



River Oaks Academy Student Handbook

2013/2014

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805-777-7999

Admissions and Enrollment Policy

I. Introduction

The goal of the admissions policy of River Oaks Academy (hereinafter “School”) is to attract, enroll and retain at the School the broadest spectrum of students and families representative of the rich diversity existing in the County. The School will be nonsectarian in its programs, admissions policies, employment practices and all other operations. The School will not charge tuition and the School will not discriminate in admissions or outreach against any pupil on the basis of ethnicity, national origin, gender, disability or any other legally protected category.

II. Admission and Requirements for Admission

The School is open to any student in the State of California who meets the admissions requirements described herein. If the number of pupils who wish to attend the School exceeds the school’s capacity, attendance (except for existing pupils of the charter school) shall be determined by a public random drawing, the process for which is described below.

A. Admission Eligibility and Requirements

In order to be eligible for enrollment in the School, students must meet the following eligibility requirements:

- All students must have successfully completed education through grade 11.
- All students must have been fully immunized and present the appropriate health examination record in accordance with the California Health and Safety Code or sign a waiver.
- All Kindergarten students must be age 5 on or before November 1 of the school year in which he/she seeks enrollment. If a student turns five years of age after December 2 during the school year, that student may be eligible for admission on a case by case basis in the discretion of the Board of Directors, in accordance with the Board’s age-admission policy and in accordance with law.
- All students must be at least age 6 (by November 1 of the school year in which he/she seeks enrollment in first grade, with some exceptions in accordance with the Board’s age-admission policy and in accordance with law), and not exceeding age 19, unless the student was continuously enrolled in public school prior to age 19, the student is being served under the term of an Individualized Education Program, and/or the school or program qualifies for an exemption from the general prohibition on serving students over age 19 and in accordance with the California Education Code.
- **No student may concurrently attend a private school that charges the student’s family for tuition.**
- All students shall be documented as residents of the State of California.

- If enrolled in an independent study program, a student shall be documented as a resident of the county in which the charter school reports its apportionment claims or an adjacent county.
- No student will be admitted if he/she has been previously expelled from another educational institution. (**Or alternatively** :) No student will be admitted during the term of an expulsion for bringing to or possessing a firearm, using or selling drugs or being involved in violence at any school, unless the Director makes a determination based on the specific facts of the situation in accordance with the School's discipline policy. A student that has been otherwise expelled may be admitted to the school in the discretion of the governing board on a case-by-case basis.

In order to ensure that all students will be placed appropriately and benefit fully from the education program, the following pre-admission procedures will be enforced. Failure to comply with any of these procedures will result in denial of admission. An admitted student will be removed from the School if failure to comply with these procedures is discovered after admission has been granted. All eligible students must meet the following requirements:

- Complete applications for admission must be timely submitted to the School no later than the deadline published for that school year.
- The application for admission shall include, but is not limited to, the following:
 - Authorization for the School to request and receive student records from all schools the student has previously attended or is currently attending;
 - Proof of full immunization or exception from the requirement;
 - Proof of health examinations required by the Health and Safety Code;
 - Proof of age with the application for admission;
 - Proof of residency;
 - Indicating whether the student may require special education or related services, the student's home language and whether the student may be an English language learner.
- The Parent Involvement Agreement shall be signed and returned to the School with the application for admission. The body of educational research shows a compelling correlation between parent participation in a school and their child's academic success. Therefore, in order to be admitted into the School, the student's family will be required to sign a parent involvement agreement that requires the parents to donate 6 hours per month of service to the school. A fair policy will be developed that states the many ways families or their representatives can satisfy this requirement. No student will be released from the School's program if his/her parents or representatives fail to satisfy the required hours of the parent involvement agreement.

The School shall follow any required procedures for the transfer of a program between SELPAs. Additionally, each application will be reviewed by staff to ensure it is complete before the student will be considered for admission.

Preferences

In the event that there are more students applying for admission than available space, preferences shall be extended in the following order of priority:

- Pupils currently attending the School;
- Siblings of students currently enrolled in the School;
- Students residing within the boundaries of the Ventura County Office of Education.

III. Enrollment Process and Guidelines

The enrollment process will begin immediately upon obtaining Charter Status. There will be an open enrollment period each year, which will be advertised within the school community so that all interested students may have an equal opportunity to apply for admission. The deadline for accepting applications will be clearly stated if enrollment is limited.

The process for enrollment proceeds as follows, (not necessarily in the exact order provided):

- The School will determine class size/configuration for the school year, subject to reconsideration as an Independent Study program;
- The School will solicit from current students their intention to return the following year;
- The school will solicit from parents/guardians of current students their intention to apply for admission for siblings of current students;
- The School will design program informational materials;
- The School will plan one or more Information Open House Meetings or an individual information conference with the Director) (attendance at which is mandatory for admission);
- The School will issue press releases and utilize other communication strategies;
- The School will actively recruit students throughout the community;
- The School will host Information Open House Meeting(s) and record attendance;
- The School will establish and hold an open enrollment period so that all interested student may have an equal opportunity to apply for admission;
- Priority placement will be given to eligible students who timely completed their application for admission as identified in the previous section;
- After the students in the preferred categories are placed, the remaining students will be placed pursuant to a random public drawing;
- The School will hold a random public drawing, if necessary;
- The School will notify the families of the applicants who are accepted and rejected;

- Non-accepted families will be placed on the waitlist in the order in which the students are drawn from the random public drawing. Children who complete the application process after the published deadline will be added to the next lottery pool if a wait list already exists.

A wait list is maintained from year to year. Once on the wait list, a student would remain in that position until he/she is offered a spot in the school or expresses no further interest. During enrollment, volunteers and paid employees return calls and answer questions from prospective families. If families from the wait list are offered a position, they must accept that position within three business days or if they decline or fail to respond within three business days they may be removed from the wait list or placed at the bottom of the wait list of they desire.

Attendance

Non-Classroom-Based Programs

a) Attendance

River Oaks Academy Charter School

(1)

(2) Non-Classroom-Based Program

All attendance for non-classroom based programs shall be in accordance with current law and regulations.

Attendance expectations and requirements:

Attendance expectations: ROA will offer at least the minimum number of instructional days per year required by law, and will expect students to complete academic work and/or participate in school activities on all of those days unless they are sick or are otherwise unable.

Regarding failure to turn in work: Within each learning period, students are required to submit in person original samples of their work that cover the required number of content standards, text book chapters, projects, reports and/or designated assignments for that twenty-day period. Students working on film or TV sets may submit their work electronically only if the school is notified in advance and a work permit and copy of the film/TV contract is on file showing the student's working dates. These dates must reflect that the student is unavailable to turn in work in person during any part of the twenty-day learning period.

Teachers will retrieve one assignment sample in each subject, with the exclusion of physical education during each learning period. Parents are required to be an active participant in these turn-in meetings. Students are expected to complete assigned work and parents are required to help monitor the progress of these assignments, as stated and signed by parents and students in ROA's Acknowledgement of Responsibilities.

If a student does not complete assigned work, ROA staff will actively intervene to support the students and parents/guardians to problem solve obstacles. Supports may include tutoring or adjustment of instructional activities or materials.

If a student still fails to complete designated assignments, teacher, student and parent will discuss the missing assignments, specifics of the level of mastery required and pursuant policy. The parent and student will be given a second appointment to rectify the situation. The appointment must be within the same twenty-day learning period and must be made at the time the assignments were not turned in.

If at the second appointment the missing assignments have not been completed in a satisfactory manner, parents and students will be given a third appointment to rectify the problem. This appointment must be within the same twenty-day learning period and must be made at the time the assignments were not turned in.

If at the end of the third appointment, if work is still missing, the Director or designee shall conduct an oral evaluation with parent/guardian and student, followed by a written evaluation, to determine an appropriate course of action. After 3 missed assignments within one learning period, the student will be referred to the Student Attendance Review Team (SART) and a final oral and written evaluation will be made to determine whether or not it is in the student's best interest to remain in the River Oaks Academy Independent Study Charter.

