

# Opportunity Youth Academy

## Charter Petition Renewal



**OPPORTUNITY  
YOUTH**

A C A D E M Y



**Santa Clara County Office of Education**

**January 11, 2021**

## Renewal Petitioner Certification Form

(TO BE USED FOR RENEWAL OF A SANTA CLARA COUNTY BOARD OF EDUCATION-AUTHORIZED CHARTER)

This form constitutes the petitioner's signed certification that the petitioner deems the petition to be complete for purposes of commencing the timelines, as specified in Education Code §47605(b) and 47605.6(b).

**(MUST BE COMPLETED AND SIGNED BY PETITIONER)**

Instructions to Lead Petitioner
1. Complete the SCCOE Charter Renewal Review Matrix Form (including petition page numbers).
2. Complete and sign this Petitioner Certification Form.
3. Submit completed & signed Petitioner Certification Form, Matrix, budget documents, and all other required documents with the charter petition to SCCOE Charter Schools Department.

(A) The petition includes a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and has been updated as necessary to reflect the current program offered by the charter school.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(B) The petition contains academic performance data of the charter school on the state and local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for the most recent preceding two years and any/all other data, plans, or information necessary to support renewal.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(C) The dashboard data is not available for the most recently completed year before renewal, and the petition contains verifiable data related to the dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system for the most recent academic year.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(D) The petition includes a redlined version indicating all changes to the petition from when the petition was originally granted or last renewed. The petition packet includes a hard-copy version and electronic (Word & pdf) versions, including an Excel spreadsheet of the budget, LCFF calculator, and an executive summary of the changes from the current charter.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

**I hereby certify in accordance with Education Code Section 47605(b) or 47605.6(b) and County Board Policy 0420.4 that the attached petition, including any appendices and attachments, is deemed complete and the terms of this certification form are true and correct. I understand and acknowledge that failure to provide accurate or complete information may subject the charter to denial or revocation if later discovered and the omission/inaccuracy is material.**

Name of Charter School:

Opportunity Youth Academy

Steve Olmos / Assistant Superintendent	12/31/2020	<div style="border: 1px solid black; padding: 2px;">DocuSigned by:</div> <div style="font-family: cursive; font-size: 1.2em; margin: 0;">Steve Olmos</div> <div style="font-size: 0.8em; margin: 0;">643C671C4B414CC...</div>
Name & Title of Lead Petitioner	DATE	Signature of Lead Petitioner
Michelle Johnson Associate Director Charter Schools	1/11/2021 12:07	<div style="border: 1px solid black; padding: 2px;">DocuSigned by:</div> <div style="font-family: cursive; font-size: 1.2em; margin: 0;">Michelle Johnson</div> <div style="font-size: 0.8em; margin: 0;">FA71C9679C3A4D5...</div>
Name & Title of County Personnel Receiving Petition	DATE	Signature of County Personnel Receiving Petition



January 11, 2021

Board of Education  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131

Dear Board of Education,

On behalf of Opportunity Youth Academy (OYA), I submit this renewal petition with gratitude for the opportunity OYA has been given to serve the students in Santa Clara County. We firmly believe that renewal of the OYA countywide dependent charter petition will continue to provide access to a quality educational pathway for students who are not currently enrolled in school and have not yet earned a diploma. We strive to prepare each graduate to be a successful member of the 21<sup>st</sup> century workforce who will benefit the greater Santa Clara County Region. To that end, OYA's organizational mission is to provide a premier high school reengagement program engaging students through relationship-focused, high-tech, and rigorous learning experiences resulting in students and graduates being ***"Ready to Learn, Ready to Work and Ready to Live"***.

We look forward to working with you, your staff, and the Santa Clara County Board of Education in the hope and expectation that OYA can continue to live up to our commitment to provide a path to success in school and beyond for all students.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Olmos".

Steve Olmos, Ed.D.  
Assistant Superintendent  
Student Support & Services Division

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## CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS

In 1992 the California Legislature enacted the Charter Schools Act of 1992. Section 47601 of the California Education Code states that:

It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning.
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- (c) Encourage the use of different and innovative teaching methods.
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
- (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

The Charter Schools Act (or “the Act”) (Education Code Section 47600, *et seq.*) requires each charter school to have a “charter” that outlines the mandatory items of the Act. The following provisions of this charter coincide with the requirements of a charter petition as required by Section 47605.6 of the Act.



## AFFIRMATIONS/ASSURANCES

As the authorized lead petitioner, I, Steve Olmos, hereby certify that the information submitted in this petition for renewal of the charter for a California public charter school named Opportunity Youth Academy (OYA), to be located at multiple locations within the boundaries of Santa Clara County, and to be authorized by the Santa Clara County Board of Education is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, OYA will follow any and all federal, state, and local laws and regulations that apply, including but not limited to:

- OYA shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605.6(d)]
- OYA shall follow all provisions of the Educational Employment Relations Act. [Ref. Education Code Section 47605.6(b)(6)]
- OYA shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605.6(e)(1)]
- OYA shall not charge tuition. [Ref. Education Code Section 47605.6(e)(1)]
- OYA shall admit all students who are eligible to attend, and who submit a timely application; unless OYA receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605.6(e)(2), admission to OYA shall not be determined according to the place of residence of the student or his or her parents within the state. Preference in the public random drawing shall be given and any preferences shall be approved as required by Education Code Section 47605.6(e)(2)(B) and in accordance with this charter. In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of OYA in accordance with Education Code Section 47605.6(e)(2)(C). [Ref. Education Code Section 47605.6(e)(2)(B)]
- Admission preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation and shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. [Ref. Education Code Section 47605.6(e)(2)(B)]
- OYA shall not discourage a pupil from enrolling or seeking to enroll in OYA for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause Education Code Section 47605.6(e)(2)(B)(iii). [Ref. Education Code Section 47605.6(e)(4)(A)]
- OYA shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to OYA before enrollment. [Ref. Education Code Section 47605.6(e)(4)(B)]
- OYA shall not encourage a pupil currently attending OYA to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605.6(e)(2)(B)(iii). This shall not apply to actions taken by OYA pursuant to the procedures described in Education Code Section 47605.6(b)(5)(J). [Ref. Education Code Section 47605.6(e)(4)(C)]

