinson must present evidence that the witness' presence is both desired by the witness and will be helpful to Atkinson. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
- 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.
- Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
- Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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.

### *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, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who 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, the pupil shall immediately be returned to his/her educational program.

### *Written Notice to Expel*

The School 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 or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and 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 Atkinson Academy.

The Director of Education, Principal, 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 b) The specific expellable offense committed by the student.

### *Disciplinary Records*

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

### *No Right to Appeal*

The pupil shall have no right of appeal from expulsion from Atkinson Academy as Atkinson Board of Directors' decision to expel shall be final.

### *Expelled Pupils/Alternative Education*

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

### *Rehabilitation Plans*

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

### *Readmission*

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or Atkinson Academy shall be in the sole discretion of the Board following a meeting with the Director of Education, Principal, or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Director of Education, Principal, or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The pupil's readmission is also contingent upon Atkinson Academy's capacity at the time the student seeks readmission.

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

- *Notification of District*

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

- *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, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as

appropriate, a functional behavioral assessment or functional analysis, 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.

- *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, Atkinson Academy, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

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

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

- *Due Process Appeals*

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

Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures. When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or Atkinson Academy, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and Atkinson Academy agree otherwise.

- *Special Circumstances*

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

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

- *Interim Alternative Educational Setting*

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

- *Procedures for Students Not Yet Eligible for Special Education Services*

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

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

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

director of special education or to other Atkinson Academy supervisory personnel.

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

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

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