Parents/guardians and students will be notified in writing of the final assessment. Should the parent(s)/guardian(s) of the student feel that this evaluation needs further review, they may take their appeal before the River Oaks Governance Board. If the parent(s) guardian(s) of the student still feel that this evaluation needs further review, they may take their appeal before the Ventura County Board of Education.

Student Complaints

I. Notification

- Students or parents who have complaints against school personnel or programs may notify the Director. If a teacher, or any other staff member, is notified of a student complaint against school personnel or programs, the teacher shall notify the Director.

II. Procedures

- Depending upon the nature of a complaint, the pupil will be provided information concerning the applicable policy and procedures to be followed. For instance, if the complaint is one of sexual harassment or other discrimination, the student will be provided with a copy of the School's policy against harassment and discrimination and provided a complaint form and apprised of the procedures under the policy.
- If the School has no specific policy or procedures for the particular complaint, the Director, or his/her designee, will undertake a responsible inquiry into the pupil's or parent's complaint to ensure it is reasonably and swiftly addressed. When appropriate a written statement of the pupil's complaint will be obtained from the student.

III. Confidentiality

- Complainants will be notified that information obtained from the pupil or parent and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

IV. Non-Retaliation

- Complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

V. Resolution

- The administration will investigate student or parent complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

Student Dress Code

The Board recognizes the need for students of the School to dress appropriately for school.

I. General Guidelines

- Inappropriate apparel includes clothing that compromises safety or is disruptive and/or distracting to the school environment and instructional process. The Board is committed to protecting the health, safety, and welfare of the students and the Board believes that appropriate dress and grooming contribute to a productive learning environment.

II. Review Process

- The Board recommends that any dress code should be reviewed, preferably by a committee of students, faculty, parents and administrators prior to presenting it to the Board for approval.

III. Sun Protective Clothes

- The code allows for the wearing of sun protective clothing, including hats.

IV. Prohibited Conduct and Sanctions

- Students who repeatedly violate the School Dress Code may be subject to discipline, including suspension and expulsion from School.

Educational Records and Student Information

I. Definitions

A. Education Record

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

- Date and place of birth; parent and/or guardian's address, and where the parties may be contacted for emergency purposes.
- Grades, test scores, courses taken, academic specializations and school activities;
- Special education records;
- Disciplinary records;
- Medical and health records;
- Attendance records and records of past schools attended;
- Personal information such as, but not limited to, student identification numbers, social security numbers, photographs, or any other type of information that aids in identification of a student.

An education record does not include any of the following:

- Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- Records maintained by a law enforcement unit of the School that were created by that law enforcement unit for the purpose of law enforcement;
- Records relating to a School employee that are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for use for any other purpose;
- Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the School; or
- Records that only contain information about an individual after he or she is no longer a student at the School.

B. Directory Information

- Part of the education record, known as directory information, includes personal information about a student that the School may make public. Directory information includes a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received and the most recent previous educational agency or institution attended by the student.

C. Parent

- Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

D. Eligible Student

- Eligible student means a student who has reached 18 years of age.

II. Disclosure of Directory Information

- At the beginning of each year, the School shall provide parents and eligible students with a notice containing the following information: 1) The type of personally identifiable information it designates as directory information; 2) The parent's or eligible student's right to refuse to let the School designate any or all of those types of information about the student as directory information; and 3) The period of time within which a parent or student has to notify the School in writing that he/she does not want any or all of those types of information about the student designated as directory information. The notice shall be in the form of an email or written notification registration packet for new students, special letter, inclusion in a PTA bulletin, student handbook, newsletter/paper article.

III. Annual Notification to Parents and Eligible Students

At the beginning of each school year, in addition to the notice required for directory information, the School shall provide parents and eligible students with a notice of their rights under FERPA. The notice shall inform the parents and eligible students that they have the right to:

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

- Request that the School not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

- The procedure for exercising the right to inspect and review educational records;
- The procedure for requesting amendment of records;
- A statement that the School forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll.
- The criterion for determining who constitutes a school official and what constitutes a legitimate educational interest.

IV. Parental and Eligible Student Rights Relating to Education Records

- Parents and eligible students have the right to review the student's education records. In order to do so, parents and eligible students shall submit a request to review education records in writing to the Resa Brown. Within 14 days, the School shall comply with the request. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the School will provide the parent or eligible student with a copy of the requested records or make other arrangements for inspection and review of the requested records.

A. Copies of Education Records

- The School will provide copies of requested documents within 10 days of a request for copies. The School will charge reasonable fees for copies it provides to parents or eligible students, unless it effectively prevents a parent or eligible student from exercising the right to inspect and review the education records. The charge will not include a fee to search for or to retrieve the education records.

B. Request for Amendment to Education Records

- If upon review, a parent or eligible student discovers any information or notation that is factually inaccurate, misleading or in violation of the student's right of privacy, he or she may request, in writing, that the School amend the record. The request must be submitted within thirty (30) days of the discovery of the inaccurate or misleading information or a violation of the student's right of privacy. The School will respond within ten (10) days of the receipt of the request to amend. The School's response will be in writing and if the request for amendment is denied, the School will set forth the reason for the denial and inform the parent or eligible student of his or her right to a hearing challenging the content of the education record.

C. Hearing to Challenge Education Record

- If the School denies a parent or eligible student's request to amend an education record, the parent or eligible student may request in writing that he/she be given the opportunity for a hearing to challenge the content of the student's education records on the grounds

that the information contained in the education records is inaccurate, misleading or in violation of the privacy rights of the student.

- The hearing to challenge the education record shall be held within 30 days of the date of the request for a hearing, notice of the date, time and place of the hearing will be sent by the School to the parent or eligible student no later than 20 days before the hearing.
- The hearing will be conducted by the school board President. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues relating to the challenge to the education record. The parent or eligible student may also, at his/her own expense, be assisted or represented by one or more individuals of his/her choice, including an attorney. President's decision will be based solely on the evidence presented at the hearing. Within 30 days of the conclusion of the hearing, the School's decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision.
- If, as a result of the hearing, the School decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it will amend the record accordingly and inform the parent or eligible student of the amendment in writing.
- If, as a result of the hearing, the School decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the School, or both. If the School places a statement by the parent or eligible student in the education records of a student, it will maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

D. Disclosure of Education Records and Directory Information

- The School must have a signed and dated written permission from the parent or eligible student before releasing any information from a student's education record with the exceptions listed below and for directory information. With the exceptions listed below, the School will not release educational records to any person or entity outside the School without the written consent of a parent or eligible student. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent.
- The School will only disclose personally identifiable information on the condition that the receiving parties not disclose the information to any party without the prior consent of the parent or eligible student and that the receiving party use it for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall

within the disclosure exceptions listed below and the School maintains the appropriate records, as described below. Except for disclosures pursuant to a judicial order or lawfully issued subpoena, of directory information or to parents or eligible students, the School will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior writing consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made.

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

- School employees who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
- Other schools to which a student seeks or intends to enroll;
- Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
- Appropriate parties in connection a student’s application for, or receipt of, financial aid to a student if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
- Organizations conducting certain studies for the School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
- Accrediting organizations in order to carry out their accrediting functions;
- Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
- Individuals who have obtained lawful court orders or subpoenas;
- Persons who need to know in cases of health and safety emergencies;
- State and local authorities, within a juvenile justice system, pursuant to specific State law.
- A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by the School with respect to that alleged crime or offense. The School may disclose the final results of the disciplinary proceeding, regardless of whether the School concluded a violation was committed.

V. Requirements in Specific Disclosure Situations

- If the School education records pursuant to Section IV.E. above without consent to officials of another school, school system or institution of postsecondary education where the student seeks or intends to enroll, the School will make a reasonable attempt to notify the parent or eligible student at his/her last known address, unless the

disclosure is initiated by the parent or eligible student. Additionally, the 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 hearing pursuant to Section IV.C. above.