- OYA shall post on its internet website the notice of the requirements of Education Code Section 47605.6(e) developed by the California Department of Education (“CDE”) pursuant to and shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of this notice at all of the following times:
  - (i) When a parent, guardian, or pupil inquiries about enrollment.
  - (ii) Before conducting an enrollment lottery.
  - (iii) Before disenrollment of a pupil. [Ref. Education Code Section 47605.6(e)(4)(D)]
- OYA shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of “hate crimes” set forth in Section 422.55 of the Penal Code -, including immigration status, or association with an individual or group with one or more of the aforementioned characteristics). [Ref. Education Code Section 47605.6(e)(1)]
- OYA shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973 (“Section 504”), Title II of the Americans with Disabilities Act of 1990 (“Americans with Disabilities Act”), and the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”).
- OYA shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Education Code Section 47605.6(l)]
- OYA shall ensure that teachers in the Academy hold a Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment. [Ref. California Education Code Section 47605.6(l)]
- OYA takes full and complete responsibility for its use of non-credentialed employees to provide services throughout the school day, including any impacts its use of such employees may have on OYA’s funding.
- OYA shall at all times maintain all necessary and appropriate insurance coverage.
- If a pupil who is of high school age is expelled or leaves OYA without graduating or completing the school year for any reason, the OYA shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605.6(e)(3)]
- OYA shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- OYA shall, on a regular basis, consult with its parents and teachers regarding its education programs. [Ref. California Education Code Section 47605.6(d)(2)]
- The OYA shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Sections 47605.6 and 47605.1]
- OYA shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by the Every Student Succeeds Act (“ESSA”).
- OYA shall comply with the Family Educational Rights and Privacy Act.
- OYA shall comply with the Public Records Act.
- OYA shall comply with the Ralph M. Brown Act.

- OYA shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]
- To the extent that OYA provides independent study programs, it shall comply with Education Code section 51745 et seq. and all implementing regulations.



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Steve Olmos, Ed.D.  
Assistant Superintendent  
Student Services & Support Division

## INTRODUCTION

The staff and leadership team of the Opportunity Youth Academy are pleased to submit this charter school petition renewal to extend the OYA program that began in August 2016, to address the needs of youth aged 16-24 who are disengaged from school. OYA re-engages disconnected and overwhelmingly economically disadvantaged students through an innovative curriculum that integrates technology with academics and provides the opportunity to earn a high school diploma.

In the process of developing this charter petition renewal, the petitioners met with community stakeholders including parents, students, staff, community non-profit agencies, and through a scheduled Opportunity Governance Council Committee Meeting. As a countywide dependent charter, OYA is designed to offer services to a pupil population that will benefit from proven innovative strategies that provide students a renewed opportunity to earn a diploma and realize their full potential. This model was approved originally due to its eligibility as a county wide petition because the needs of students who would attend OYA cannot be served by a charter school that operates in only one school district in the county.

## Our Students

Opportunity Youth Academy opened its doors in August 2016 for the 2016-2017 school year. At that time the youth of Santa Clara County who had been disengaged from school for a minimum of six months and between 16-24 years of age were the targeted population. During the 2017-2018 school year, OYA experienced a significant growth in student numbers as well as a shift to include students in the county who had disengaged from their home school, regardless of length of disengagement. The numbers grew and OYA increased enrollment to over 360 students at six sites throughout the county.

## Four Year Enrollment Trend

Four Year Enrollment Trends Opportunity Youth Academy								
	2017-18		2018-19		2019-20		2020-21	
	17-18#	17-18%	18-19#	18-19%	19-20#	19-20%	20-21#	20-21%
<b>All</b>	<b>222</b>		<b>291</b>		<b>367</b>		<b>331</b>	
<b>African American</b>	5	2%	15	5%	18	5%	16	5%
<b>Asian</b>	3	1%	4	1%	4	1%	10	3%
<b>Latino</b>	199	90%	252	90%	324	88%	288	87%
<b>White</b>	11	5%	13	5%	12	3%	8	2%
<b>English Learner</b>	63	28%	84	29%	114	31%	103	31%
<b>Students with Disabilities</b>	35	16%	58	20%	76	21%	81	25%
<b>Foster</b>	17	8%	22	8%	30	8%	27	8%
<b>Homeless</b>	9	4%	8	3%	1	0.03%	5	0.02%
<b>Low Income</b>	196	88%	250	86%	286	78%	205	62%

## Student Parents

Opportunity Youth Academy enrolls students with various challenges and experiences. One student group includes students who are parenting or are about to be first time parents. Over the past three years there has been a consistent number of students who represent this group of students. Although there has been a slight increase in the number of parenting students over the past three years, the percentage when compared to the overall population is decreasing. During the 2017-2018 school year our percentage of parenting students stood at 22.1%. In the 2018-2019 school year the percentage was 17.5%. In the 2019-2020 school year the downward trend continued as we had 64 parenting students, or 16.8% of our total student population. To better support parenting students, OYA partners with

Second Harvest Food Bank to bring food, diapers, and other items to the school sites. Additionally, to encourage networking between students and offer guidance from outside agencies, the OYA Parenting Collaborative was formed. The inaugural meeting was held on November 20, 2019. , with the goal to support parenting students with basic needs, parenting skills and building a network of individuals who support each other with their goals.

### **Foster or Homeless Students**

The student population within Opportunity Youth Academy is dynamic with changes occurring monthly. Over the past four years there has been a consistent 8 % of youth who are in foster care. Our homeless student population has decreased by 3% over the past four years. OYA works closely with a number of organizations to meet the needs of all students, particularly our foster and homeless youth. Organizations currently supporting our foster and homeless youth include [The Bill Wilson Center](#), Santa Clara County [Foster and Homeless Youth Services Department](#), social workers, probation office, and outreach through [Seneca](#) and [Pivotal](#).

Opportunity Youth Academy teachers work closely with foster and homeless youth and community agencies. Teachers ensure students are linked to the Foster and Homeless Youth liaison and our OYA Navigator. The liaison provides clothing, bus passes, guidance to housing and other resources free of cost. If a student comes to school hungry or in need of clothing, each site is able to meet these immediate needs and connect students to support personnel.

### **Special Needs Program**

Opportunity Youth Academy currently serves a total of 81 students with an Individualized Education Program (IEP). This population of students make up approximately 25% of our student population. When compared to the 2017-2018, 2018-2019 and 2019-2020 school years we have seen a 9% increase in the number of students with disabilities. This increase represents an additional 8 students per year which has impacted caseloads. In previous years case managers had no more than eight students on their caseload. This year many case managers have a total of ten to twelve students.

All students with special needs are on a regular diploma track. OYA has seven teachers who hold a Professional Clear Level II Education Specialist Instruction Credential with three teachers who have their Preliminary Level I Education Specialist Instruction Credential. Nine of ten OYA teachers have been trained in blended learning strategies and all para-educators were trained in Universal Design for Learning (UDL) through the SCCOE Inclusion Collaborative in the fall of 2019. Para-educators worked with the Inclusion Collaborative on a monthly basis and five of the six para-educators completed training and became certified in UDL practices. OYA teachers will receive training during the 2020-2021 school year and partner with the para-educators to fully implement UDL practices for all students.

### **Low Income**

In the past four years, the percentage of families qualifying for free and reduced lunch has fluctuated between 88% and 62%. A decrease in numbers for 2019-2020 and 2020-21 occurred because of staffing and procedural changes. The process for enrolling changed hands and with this came a change in procedure. A concentrated effort to have all Free and Reduced Lunch Program (FRLP) forms completed occurred in the month of September. Title I funds have aided in the purchase of student laptops, internet hotspot devices and [Smartspot Kuta Software](#) licensing for math support,

consumable math support workbooks, as well as document cameras and dual-action magnetic standing whiteboards for each classroom.

### **Our School Model**

OYA sites are designed as small, individualized, and relevant to today's workforce needs. OYA uses a competency-based approach. Students can enroll in OYA when the student is ready, not just in September when traditional schools are ready. Support staff creates an Individualized Learning Plan, based on student's needs, interests, and academic history that charts an accelerated path to graduation and beyond. No time is wasted, and every student can advance as rapidly as possible. Students stay engaged using an individualized, online curriculum and with the support of Navigators. Students don't have to wait for June to graduate and can complete the program when they have met all the requirements for graduation.

### **Our Community**

Opportunity Youth Academy's population racial makeup is compared to the state data which delineates the California cohort demographics for the dropout population to be targeted for this program. Although Latino students make up the majority of students who have not met the criteria to obtain their high school diploma, White, Asian, and African American student populations are also represented.

Six geographically different locations make up OYA's classroom locations throughout Santa Clara County. These are regularly called school sites. The school site farthest south is aptly named South County Annex. This site is located at Anthony Del Bono Elementary School in Gilroy. The population of 38as residents from San Jose relocate there to find more affordable housing. The population during the last census is represented by 44% having a primary language other than English. There is also a high percentage of the adult population without a high school diploma. This number represents 21% of Gilroy's non-school aged (adult) population. Many of our students in Gilroy use public transportation or walk to the school site. It is also true that a large percentage of our students are the first in their family to graduate high school. The South County Annex site is staffed by one teacher and one para-educator.

There are 38 miles between our South County site and OYA's northern most school site in Milpitas, CA. The town of Milpitas is proud of its agricultural and manufacturing past. Up until 1983 it housed the Ford Automobile manufacturing plant, now known as the Great Mall. The area is now the center of fast growing high density housing with the new BART station set to open in early 2020. Students attending the OYA Sobrato site come from various locations in the northern parts of Santa Clara County including the cities of Sunnyvale and Cupertino. Challenges at this site include arranging transportation, which for some students can be a 20-25 mile round-trip. Bus tokens are offered to all OYA students at all locations and are freely given to students upon request. The Sobrato site has one teacher, one para-educator and the office of the mental health therapist.

Four additional OYA sites are located at various locations within the city of San Jose. The ConXion site is housed in a building with other county support agencies. This site in the heart of San Jose's Little Saigon neighborhood with a rich history and culture. ConXion has two teachers and one para-educator to support approximately 76 students. At ConXion we also have Second Harvest Food Bank deliver food for the community. They always offer our students to come through ahead of others. Many of our students are parents who also work while attending classes.

A second site within the San Jose city limits is at Washington Youth Center. This site is located near the downtown area. Although new development is beginning around this area of San Jose, more than 16% of our 1,234 households are low-income and qualify for assistance. The presence of alleged gang activity is noted within this area of San Jose. The Washington site is located within the Washington United Youth Center nestled between a public library and Washington Elementary school. Throughout the week three teachers and one para-educator serve approximately 114 students in a large classroom. Second Harvest Food Bank delivers to the youth center twice a month.

The Hub is our third San Jose site. Located within a large county office building, this small classroom serves approximately 80-85 students with two teachers and one para-educator. This OYA classroom site is named after the Bill Wilson Centers' Hub located in the same building. The Bill Wilson Center Hub is a community space offered to foster youth of San Jose. A large number of our students at the Hub classroom site are foster youth. Having a site located here offers foster youth an opportunity to receive support services as well as spend a few hours a day in the classroom.

The fourth and final San Jose site is located on Snell Avenue in the Communication Hill and Seven Trees area of San Jose. Approximately 2,000 households in this area are single-parent with mom as the primary income provider. There are a number of students at each of our OYA sites who work to help with monetary needs of the family. Approximately 28% of the homes in this area are multi-family dwellings. This type of living situation presents a number of challenges to our students and is common across the county. The OYA Snell site houses our administrative team as well as two classrooms. One teacher and para-educator serve the needs of approximately 55-70 students in the classroom.