VI. Record Keeping Requirements

- The School will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.
- For disclosures of personally identifiable information to institutions that make disclosures of the information on behalf of the School in accordance with 34 C.F.R. 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of the School and the legitimate interests that each of the additional parties has in requesting or obtaining the information.
- These record keeping requirements do not apply to requests from or disclosure to parents and eligible students, School officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.
- The records relating to disclosures of personally identifiable student information may be inspected by parents and eligible students, School officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of the School.

VII. Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5920**

Pupil Suspension and Expulsion Policy

I. Introduction

- This Pupil Suspension and Expulsion Policy (the “Policy”) for River Oaks Academy (“School”) has been established in order to promote learning and protect the safety and

well-being of all students. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction.

- Staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students. The Policy will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. The Director shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy is available on request at the Director's office.
- Discipline includes, but is not limited to, advising and counseling students, conferring with parents/guardians, community service on or off campus, suspension and expulsion. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of reasonable force necessary to protect the employee, students, staff or other persons or to prevent damage to school property.
- A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504, the IDEA, the Americans with Disabilities Act of 1990 ("ADA") and all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

II. Suspension

B. Definition

Suspension is the temporary removal of a pupil from class instruction for adjustment or disciplinary reasons. Suspension does not mean any of the following:

- Reassignment to another education program or class at the School where the pupil will receive continuing instruction for the length of day prescribed by the Board for pupils of the same grade level;
- Referral to a certificated employee designated by the Director to advise pupils;
- Removal from the class, but without reassignment to another class for the remainder of the class period without sending the pupil to the Director or designee.
- While suspended, the pupil may not loiter on or about any School grounds at any time, nor attend or participate in any School activity at any time, no matter where such activity is taking place. Violation may result in further disciplinary action.

- The School shall consider suspension from School only when other means of correction fail to bring about proper conduct or where the student's presence would constitute a danger to persons or property or seriously disrupt the educational process.

C. Authority

The School Administrator or his/her designee may suspend a student from class, classes or the school for a period not to exceed five days. The Director or his/her designee may extend a student's suspension pending final decision by the Board of Directors of the School on a recommendation for expulsion. On a recommendation for expulsion, the Board of Directors may suspend a special education student being considered for expulsion in accordance with the laws relating to expulsion of special education students.

A pupil may not be suspended or expelled for any of the acts enumerated in this Policy unless the act is related to school activity or school attendance of River Oaks Academy. A pupil may be suspended or expelled for acts that are enumerated in this Policy and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to or coming from a school sponsored activity

D. Grounds

Students may be suspended or expelled for any of the following acts (whether completed, attempted or threatened) when it is determined the pupil:

- Caused physical injury to another person or willfully used force or violence upon the person of another, except in self-defense
- Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from an authorized certificated school employee, with the Director or designee's written concurrence
- 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 (including, but not limited to, opiates, hallucinogenic substances, stimulants, depressants and narcotic drugs), alcoholic beverage or intoxicant of any kind.
- 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 the same as a controlled substance, alcoholic beverage or intoxicant
- Committed robbery or extortion
- Caused damage to school property or private property

- Stole school property or private property
- Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel
- Committed an obscene act or engaged in habitual profanity or vulgarity
- Unlawfully possessed or offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code section 11014.5
- 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
- Knowingly received stolen school property or private property
- 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
- Committed 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
- 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
- Made terrorist threats against school officials and/or school property
- Committed sexual harassment
- Caused or participated in an act of hate violence
- Carried, possessed, sold or otherwise furnished an electronic signaling device
- Committed hazing
- Committed vandalism/malicious mischief
- Violated academic ethics
- Falsified or misinterpreted notes or phone calls of parents or guardians
- Falsely activated fire alarm
- Habitually violated the dress code
- 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.

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

E. Procedures Required to Suspend

1. Step One

The Director shall investigate the incident and determine whether or not it merits suspension.

Searches: In order to investigate an incident, a student's attire,¹ personal property, vehicle or school property, including books, desks and school lockers, may be searched by a Director or designee who has reasonable suspicion that a student has violated or is violating the law or the rules of the school. *Illegally possessed items shall be confiscated and turned over to the police.*

2. Step Two

Unless a student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, a suspension will be preceded by an informal conference between the Director and the student in which the student shall be orally informed of the reason for the suspension, the evidence against him, and be given the opportunity to present informal proof of his/her side of the story. If the student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the informal conference will 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, hospitalization or detention in a correctional facility.

At the time of the suspension, a School employee shall make a reasonable effort to contact the parent/guardian by telephone or in person to inform him/her of the suspension and the reasons therefor.

If a student is suspended without the informal conference, both the student and the parent/guardian will be notified of a student's right to return to school for the purpose of a conference.

3. Step Three

The Director determines the appropriate length of the suspension (up to 10 days). When suspensions do not include a recommendation for expulsion, they shall not exceed 10 consecutive school days per suspension.

4. Step Four

The Director fills out a Notice of Suspension Form, a copy of which will be sent to the student's parent/guardian and to the student. A copy of this form is also placed in the student's cumulative file at the School. The Notice of Suspension Form shall state the fact of suspension, its duration and the specific offense committed by the student. In addition, the notice may state the date and time when the student may return to school. The notice shall also state that if desired by the parent/guardian, a prompt meeting or hearing will be held at which the suspension may be discussed and at which the student may be present and afforded an opportunity to present informal proof of his/her side of the case. Additionally, if the School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request the parent/guardian to respond to such requests without delay.

5. Step Five

¹ This does not include removing clothing to permit visual inspection of the under clothing, breasts, buttocks or genitalia of the pupil.

The Director determines whether the offense warrants a police report. The Director will report certain offenses to law enforcement authorities in accordance with Education Code section 48902.

When the Director releases a minor pupil to a police officer for the purpose of removing the minor from the school premises, the Director shall take immediate steps to notify the parent, guardian or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, unless the minor has been taken into custody as a victim of suspected child abuse.

6. Step Six

The Director may require the student and his/her parent/guardian to sign a contract that states the conditions that the student is expected to meet while at the School. Copies of the signed contract are kept by the school and given to the parent/guardian.

F. Special Education Student Suspensions

When suspensions involve special education students, a manifestation determination meeting shall be held no later than the 10th suspension day (whether consecutive or cumulative for the school year). The Director shall notify the student's special education teacher when the student's cumulative days of suspension for that school year reaches eight. That special education teacher shall promptly notify the Director of the need for the manifestation determination meeting. The manifestation determination meeting shall include the LEA, the parent, and relevant members of the student's IEP Team (as determined by the parent and the LEA).

The student shall be treated as a general education student for disciplinary purposes, except to the extent that educational services must continue, if at the manifestation determination meeting the following are both determined in the negative, after reviewing all relevant information in the student's file, including the student's IEP, any teacher observations and any relevant information provided by the parents: 1) the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or 2) the conduct in question was the direct result of the LEA's failure to implement the IEP. If it is determined at the manifestation determination meeting that 1) or 2) is answered in the affirmative, the conduct is deemed a manifestation of the disability.

If the conduct is deemed a manifestation of the disability, the IEP Team must conduct a functional behavioral assessment, create a plan and implement it, or if the plan is preexisting, review it and modify it as necessary to address the behavior.

In the case of a manifestation of a disability, the student will be returned to the placement from which he/she was removed, unless the LEA and parent agree to a change of placement as part of the modification of the behavioral intervention plan. For special education students, a new manifestation determination meeting is required for all proposed suspensions exceeding ten cumulative days in one school year.

The special education student may be removed from school to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student: 1) carries a weapon to or possesses a weapon at school, on school premises or to or at a school function under the jurisdiction of the School; 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 under the jurisdiction of

the School; or 3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the School.