Support staff offices are located at the OYA Snell site. Staff include the director, assistant principal, registrar, counselor, administrative admin IV, navigators, college liaison, and space for our community partners such as Year-Up who run our Career Labs Cohorts.

### **Our Partnerships**

OYA students have access to a dynamic ecosystem of partners to increase opportunities for disengaged, underrepresented, and disadvantaged youth in Santa Clara County to reconnect with education and career pathways. Through partnerships with the Santa Clara County Opportunity Youth Partnership, San Jose Job Corps (SJJC), San Jose/Evergreen Community College district, Year Up, Pivotal, San Jose Works, and San Jose Aspires, students are provided the opportunity to earn an OYA Western Association of Schools and Colleges (WASC) accredited CA High School Diploma while garnering cutting edge STEM knowledge, industry recognized manufacturing, Information Computer Technology and Digital Media (ICT/Digital Media), Health training and certifications, College and Career pathway options, internships, and job training, along with college credits through articulation and co-enrollment agreements with local Community Colleges.

### **Santa Clara County Board of Education as Authorizer**

To the extent that this charter petition refers to the "County" as authorizing body of the Charter School, or otherwise references the authorizer of the Charter School, such language shall be interpreted to reference the Santa Clara County Board of Education.

### **Term of Charter**

The current five-year term of the Charter is from July 1, 2016 through June 30, 2021, and OYA is seeking a five year renewal term of July 1, 2021 through and including June 30, 2026.

### **Date of Opening and Students to Be Served**

Opportunity Youth Academy (OYA) opened for instruction in 2016.

### **CRITERIA FOR RENEWAL**

#### **AB1505**

Dashboard Alternative School Status (DASS) charter schools, including OYA, have their own renewal criteria and therefore are not included in the AB 1505 data file of high, middle, and low performing charter schools. Opportunity Youth Academy was DASS Certified in 2017 and recently renewed its certification in 2020. DASS charter schools renewal criteria are based on:

- California School Dashboard state and local indicator data, and
- Performance on alternative metrics, based on the student population served, as agreed upon with the authorizer during the first year of the charter school's term.

Opportunity Youth Academy has provided an important school choice for students in the Santa Clara County community since 2016. Our blended learning model offers students a comprehensive program of study consisting of core academic and elective courses that lead to a high school diploma. OYA uses SIATech Curriculum that is specifically for Opportunity Youth students. The SIATech Curriculum is accessed through a learning management system called Schoology. Students are enrolled in Schoology and access the core content as well as electives on this platform. Students can also receive up to 20 semester credits for work through a work experience course with a valid work permit. Additionally, up to five semester credits are available for participating in one of the three week Career Labs cohorts through our community partner, Year-Up. OYA offers Career and Technical Education (CTE) pathways which offer semester credit as well as workforce and industry certifications in some cases.

Also, OYA sites are designed as small, individualized, and relevant to today's workforce needs. OYA uses a competency-based approach. Students can enroll in OYA when the student is ready, not just in September when traditional schools are ready. Support staff creates an Individualized Learning Plan (ILP) based on student's needs, interests, and academic history that charts an accelerated path to graduation and beyond. No time is wasted, and every student can advance as rapidly as possible. Students stay engaged using an individualized, online curriculum and with support from a team of educators who are prepared to address every student's needs.

Our rigorous, standards-based academic program includes components to reach all students regardless of ability or learning style. All learners benefit from a highly individualized method of teaching that emphasizes frequent means of assessment, flexible scheduling, and a richly varied repertoire of teaching practices. Special programs and accommodations are available for students who require extra support, whether enrichment or remediation. All students with special needs are taught through a collaboration of staff efforts. A Program Specialist, School Psychologist, and para-educators are provided to help support teachers and students.



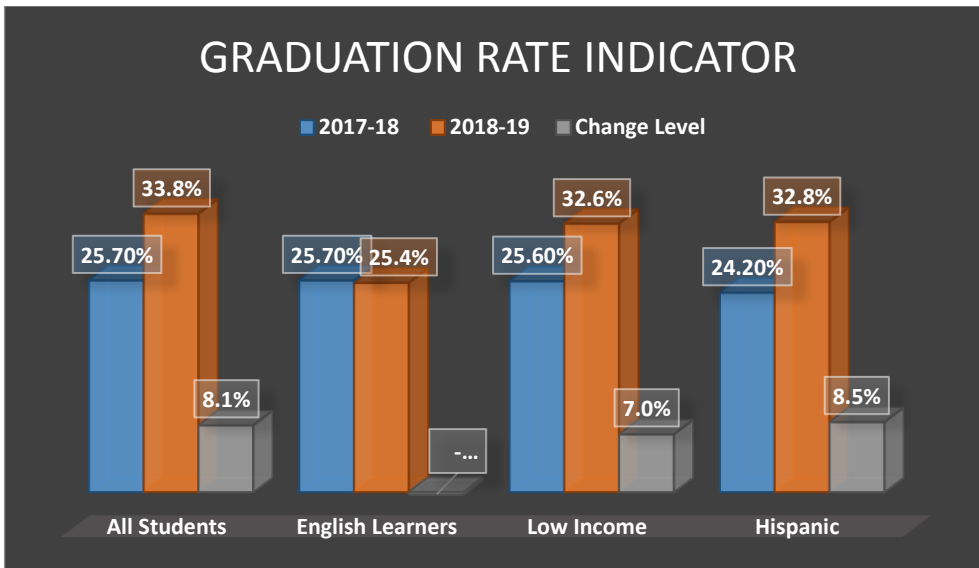
OYA’s charter renewal is in the best interest of our students because we are a dynamic and engaging learning community where students are challenged and inspired to develop as learners, leaders, and citizens of their school and community. We have grown into a thriving school community since opening our doors five years ago. We believe that each and every student can be academically successful, and that each and every student is unique. OYA’s instructional environment is led by teachers and para-educators with the skills and knowledge of a variety of teaching techniques and methods, and specialized materials that can meet the instructional needs of every student.

**CALIFORNIA DASHBOARD INDICATORS**  
**Student Group Report for 2019**

Student Group	Chronic Absenteeism	Suspension Rate	Graduation Rate	College/Career	English Language Arts	Mathematics
All Students	None	Green	Red	Red	None	None
English Learners	None	Green	Red	Red	None	None
Foster Youth	None	Blue	None	None	None	None
Homeless	None	None	None	None	None	None
Socioeconomically Disadvantaged	None	Green	Red	Red	None	None
Students with Disabilities	None	Blue	None	None	None	None
African American	None	None	None	None	None	None
American Indian or Alaska Native	None	None	None	None	None	None
Asian	None	None	None	None	None	None
Filipino	None	None	None	None	None	None
Hispanic	None	Green	Red	Red	None	None
Native Hawaiian or Pacific Islander	None	None	None	None	None	None
White	None	None	None	None	None	None
Two or More Races	None	None	None	None	None	None

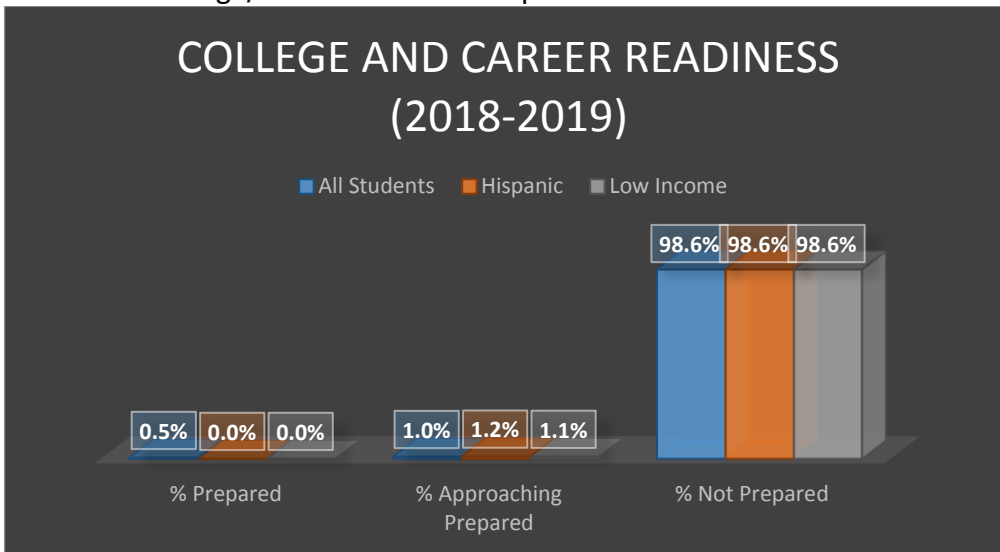
**Student Graduation Rate**

Opportunity Youth Academy’s student population can be described as fluid. Some students start and stop the program several times while they attempt to achieve their high school diploma. This fluid nature of our student population and how students are placed within their grade level has resulted in a very low California Dashboard indicator for graduation rate. In December of 2018, OYA changed how it placed students at grade level. Students are now placed in a grade level based upon credits earned and not age. As a result, the graduation rate in 2018 was 33.8% an increase of 8.1% as indicated on the California Dashboard indicator for graduation rate. We also saw an increase in two student groups, Hispanics increased by 8.5% and Socioeconomically Disadvantaged increased by 7%.



### College and Career Readiness

2018-2019 College/Career Measures Reports & Data



OYA has been working to build and expand efforts to best support students as a credit recovery program and offer college and career readiness programs. In doing this we have expanded the courses we offer to students by offering more college and career oriented elective courses such as UPATH, 21st century Workforce skills, Driver's training, CTE courses in advanced manufacturing, physical education and healthcare, and advanced transportation. These one-semester courses are intended as a practical, hands-on guide to help familiarize students with the professional skills required in the workplace. These courses focus on success in the workplace. Each unit contains multiple lessons and activities written to CTE and Common Core State Standards. The courses cover essential topics such as Work Ethic, Teamwork, Problem Solving, Employability Skills, and Communication Skills. Our SIATech Economics course offers life skills lessons involving real life situations, such as budgeting, buying a car, renting or buying a house.

We have also expanded our Career Labs by offering more sessions per year. Career Labs is a 40 hour paid career readiness boot camp that is designed for students to master employability skills in

communication, collaboration and critical thinking. After completing the course students will receive a \$600 stipend (\$15/hr), will interview with employers seeking to hire, film a seven second introduction video, and soft skills training and interview preparation. At the end of the Career Labs program students are set up with interviews with popular chains and companies to hire interested students. The Santa Clara County Office of Education and OYA have even hired two of our students as para-educators who now work full time at our sites supporting students in SCCOE program.

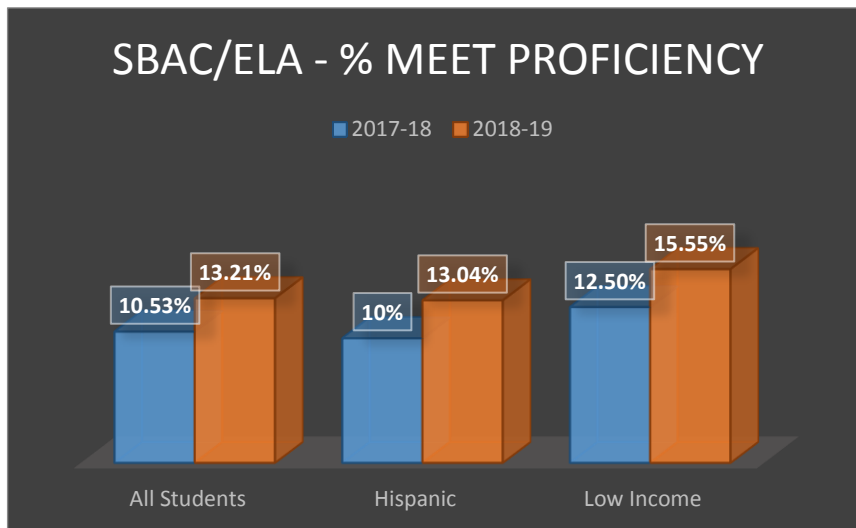
### California Assessment of Student Performance and Progress (CAASPP)

Given OYA’s mission to help students complete their high school diploma and take initial steps toward college and career readiness, as well as its focus on serving the highest-need students in Santa Clara County neighborhoods, it is critical that our students show growth toward college and career readiness as a next step to reaching longer-term life and career goals.