G. Appeal Process

A student or the student's parent/guardian may appeal those disciplinary actions, other than expulsion, imposed upon a student for his/her School related offenses. Appeals must be made first in writing at the School level, and should be directed to the Director within 5 days of the School sending the Notice of Suspension Form to the parent/guardian and the student. The Director will attempt to resolve the appeal with a written response within ten school days of receiving the written appeal. After appeal at the School level, if further appeal is desired, the student or his/her parent/guardian should appeal in writing to the Board within 5 days of the date of the School level written response and should direct it to the Board for final resolution within 15 school days. If any appeal is denied, the student, his/her parent/guardian may place a written rebuttal to the action in the student's file.

III. Expulsion

A. Definition

Expulsion means involuntary disenrollment from the charter school.

B. Authority

A student may be expelled either by the Board following a hearing before it or by the Board upon a recommendation of an Administrative Panel to be assigned by the Board as needed. The Panel may recommend expulsion of any student found to have committed an expellable offense.

The Board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class or program that is deemed appropriate for the rehabilitation of the pupil [or other conditions such as good behavior, attendance, etc.]. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the pupil has satisfactorily completed the rehabilitation program.

C. Grounds for Expulsion

1) Category I Expulsions – Mandatory Recommendation for Expulsion

A student who has committed one or more of the following acts must be immediately suspended and recommended for expulsion.

- Possessing, selling or otherwise furnishing a firearm when a school employee verifies firearm possession, unless the student obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or his/her designee
- Brandishing a knife at another person
- Unlawfully selling a controlled substance

- Committing or attempting to commit a sexual assault or committing a sexual battery
- Possession of an explosive

2) Category II Expulsions – Recommendation for Expulsion Required, Unless Inappropriate Under the Circumstances

A student who has committed one of the following acts of misconduct must be recommended for expulsion, unless particular circumstances render it inappropriate.

- Causing physical injury to another person, except in self-defense
- Possession of any knife, explosive or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
- Robbery or extortion
- Assault or battery on a school employee

3) Category III Expulsions – Discretionary Expulsion Recommendation

In the discretion of the Director or his/her designee, any act that warrants suspension may warrant expulsion. Additionally, a student may be expelled for misconduct that is not listed above if the acts disrupt and/or present ongoing health and/or safety concerns, or the student has repeatedly engaged in the misconduct.

D. Procedures to Expel a Student

1) Step One

The Director investigates the incident and determines whether the offense results in a suspension. If so, the Director follows the procedures to suspend the student as outlined above.

2) Step Two

In the discretion of the Director, a student’s suspension may be extended pending expulsion. In this case, a meeting is held within 10 school days of the student’s suspension to extend the suspension. The student and his/her parent/guardian are invited to attend this meeting with the Director or his/her designee. The teaching staff may also be present.

At this meeting, the offense and the repercussions are discussed. An extension of the suspension may be granted only if the Director or his/her designee has determined, after the meeting, that the presence of the student at the School would cause a danger to persons or property or a threat of disrupting the instructional process. If the student has committed an offense that requires a mandatory expulsion recommendation, this is discussed so that it is understood by all parties. The purpose of the meeting is to decide upon the extension of the suspension order and may be held in conjunction with the initial meeting with the parents after the suspension.

3) Step Three

The School shall send a letter to the student and parent/guardian regarding the expulsion hearing. The expulsion hearing shall be held no later than 30 school days of the date that expulsion is recommended, unless a brief extension is requested by the student or his/her parent/guardian.

The letter shall be sent via certified mail to the student and his/her parent/guardian to the address reflected in the pupil's student file at least 10 calendar days before the date of the hearing. The letter shall notify the student and parent/guardian when and where the expulsion hearing will take place and the rights of the student with respect to the hearing, including:

- The date and place of the expulsion hearing;
- A statement of the facts, charges and offenses upon which the proposed expulsion is based;
- A copy of the School's disciplinary rules relating to the alleged violation;
- Notification of the student's or parent/guardian's obligation to provide information about the student's status at the School to any other school district or school to which the student seeks enrollment;
- The opportunity for the student or the student's parent/guardian to appear in person and/or to employ and be represented by counsel or an advocate;
- The right to inspect and obtain copies of all documents to be used at the hearing;
- The opportunity to confront and question 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 witness testimony.

4) Step Four

The Director shall maintain documents that may be used at the hearing and make them available for review by the student and/or his/her parent/guardian. These papers may include, but are not limited to, the following: A record of the student's attendance and grades, a record of previous infractions, a statement of the facts surrounding the case made by a significant observer; a statement of the facts surrounding the case made by a witness, a law enforcement agency's report and any other relevant matter.

5) Step Five

An expulsion hearing shall be held before Board of Directors. 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 a complete written transcription of the proceedings can be made.

While the 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 Board of Directors to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on evidence produced at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay evidence, although sworn declarations may be admitted as testimony from witnesses who are determined by the

Board of Directors that disclosure of their identity or live 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.

6) Step Six

The decision of the Board of Directors shall be in the form of a written recommendation, with findings of fact, to the Board of Directors who will make a final determination regarding the expulsion. The final decision by the Director shall be made within 10 days following the conclusion of the hearing or within 40 school days after the date of the pupil's removal from the School for the incident for which the recommendation for expulsion is made. If the Board of Directors decides not to recommend expulsion, the pupil shall be reinstated and permitted to return to classroom programs. The decision not to recommend expulsion shall be final.

7) Step Seven

The Director, or designee, following a decision of the Board of Directors to expel a student, shall send written notice of the decision to expel, including the Board of Directors' findings of fact, to the student or parent/guardian. The notice shall include the following:

- Notice of the specific offense committed by the student;
- Notice of the right to appeal the expulsion to the County Board of Education. If that Board does not hear such appeals, the student may submit a written objection and request for reconsideration to the school's Board of Directors within 10 days. Decisions of the Board of Directors shall be final.
- 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 within the charter school

Within 30 days of the decision to expel, the Director shall send written notice of the decision to expel to the student's district of residence, the County Office of Education and the charter granting district (if different than the student's district of residence). This notice shall include the student's name and the specific expellable offense committed by the student.

8) Step Eight

Expelled students are responsible for seeking alternative education programs, including but not limited to, programs within the County or their school district of residence.

9) Step Nine

The school shall maintain records of all student suspensions and expulsions at the school site. Such records shall be made available for the Ventura County Board of Education's review upon request.

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

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board of Directors or its designee following a meeting with the Director and the pupil and parent/guardian 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 shall make a recommendation to the Board of Directors following the meeting regarding his/her determination. The pupil's readmission is also contingent upon the school's capacity and any other admission requirements in effect at the time the student seeks admission or readmission.

Health Examinations, Immunizations and Oral Health Assessments

I. Health Examinations

A. Health Examination Certificates or Waivers

On or before the 90th day after a student's entrance into first grade at River Oaks Academy Charter School (the "School"), all students must provide a certificate approved by the California Department of Health Services documenting that within the prior 18 months, the child had received the appropriate health screening and evaluation services as provided by Health & Safety Code section 124040. Alternatively, the student must provide a waiver signed by the student's parents/guardians indicating that they do not want or are unable to obtain the health screening and evaluation services for their child. If the waiver indicates that the parents/guardians are unable to obtain services for the child, the reasons why should be included in the waiver. If the student fails to provide the required documentation, the student will be excluded from the School for not more than five days. In limited circumstances, up to five percent of the School's first grade enrollment may obtain exemptions from exclusion if the School contacts the student's parents/guardians at least twice before the 90th day after entrance to the first grade and they refuse to provide either a certificate or waiver. These exemptions shall only be used in extraordinary circumstances, including, but not limited to, family situations of great dysfunction or disruption, including substance abuse by parents or guardians, child abuse or child neglect.

B. Health Examinations by the School

The Governing Board recognizes that periodic health examinations of students may lead to the detection and treatment of conditions that impact learning. Health examinations also may help in determining whether special adaptations of the School's program are necessary.