### English Language Arts (ELA) Proficiency Rates

Based on ELA Smarter Balanced (SBAC) scores from 2018-19, 13.21% of students met or exceeded proficiency in ELA standards. That is an overall gain of 3% from the 2017-18 ELA proficiency rates on the California Assessment of Student Performance and Progress (CAASPP). Additionally, the SBAC ELA data shows positive growth within our Hispanic or Latino student group from 10% in 2018 to 13% in 2019 in the percentage of students scoring at standard met or standard exceeded. This student group represents the majority of our English Learners. Our Reclassified fluent English proficient (RFEP) student group also had a 26.19% gain in scoring at standard met or standard exceeded proficiency in ELA standards.

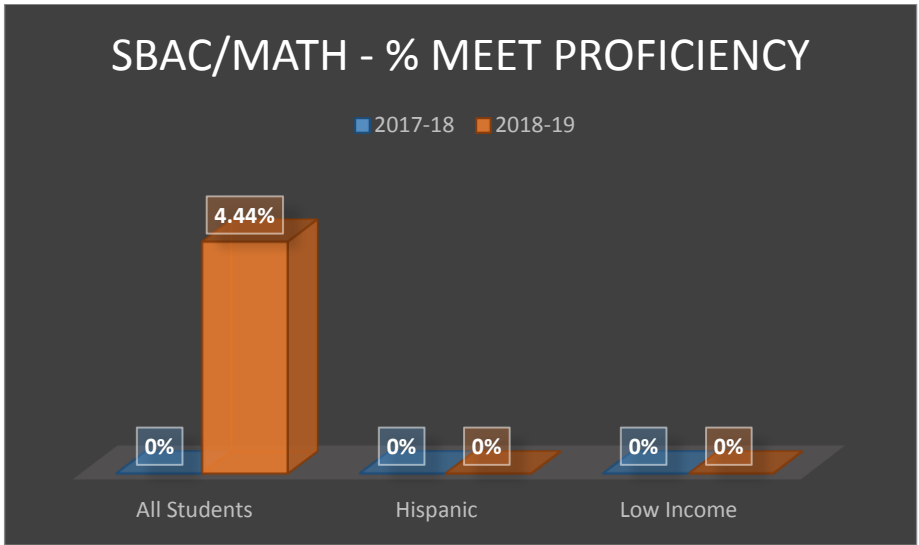
Due to the pandemic, California Assessment of Student Performance and Progress (CAASPP) testing was canceled in 2019-20, and as a result there are no official Smarter Balanced (SBAC) results for 2019-20.



### Mathematics Proficiency Rates

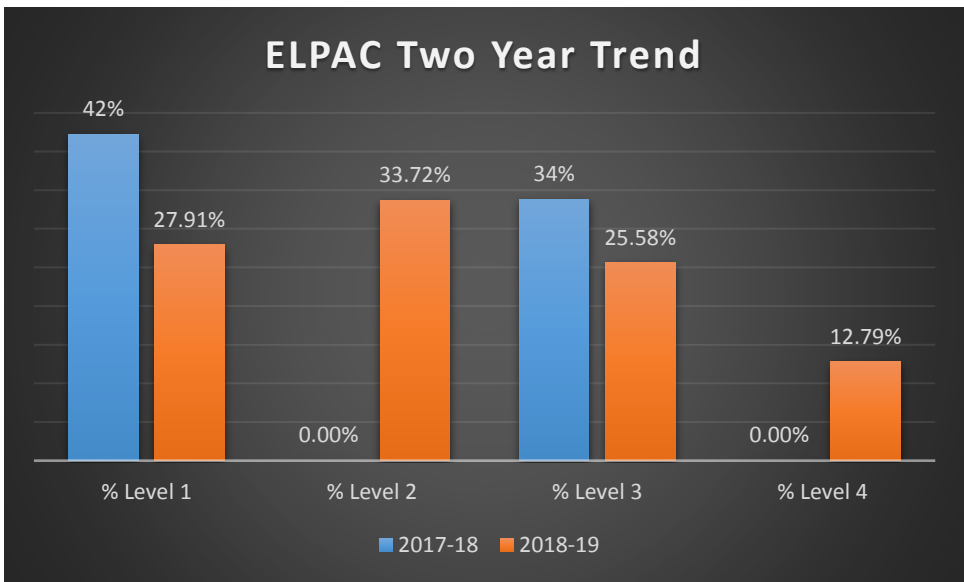
Based on Mathematics SBAC scores from 2018-19, 4.44% of students nearly met proficiency in Math standards and 95.59% of students did not meet proficiency in Math standards. Our Reclassified fluent English proficient (RFEP) student group had a 16.67% standard nearly met and 83.33% standard not met in Math standards.

Due to the pandemic, California Assessment of Student Performance and Progress (CAASPP) testing was canceled in 2019-20, and as a result there are no official Smarter Balanced (SBAC) results for 2019-20.