A parent/guardian may file annually with the School's Director a statement in writing, signed by the parent/guardian, stating that he/she will not consent to a physical examination of his/her child. The student will thereafter be exempt from physical examinations, but if there is good reason to believe that the student is suffering from a recognized contagious or infectious disease,

the student will be sent home and not be permitted to return to school until the School Director is satisfied that any contagious or infectious disease does not exist.

1) Scoliosis Screening:

Every female student in grade 7 and every male student in grade 8 shall be screened for the condition known as scoliosis. The screening shall be in accordance with standards established by the State Department of Education. The screening shall take place during the regular school day and any staff time devoted to these activities shall be redirected from other ongoing activities not related to the student's health care. If a student is suspected of having scoliosis, the School will notify the parents. The notice will include an explanation of scoliosis, the significance of treating it at an early age, and the public services available, after diagnosis, for treatment.

The Director, or designee, shall ensure that staff employed to examine students are fully qualified to do so and exercise proper care of each student and that examination results are kept confidential. Records related to these examinations shall be available only in accordance with law.

The School Director may make reports to the Governing Board regarding the number of students found to have physical problems and the effort made to correct them from time to time. The reports shall in no way reveal the identity of students.

C. Immunizations

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board desires to cooperate with state and local health agencies to encourage immunization of all district students against preventable diseases.

1) Admission:

Students shall not be unconditionally admitted to the School unless prior to his/her first admission to the School, he/she presents an immunization record which shows at least the month and year of each immunization the student has received, in accordance with law. Students may be conditionally admitted in accordance with the regulations promulgated by the Department of Health Services. If a student conditionally admitted fails to fulfill the conditions of admission, the School will prohibit the student from further attendance until that student has been fully immunized as required by law.

Immunization records shall be part of the mandatory permanent pupil record and shall be kept in accordance with the School's record-keeping policy.

If the School discovers that an admitted student has not received all required immunizations, the School will notify his/her parent/guardian. If, within 10 school days of the notice, the child does not provide documentation of having received all required immunizations, the School shall exclude the student from attendance.

2) Exemptions from Requirements:

Students will be exempted from immunization requirements if his/her parent or guardian files with the School a letter or affidavit stating that the immunization is contrary to his or her beliefs.

Additionally, a student will be exempted from the immunization requirements, to the extent indicated in the written statement, if his/her parent or guardian files with the School a written statement by a licensed physician to the effect that the physical condition of the student is such, or medical circumstances relating to the student are such, that the immunization is not considered safe. However, whenever there is good cause to believe that the person has been exposed to a communicable disease for which immunization is required, that student may be temporarily excluded from the School until the local health officer is satisfied that the person is no longer at risk of developing the disease.

The School will file a written report on the immunization status of new entrants to the School with the Department of Health Services as required by law.

The Director, or designee, may arrange for qualified medical personnel to administer immunizations at School to any Student whose parent/guardian has consented in writing.

D. Oral Health

1) Admission:

By May 31 of each school year, students entering kindergarten or the first grade (who have not attended kindergarten) must present proof to the school of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional. The oral health assessment must have been performed no earlier than 12 months prior to the date of initial enrollment.

A student may be excused from this requirement if his/her parent or guardian indicates on the approved form provided by the school one or more of the following reasons apply:

- The oral health assessment poses an undue financial burden on the parent/guardian;
- The parent/guardian lacks access to a licensed dentist or other licensed or registered dental health professional; or
- The parent/guardian does not consent to the assessment.

Notice: Upon initial enrollment in kindergarten or first grade, the school will notify parent/guardians of the required oral health assessment on the California Department of Education approved form.

2) Report to County Office of Education:

By December 31 of each year, the school will submit a report to the County Office of Education containing the following information:

- the total number of pupils in the school who are subject to the oral health assessment requirements of the statute;
- the total number of pupils who submitted proof of an assessment;
- the total number of pupils who could not complete the assessment due to financial burden;
- the total number of pupils who could not complete the assessment due to lack of access to a dentist;
- the total number of pupils who could not complete the assessment because their parents/guardians did not consent;
- the total number of pupils who are assessed and found to have untreated decay;

- the total number of pupils who did not return either the assessment form or the waiver request to the school

II. Administration of Medications

The following policy regarding the administration of medications is applicable when the staff of River Oaks Academy Charter School (The “School”) is responsible for the administration of, or assisting in the administration of, medication to students attending school during regular school hours, including before- or after-school programs, field trips, extracurricular and co-curricular activities, and camps or other activities that typically involve at least one overnight stay away from home, because administration of the medication is absolutely necessary during school hours and the student cannot self-administer or another family member cannot administer the medication at school.

A. Requirements for Administration or Assistance:

Before the School will allow a student to carry and self-administer prescription auto-injectable epinephrine, or inhaled asthma medication, or have authorized School personnel administer medications or otherwise assist a student in administering his or her medication, the School must receive a copy of the following:

- **A written statement executed by the student’s authorized health care provider specifying the medication the student is to take, the dosage, and the period of time during which the medication is to be taken and a statement that the medication must be taken during regular school hours, as well as detailing the method, amount and time schedule by which the medication is to be taken;**
- A written statement by the student’s parent or guardian initiating a request to have the medication administered to the student or to have the student otherwise assisted in the administration of the medication, in accordance with the authorized health care provider’s written statement. The written statement shall also provide express permission for the School to communicate directly with the authorized health care provider, as may be necessary, regarding the authorized health care provider’s written statement.
- In the cases of self-administration of asthma medication or prescription auto-injectable epinephrine, the School must also receive a confirmation from the authorized health care provider that the student is able to self-administer the medication and a written statement from the parent/guardian consenting to the student’s self-administration and releasing the School and its personnel from civil liability if the self-administering student suffers an adverse reaction by self-administering his/her medication.

New statements by the parent/guardian and the authorized health care provider shall be required annually and whenever there is a change in the student’s authorized health care provider, or a change in the medication, dosage, method by which the medication is required to be taken or date(s), or time(s) the medication is required to be taken. If there is not a current written statement by the student’s parent or guardian and authorized health care provider, the School may not administer or assist in administration of medication. The School will provide each parent with a reminder at the beginning of each school year that they are required to provide the proper written statements.

Parent(s)/guardian(s) of students requiring administration of medication or assistance with administration of medication shall personally deliver (or, if age appropriate, have the student deliver) the medication for administration to the Wendy Travers.

B. Responses to the Parent/Guardian upon Request:

The School shall provide a response to the parent/guardian within 10 business days of receiving the request for administration and the physician statement regarding which School employees, if any, will administer medication to the student, and what the employees of the School will do to administer the medication to the student or otherwise assist the student in the administration of the medication.

C. Termination of Consent:

Parent(s)/guardian(s) of students who have previously provided consent for the School to administer medication or assist a student with the administration of medication may terminate consent by providing the School with a signed written withdrawal of consent on a form obtained from the office of the School Director.

D. Authorized Personnel:

A nurse who is employed by the School and certified in accordance with Education Code section 44877 will administer or assist in administering the medication to students. If not available, a designated School employee who is legally able to and has consented to administer or assist in administering the medication to students will administer the medication or otherwise assist the students.

E. Storage of Medication:

Medication for administration to students shall be maintained in the office of the School nurse in a locked cabinet. It shall be clearly marked for easy identification. If the medication requires refrigeration, the medication shall be stored in a refrigerator in a locked office, which may only be accessed by the School nurse and other authorized personnel. If stored medication is unused, discontinued or outdated, the medication shall be returned to the student's parent/guardian where possible. If not possible, the School shall dispose of the medication by the end of the school year in accordance with applicable law.

F. Confidentiality:

School personnel with knowledge of the medical needs of students shall maintain the students' confidentiality. Any discussions with parents/guardians and/or authorized health care providers shall take place in an area that ensures student confidentiality. All medication records or other documentation relating to a student's medication needs shall be maintained in a location where access is restricted to the School Director, the School nurse or other designated School employees.