**English Language Proficiency Assessments for California (CELDT/ELPAC)**

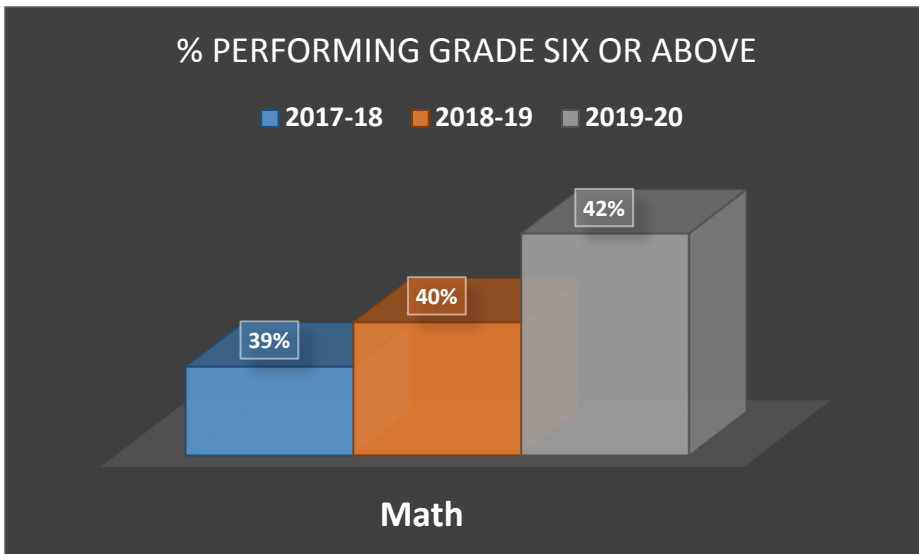
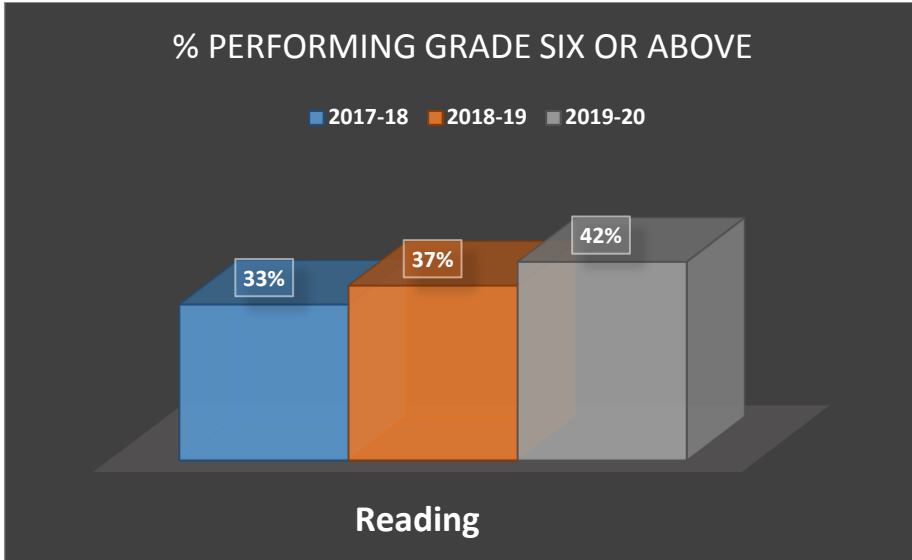
English language proficiency data is retrieved from ELPAC 2018 and 2019 spring testing as well as the CELDT from 2017 spring testing. The CELDT data indicates that 42.25 % of students scored at Level 1 and 33.80% scored at Level 3. The ELPAC data from 2018-19 indicates that 27.91% of students scored at Level 1, 33.72% scored at Level 2, 25.58% scored at Level 3, and 12.79% scored at Level 4. Analysis of ELPAC scores from 2018 and 2019 reveal 47.07% of students making progress and 45.04% of students progressed at least one level of proficiency.



**Renaissance STAR Reading and Math Performance**

As is typical of students in underserved student groups, most OYA students enter OYA significantly below grade level and credit deficient. We use Renaissance STAR Reading and Math, a nationally

normed, computer adaptive assessment to assess students and school-wide growth in reading and mathematics. Teachers use Renaissance STAR data to help guide next steps for all of our students. They also use the data to help modify instruction with students in Math and English Language Arts courses. Students test quarterly four times a year. As seen below, students have shown growth in performing at or above sixth grade level in reading and mathematics.



### Areas of Challenge and Improvement

OYA takes great pride in its accomplishments. However, we are constantly striving to improve, and know there are critical needs that must be addressed. The following are key areas OYA is working on as of this renewal submission:

#### English Learner Reclassification

OYA has been focused on how to best serve our EL population (currently 103) and ensure timely reclassification of students. In 2018-19, we implemented ELLoquence for learning and engagement. ELLoquence is an effective instructional online model for teaching English language development (ELD)

and literacy. ELLoquence is a standards-based ELD instructional model that promotes high levels of academic language and achievement for students at all levels of English proficiency. ELLoquence structures for learning and engagement have proven to be a powerful tool for teachers to promote interaction, communication, and cooperation in the classroom, thus increasing both language acquisition and academic language usage for all students. As a result of students taking ELLoquence courses, we have seen students make progress at least one level of proficiency on the ELPAC.

However, despite implementing ELLoquence and student increased progress on the ELPAC, OYA recognizes that reclassification of EL students remains at zero. This is because students are not meeting the local and state assessment criteria for re-classification. OYA will focus on providing EL students with small group in-class and virtual targeted intervention supports. In addition, teachers will participate in Universal Design for Learning professional development opportunities to refine practices for English Learners.

### **College and Career Readiness**

This indicator on the California Schools dashboard shows a need to increase OYA's student college and career readiness. As such, we shifted from a credit recovery high school completion program to a college and career going culture. Students now have access to a number of college and career readiness events, opportunities, and support services. A College Liaison provides direct services to students such as college and career consultations, assistance with college applications, financial aid/scholarship application forms, college campus tours, and bridging students to counselors at the respected college. The College Liaison tracks the number of students that have had consultations, applied to college, submitted financial aid forms, registered for classes, and the completion of first and second semesters once they are accepted and attending.

OYA utilizes Naviance for all students. Naviance is a college and career readiness software that has implemented within OYA's curriculum for all students schoolwide. Students are able to explore different career pathways, create resumes, research colleges, plan their academic courses, and learn more about their personal strengths. This is done by a number of assessments built in such as the Strengths Finder Assessment. The Strengths Finder Assessment provides students with information about their Social and Emotional Learning styles and helps students identify their career and college major interests. They are given Career Clusters to explore on Naviance to learn more about the different careers that are accessible to them.