G. Medication Record:

The School shall maintain a medication record for each student that is allowed to carry and self-administer medication and for each student to whom medication is administered or other assistance is provided in the administration of medication.

The medication record shall contain the following: 1) The authorized health care provider's written statement; 2) The written statement of the parent/guardian; 3) A medication log (see

below); 4) Any other written documentation related to the administration of the medication to the student or otherwise assisting the pupil in the administration of the medication.

The medication log shall contain the following information: 1) Student's name; 2) Name of the medication the student is required to take; 3) Dose of medication; 4) Method by which the pupil is required to take the medication; 5) Time the medication is to be taken during the regular school day; 6) Date(s) on which the student is required to take the medication; 7) Authorized health care provider's name and contact information; and 8) A space for daily recording of medication administration to the student or otherwise assisting the student, such as date, time, amount, and signature of the individual administering the medication or otherwise assisting in administration of the medication.

H. Deviation from Authorized Health Care Provider's Written Statement:

If a material or significant deviation from the authorized health care provider's written statement is discovered, notification as quickly as possible shall be made as follows: 1) If discovery is made by a licensed health care professional, notification of the deviation shall be in accordance with applicable standards of professional practice; 2) If discovery is made by an individual other than a licensed health care professional, notification shall be given to the School Director, the student's parent/guardian, any School employees that are licensed health care professionals and the student's authorized health care provider.

I. Specialized Physical Health Care Services for Individuals with Exceptional Needs:

1) Authorized Personnel:

The following individuals may assist students with exceptional needs who require specialized physical health care services during the regular school day:

- Qualified persons who possess an appropriate credential issued pursuant to Education Code sections 44267 or 44267.5
- Qualified designated school personnel trained in the administration of specialized physical health care if they perform those services under the supervision, pursuant to 5 C.C.R. § 3051.12, of a credentialed school nurse or licensed physician and surgeon and the services are determined by the credentialed school nurse or licensed physician and surgeon, in consultation with the physician treating the pupil, to include all of the following:
 - Routine for the pupil;
 - Pose little potential for harm for the pupil;
 - Performed with predictable outcomes, as defined in the Individualized Education Program of the pupil;
 - Does not require a nursing assessment, interpretation, or decision making by the designated school personnel

- Persons providing specialized physical health care services for students with exceptional needs shall demonstrate competence in basic cardiopulmonary resuscitation and shall be knowledgeable of the emergency medical resources available in the community in which the services are performed.

Specialized health care or other services for students with exceptional needs that require medically related training shall be provided pursuant to the procedures identified in this policy generally.

Specialized physical health care services include catheterization, gastric tube feeding, suctioning or other services that require medically related training.

III. Emergencies

H. First Aid and CPR

All teachers are certified in first aid and CPR and are re-certified every year in either first aid or CPR. Every classroom has a First Aid Kit containing appropriate supplies. First aid will be administered whenever necessary by trained staff members. When necessary, the appropriate emergency personnel will be called to assist.

I. Resuscitation Orders

School employees are trained and expected to respond to emergency situations without discrimination. If any student needs resuscitation, trained staff shall make every effort to resuscitate him/her. The School does not accept or follow any parental or medical “do not resuscitate” orders. School staff should not be placed in the position of determining whether such orders should be followed. The School Director, or his/her designee, shall ensure that all parents/guardians are informed of this policy.

J. Emergency Contact Information

For the protection of a student’s health and welfare, the School shall require the parent/guardian(s) of all students to keep current with the School emergency information including the home address and telephone number, business address and telephone number of the parent/guardian(s), and the name, address and telephone number of a relative or friend who is authorized to care for the student in any emergency situation if the parent/guardian cannot be reached.

K. Emergency Aid to Students with Anaphylactic Reaction

The School will provide emergency epinephrine auto-injectors to trained School personnel and those trained personnel may use those epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. The training provided to School personnel shall be in compliance with the requirements of Education Code section 49414.

Trained School personnel shall immediately administer an epinephrine auto-injector to a person exhibiting potentially life-threatening symptoms of anaphylaxis at School or a School related activity when a physician is not immediately available.

The School Director shall create a plan addressing the following issues: 1) Designation of the individual(s) who will provide the training for administration of emergency epinephrine auto-injectors; 2) Designation of a licensed health care provider or local emergency medical services director for consultation for the prescription of epinephrine auto-injectors; 3) Documentation as to which School personnel will obtain the prescription from the individual identified under subparagraph (2) and the medication from a pharmacist; and 4) Documentation as to where the medication is stored and how the medication will be made readily available in case of an emergency.

IV. Head Lice

To prevent the spread of head lice infestations, School personnel shall report all suspected cases of head lice to the School nurse, or designee, as soon as possible. The nurse, or designee, shall examine the student and any siblings of affected students or members of the same household in accordance with the School's health examination policy. If nits or lice are found, the student(s) shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

In the event of one or more persons infested with lice, an exposure notice with information about head lice shall be sent home to all parents/guardians of the students that have been exposed to the head lice.

School personnel shall maintain the privacy of students identified as having head lice and excluded from attendance.

Excluded students may return to School when reexamination by the nurse, a designee, or other authorized health care representative shows that all nits and lice have been removed. After returning, the student may be reexamined by the nurse as appropriate to ensure that re-infestation has not occurred.

Freedom of Expression Policy and Procedures

Students attending the School have the right to exercise free expression including, but not limited to the use of bulletin boards, distribution of printed materials or petitions, and wearing buttons, badges and other insignia. The Board of Directors ("Board") respects students' rights to express ideas and opinions, take stands and support causes, whether controversial or not, through their speech, their writing, their clothing, and the printed materials they choose to post or distribute.

Student liberties of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the School community.

IV. Freedom of Expression Procedures

A. Circulation of Petitions and Other Printed Matter

Students shall be allowed to distribute petitions and other printed matter subject to these procedures.

The time of distribution shall be limited to the half hour before school begins, during the lunch period, and the half hour after school is dismissed.

The manner of distribution shall be such that coercion is not used to induce students to accept the printed matter or to sign petitions. Materials are not to be left undistributed or stacked for pick-up while unattended at any place in the School or on School grounds.

B. Buttons, Badges and Other Insignia of Symbolic Expression

Students will be permitted to wear buttons, badges, armbands, and other insignia as a form of expression.

Students will be subject to disciplinary action when expressive activities such as the distribution of materials, wearing of buttons or displays, or posting of notices or other materials:

- Are obscene, libelous or slanderous;
- Incite students so as to create a clear and present danger of the imminent commission of unlawful acts on school premises or of the violation of lawful School regulations or of the substantial disruption of the orderly operation of the School;
- Express or advocate racial, ethnic or religious prejudice so as to create a clear and present danger of imminent commission of unlawful acts on School premises or of the violation of lawful School regulations or of the substantial disruption of the orderly operation of the School;
- Are distributed in violation of the time, place and manner requirements;
- Are in violation of current federal, state and local laws.

C. Unofficial School Publications

School officials may not ban the distribution of non-School-sponsored publications on School grounds. Writers and editors of unofficial student publications who violate any state or federal law may be disciplined after distribution. Students distributing or posting any materials which are obscene, libelous or slanderous, or which demonstrably incite students to commit unlawful acts on School premises, violate School rules, or substantially disrupt the School's orderly operation will be subject to disciplinary action.

The following points apply to unofficial student publications:

- Schools may disassociate themselves from the material printed inasmuch as it is not an official publication of the School.
- School officials may reasonably regulate the time, place and manner of distribution. This distribution will be limited to:
 - One half hour before school begins, during the lunch period, or the half hour after dismissal.
 - In locations that do not obstruct the normal flow of traffic within the School or at entrances.
 - Without undue noise.

- No student shall use coercion to induce students or any other persons to accept printed matter or to sign petitions.
- “Distribution” means dissemination of a publication to students at a time and place of normal School activity, or immediately prior to or subsequent thereto, by means of handing out free copies, selling or offering copies for sale, accepting donations for copies of the publication, or displaying the student publication in areas of the School which are generally frequented by students.

School officials cannot:

- Prohibit the distribution of anonymous literature or require that literature bear the name of the sponsoring organization or author.
- Ban the distribution of literature because it contains advertising.
- Create regulations that discriminate against non-School-sponsored publications or interfere with the effective distribution of non-sponsored publications provided such publications abide by time, place and manner regulations.

D. Other forms of Student Expression

Forms of student expression may include, but are not limited to speech, debate, assemblies, posters, bulletin board announcements, and the wearing of buttons, badges and armbands. In general, the laws pertaining to all forms of student expression are the same. The rights of students to express their opinions are recognized by law and are not limited to verbal expression. The basic guidelines listed above for publications apply to all forms of student expression. No teacher or administrator shall interfere with such expression on the grounds that the message may be unpopular with students or faculty.

In conforming to state and federal laws, student expression must obey copyright laws; for example, student posters cannot use nationally registered and copyrighted characters such as those from Walt Disney or “Peanuts” publications.

E. Distribution of Procedures Governing Student Rights

Site administrators will distribute copies of this Administrative Procedure to all teachers who are advisors of students who produce publications or present public performances. It is the responsibility of the School and site administrators to see that these guidelines are kept up-to-date and accurate.

F. Appeals

The pupil and a School staff member shall attempt to resolve the problem before consulting the administrative staff. If the issue cannot be resolved between the staff member and the pupil, the pupil may appeal the decision to the site administrator, and then to the Charter School Director or his/her designee. As a final step, the pupil may follow the School’s complaint procedures as outlined in the Student/Parent Handbook.

Policy Against Plagiarism

I. Academic Honesty

The Governing Board believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.

Students, parents/guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed and act of academic dishonesty shall be subject to discipline, up to and including suspension or expulsion from School.

The Director, or designee, may establish a committee comprised of students, parents/guardians, staff, administrators, and members of the public to develop standards of academic honesty, measures of preventing dishonesty, and specific consequences for acts of dishonesty.

Student Internet Use Policy and Agreement

I. INTRODUCTION

The Internet is a place for the exchange of ideas and information. Accordingly, the Internet is an excellent educational tool that allows students to access a wide variety of information to supplement academic study and research. The River Oaks Academy provides students with Internet access and email accounts, as appropriate, to further their education and research. However, the access the Internet provides to computers and people across the world also provides access to materials that do not have educational value in a school setting. As such, students may encounter information and ideas they may consider obscene, controversial, abusive, or otherwise offensive. Despite these risks, the Charter School believes that the value of the educational information available on the Internet far outweighs the risk that students may access information that is not consistent with educational goals and purposes.

The Charter School has developed and adopted this Student Internet Use Policy and Agreement to ensure that student access to and use of the Internet is consistent with the educational goals and purposes of the Charter School. This Policy sets forth student responsibilities and duties when accessing and using the Internet through Charter School equipment and resource networks and when using email accounts maintained by the Charter School. The Charter School has deemed certain uses of the Internet inappropriate for an educational setting and therefore not appropriate for use with Charter School equipment and resource networks. The Charter School stresses that an inappropriate use does not always mean that the use is in itself "bad" or illegal, but only that the use does not further the educational goals and purposes of the Charter School.

In addition to the below identified policies, the Charter School will use technology protection measures that protect against Internet access (by both minors and adults) to visual depictions that are obscene, child pornography, or with respect to use by minors, harmful to minors. These measures may include, but are not limited to, installing a blocking system to block specific

internet sites, setting Internet browsers to block access to adult sites, using a filtering system that will filter all Internet traffic and report potential instances of misuse and using a spam filter.

Students are reminded that their use of Charter School equipment and resource networks reflect upon the Charter School, and Students should guide their activities accordingly.

II. STUDENT RESPONSIBILITIES

A. Use Limited to an Educational Purpose

The Student acknowledges that 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 education. The Student recognizes that he or she has a duty to use Charter School equipment and resource networks only in a manner specified in the Policy.

➤ Educational Purpose

“Educational purpose” means classroom activities; research in academic subjects, career or professional development activities, research in matters of civic importance or that further citizenship in a democratic society, Charter School approved personal research activities, or other purposes as defined by the Charter School from time to time.

➤ Inappropriate Use

An “inappropriate use” is one that is inconsistent with an educational purpose or that is in clear violation of Charter School policy.

1. Plagiarism

Researching information and incorporating that information into a student’s work is an acceptable educational use, but students have an obligation to credit and acknowledge the source of information. Accordingly, the Student acknowledges that plagiarism is inappropriate and unacceptable. Plagiarism means the copying of a phrase, a sentence, or a longer passage from a source written by someone else and claiming the written work as the student’s original work. Student agrees that when quoting from information obtained on the Internet, he or she will acknowledge the source through quotation or any academically accepted form of notation.

2. Copyright.

Student agrees that he or she will not use Charter School equipment or resource networks to download or print text, music, or pictures for the purpose of selling or giving the files to others unless specifically authorized by the Charter School and the owner of the copyrighted material.

3. Communication.

Student agrees that he or she will use Charter School equipment or resource networks or Charter School email accounts in the following manner:

- Student will not post on newsgroups or other message posting systems any communication containing profanity, racially disparaging remarks, or lewd and/or obscene language.

- Student will not at any time use speech that is not appropriate for an educational setting. Examples of speech that is not appropriate for an educational setting includes, but is not limited to, inflammatory language, profanity, personal attacks, harassment, threats to do personal harm or other criminal activity, and language that is intended to be racially derogatory.
- Student will not make threats against others.
- Student will not reveal personal information about others.
- Student will not use email to send chain letters or “spam” email to a list of people or to an individual. Excessive email use may constitute grounds for suspecting misuse.
- Student will not place illegal information on the Internet, nor will Student use the Internet in any way that violates federal, state, or local law.
- All communications will be polite and respectful of others.
- Student will not give out to any other Internet user or post on the Internet his or her name, address, or telephone number unless expressly authorized by the Charter School in writing.

In instances of misuse or suspected misuse, in addition to any disciplinary actions appropriate, the Student’s parent or guardian may be granted access to the Student’s email files.

B. Illegal, Dangerous Activities and Hacking.

Student 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. Student shall not access 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. Additionally, Student shall not damage, debilitate or disable computers, computer networks or systems through the intentional or overuse of electronic distribution or the spreading of computer viruses or other harmful programs. Student shall not engage in any unauthorized online access to other computers by means of hacking into other computers, download hacker tools such as port scanners and password crackers designed for use with Windows (or applicable operating systems), or use Internet Explorer (or other WWW browsing tools) to evade restrictions on what programs Student can run on the Charter School’s computers.

C. Obscene Materials.

Student acknowledges that obscene materials do not further an educational purpose. Accordingly, Student shall not use the Internet to access, upload, download, distribute, or transmit obscene materials or images. Obscene materials include, but are not limited to, materials that offend generally accepted social standards. This includes the access of or retrieval of any sexually explicit materials, and materials that are pornographic, abusive or threatening. Students are to exercise their best judgment when encountering sexually explicit or obscene materials. As a general rule, if the material could not be openly displayed in a classroom setting without violating generally accepted social standards, the material is obscene for purposes of this Policy and must not be accessed. Student further agrees that he or she will not access any

Internet site which requires the Student to state that he or she is eighteen years of age or older as a condition of accessing the site.

D. Supervision and Student Privacy

Student acknowledges that computer equipment, Internet access networks, and email accounts are owned by the Charter School and provided to students for educational purposes. The Charter School will provide staff to monitor and supervise all Student access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens will be positioned so that they are visible to the staff member supervising the students. The Charter School also reserves the right to access stored computer records to assure compliance with this Policy. Student is aware that communication over Charter School owned networks is not private and acknowledges that email and records of Internet activities will be accessed under, but not limited to, the following circumstances:

- a. Routine system maintenance.
- b. General inspection or monitoring, with or without notice to Student, if there is suspicion of inappropriate use.
- c. Specific review of individual files or monitoring of individual activity, with or without notice to Student, if there is suspicion that Student is engaging in inappropriate use.

E. Commercial Activities.

Student agrees that Student will not use the Internet to buy or sell, or attempt to buy or sell, any service or product unless authorized by the Charter School in writing.

F. Information about Others.

Student agrees that he or she will not make any statement or post any communication on the Internet about another person that he or she knows or suspects to be untrue.

G. Violation of Policy.

The Student acknowledges that violation of this Policy can result in a loss of all Internet access and email privileges. If Student violates this Policy, or in any other way uses Charter School equipment in a manner that is not consistent with educational uses, the Student will be promptly notified that he or she has violated the Policy. The Student will be given the opportunity to explain why the Charter School should deem the activity in question a use consistent with the educational purposes stated in this Policy. If the Charter School deems that the use is inconsistent with the educational purposes stated in this Policy, the Charter School may terminate the Student's Internet and email privileges. However, because one of the educational purposes in providing Internet access is to teach students to use the Internet appropriately, the Charter School reserves the right to fashion penalties to specific concerns or specific violations, and Student acknowledges that he or she may receive penalties less than full termination of Internet or email privileges. Such penalties may include, but are not limited to, restricted access to Internet or supervised access to Internet and email.

Student also acknowledges that the Charter School will contact the proper legal authorities if the Charter School concludes or suspects that the Student's Internet activity is a violation of any law or otherwise constitutes an illegal activity.

H. Training

Student acknowledges that he/she will be required to attend training on the requirements of this Internet use policy as a condition of using Charter School owned technology. Student must demonstrate an understanding of the policy prior to receiving an individual account on the Charter School's system.

Sexual Harassment Policy

Sexual harassment of or by any student or member of the River Oaks Academy staff shall not be tolerated. The Governing Board considers sexual harassment to be a major offense, which may result in disciplinary action, including dismissal or expulsion, of the offending student or staff member, or other appropriate sanction.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when it interferes with an individual's performance at school and/or creates an intimidating, hostile or offensive educational environment. The conduct described above is also sexual harassment when submission to it is made either explicitly or implicitly a term or condition of an individual's access to education.

Sexual harassment regulated by this policy pertains to behavior of a sexual nature while students are under the jurisdiction of the School.

Students may receive age-appropriate training and/or instruction on the prohibition of sexual harassment at the School. Copies of this policy, implementing administrative regulations containing rules and procedures for reporting charges of sexual harassment and for pursuing available remedies shall be available at the School's Administrative Office.

Any student who believes that he or she has been harassed or has witnessed sexual harassment is encouraged to immediately report such incident to his or her teacher or to the School's Sexual Harassment Investigator. The Investigator will promptly investigate all such incidents in a confidential manner.

Sexual Abuse and Molestation Prevention

River Oaks Academy Charter School does not permit or allow sexual abuse or molestation to occur in the workplace or at any activity sponsored by or related to it. In order to make this "zero—tolerance" policy clear to all employees, volunteers and staff members, we have adopted mandatory procedures that employees, volunteers, family members, board members, individuals and victims must follow when they learn of or witness sexual abuse or molestation.

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of the actor. Sexual abuse includes sexual assault, exploitation, molestation or injury. It does not include sexual harassment, which is another form of behavior which is prohibited by River Oaks Academy Charter School.

I. Reporting Procedure

All staff members who learn of sexual abuse being committed must immediately report it to the Director. If a child is the victim, the designee will report it to the local or state Child Abuse Agency. Appropriate family members of the victim must be notified immediately of suspected child abuse.

II. Investigation & Follow Up

We take allegations of sexual abuse seriously. Once the allegation is reported we will promptly, thoroughly and impartially initiate an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. Our investigation may be undertaken by either an internal team or we may hire an independent third party. We will cooperate fully with any investigation conducted by law enforcement or regulatory agencies and we may refer the complaint and the result of our investigation to those agencies. We reserve the right to place the subject of the investigation on an involuntary leave of absence. To the fullest extent possible, but consistent with our legal obligation to report suspected abuse to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.

If the investigation substantiates the allegation, our policy provides for immediate reporting to local law enforcement officials as well disciplinary penalties, including but not limited to termination of the actor's relationship with our organization.

There are a number of "red flags" that suggest someone is being sexually abused. They take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody or torn undergarments;
- Genital pain or itching; and
- Physical injuries involving the external genitalia.

Student Organizations & Clubs

The Board recognizes the importance of allowing students to organize and participate in student organizations and clubs for purposes and activities that will forward the betterment of the school and its community.

I. Student Government

If appropriate, the School may establish a student government so long as a faculty member who will supervise such activities and ensure compliance with Board requirements and other applicable lawful regulations. The Principal or designee may establish a fair process for the nomination and election of officer for President, Vice President, Secretary and Treasurer. There shall be a minimum of two class representatives, to be selected by procedures to be developed at the discretion of the faculty of the participating classes. Meetings shall be held in a manner and

at times deemed necessary by the student government. Robert's Rules of Order shall be utilized by the body. However, the body shall generally determine all other rules for its operation and activities consistent with the established rules of the School and the Board.

II. Student Organizations

In addition to a student government body, students may establish organizations or clubs so long as approval is obtained by the governing board consistent with this policy and any other applicable requirements.

A. Approval

The student organization's constitution and by-laws may be prepared through the cooperative work of the students and faculty. A copy of the constitution and by-laws must be submitted to the Principal for initial review to ensure consistency with Board requirements. Once this determination is made, the constitution and by-laws shall be placed on the Board's agenda for review and approval. In reviewing such proposals, the Board shall respect all pupil constitutional and statutory rights. The funds of every student organization shall be deposited, expended and accounted for in accordance with a written procedure developed by the student government, with the assistance of the Principal of the School.

III. Fundraising

All funds raised by any student organization shall be supervised under the name of the School. The School shall also be responsible to periodically audit the funds of the organization. All fundraising must receive prior approval of the Principal and in cases when deemed necessary by the Principal, Board approval will be required. Further, fundraising activities shall not be conducted during instructional time.

IV. Use of School Facilities

The use of school facilities by student organizations will be subject to reasonable rules established by the Board. Students interested in initiating a meeting on school premises shall submit a request in writing to the school Principal. The request should state the name of the person requesting the meeting, the name of the group or type of group requesting the meeting, the number of persons expected to attend, the time requested, and the length of time for the meeting. The Principal or designee shall review the written application and determine, which, if any room is available to accommodate the request. Requests for use shall be presented to the Principal seven school days in advance of the date requested for use. The Principal shall assign a teacher, administrator or other employee to a meeting for "custodial" purposes. The employee shall not participate in the meetings, sponsor the meeting or attempt to influence the form or content of the meeting.

The granting of use of school facilities does not mean the School sponsors or endorses the activities of any student group.

V. Revocation of Privileges

Student groups and individual students meeting on school property or otherwise at a school sponsored event may have their privilege to meet revoked if they engage in conduct which is a violation of this policy, disruptive to the educational process, damages school property or a

violation of any law. Student organizations or their members shall not engage in any activity which coerces, pressures, embarrasses or unduly influences other students to participate in any meeting.

Activities of Military Recruiters on Campus

I. Campus Access

River Oaks Academy shall provide military recruiters the same access to the Charter School's students as is provided generally to post-secondary educational institutions or to prospective employers.

Military recruiters must be from one of the following military organizations:

Air Force	Coast Guard
Air Force Reserve	Coast Guard Reserve
Air Force National Guard	Navy
Air Force ROTC	Navy Reserve
Army	Navy ROTC
Army Reserve	Marine Corps
Army National Guard	Marine Corps Reserve
Army ROTC	