OYA's development of Linked Learning College and Career Pathways (ICT and Health). Linked Learning Pathways move a school's traditional alternative school program of study into a program of study aligned with best practices around getting graduates college and career ready. This will allow OYA to provide its students with viable options for future success by giving them opportunities to enter into aligned college programs and gain a continuum of work-based learning experiences all of which will leave them better positioned and prepped for success.

### **Graduation Rates**

OYA has had a slight increase in graduation rates overall and among student groups. A variety of interventions have been implemented to increase our graduation rates. We are currently utilizing the academic and transition planning tools in Naviance to better track student progress. In addition, staff

will be meeting students quarterly to review grades, attendance, Renaissance STAR assessment results, and graduation progress.

### Improve Math and English Language Skills

Indicators in CAASPP results in Math and English Language Arts and Renaissance STAR Assessments indicate a need to address the needs of students who are below grade level in Math and ELA. As such, we have developed an action plan to help students improve their Math and English Language skills. OYA teachers will collaborate in Professional Learning Communities (PLCs). In their PLCs, teachers will meet regularly, share expertise, and work collaboratively to improve teaching skills and discuss the academic performance of students. Teachers will also identify and assign students to specific Math or English cohorts based on student needs. Cohorts are held at each site and led by teachers with the aid of OYA para-educators. Cohorts are designed to run twice a week for one hour over the course of 10-12 weeks. In addition, students will meet quarterly with their teachers to discuss academic performance and progress in Math and English Language development.

### Individual Learning Plan (ILP) Advisory

Each ILP Advisory is designed with input from student, parent, and teacher to meet their unique learning style. Teachers will meet with students on a quarterly basis to review their progress toward graduation, review assessment results, grades, attendance, and overall academic performance. Students will also meet with the academic counselor and college/career liaison to discuss their status with credits and goals after graduation. Below is a sample ILP Matrix:

OYA Full Scope - Individual Learning Plan Matrix					
Onboarding	Orientation course	ILP/Advisory Scheduled Quarterly	Other	College	Supplemental C & C Material
<p><b>* All grade levels</b></p> <p>Career Cluster Finder <i>(Naviance)</i></p> <p>Student Success Assessment <i>(Google form)</i></p> <p>Math and Reading Pre-Assessment <i>(Renaissance STAR)</i></p>	<p><b>*All Grade Levels:</b></p> <p>Real Learning for Real Life <i>(Schoolology)</i></p> <ul style="list-style-type: none"> <li>Intro to CTE Pathways</li> <li>Learning Style Inventory</li> <li>LinkedIn Template - <b>Senior Project</b></li> <li>Academic Planning</li> </ul>	<p><b>*All Grade Levels:</b></p> <p>Add career clusters/pathways to list of favorite clusters (3) <i>(Naviance)</i></p> <p>RoadTrip Nation Task(s) <i>(Naviance)</i></p> <p>CTE Pathways</p> <ul style="list-style-type: none"> <li>Intro (or review) (Q1)</li> <li>Choose a pathway (Q2)</li> <li>Advisory &amp; support conversations</li> </ul> <p>Math and Reading Review quarter assessments</p> <ul style="list-style-type: none"> <li>Q1 Fall</li> <li>Q2 Fall</li> <li>Q3 Winter</li> <li>Q4 Spring</li> </ul> <p>Transcript review &amp; projected grad date</p>	<p><b>CTE Pathway</b></p> <p>Intro Course - Concentrator Course - Capstone Course <b>(Health Science &amp; Medical Technology, ICT)</b></p>		
			<p><b>Freshmen</b></p> <p>Build/Update Resume <i>(Naviance)</i></p> <p>Game Plan Survey <i>(Naviance)</i></p>	<p><b>Sophomore</b></p> <p>Add colleges to list of "colleges I'm thinking about" (4) <i>(Naviance)</i></p> <p><b>Juniors</b></p> <p>Attend College Visits (2)</p> <p><b>Seniors</b></p> <p>Scholarship Search <i>(Naviance)</i></p> <p>Graduation Survey</p>	<p><b>Seniors</b></p> <p>LinkedIn Profile - <b>Senior Project</b></p> <ul style="list-style-type: none"> <li>18+ published</li> <li>Developed throughout OYA tenure</li> </ul> <p>Support:</p> <ul style="list-style-type: none"> <li>Narrative</li> <li>Career Labs</li> </ul> <p><b>Juniors/Seniors</b></p> <p>Enroll in SJ Aspires (SJA)</p> <p><b>Seniors</b></p> <p>Complete FAFSA (SJA)</p>
<p><b>Key:</b> Teacher    College Liaison    OYA Team    Navigators    Paraeducators    Counselor</p>					

## **ELEMENT A: Educational Program**

**Governing Law:** A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21<sup>st</sup> century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. Education Code Section 47605.6(b)(5)(A)(i).

**Governing Law:** A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605.6(b)(5)(A)(ii).

**Governing Law:** If the proposed charter school will enroll high school pupils, information as the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools. Education Code Section 47605.6(b)(5)(A)(iii).

**Governing Law:** If the proposed charter school will enroll high school pupils, information as to the manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements. Courses approved by the University of California or the California State University as satisfying their prerequisites for admission may be considered as meeting college entrance requirements for purposes of this clause. Education Code Section 47605.6(b)(5)(A)(iv).

## **Opportunity Youth Academy Educational Program**

The Opportunity Youth Academy, a member of the Opportunity Youth Partnership of Santa Clara County, serves an Opportunity Youth student population, predominantly former school dropouts. The need for all students in California and America to meet high school graduation standards has not lessened over the years, but rather continues to rise. The value of a high school diploma has the power to change lives, especially in the hands of a family’s first graduate. It creates a wave of personal, social, and economic benefits from boosting earnings and purchasing power to increasing responsibility for the broader community. It helps stabilize the family and create aspirations among family members who follow.

OYA has chosen to re-invent education and transform lives by igniting the spark to learn. All of OYA’s core content courses contain core academic courses that are University of California (UC)/California State University (CSU) a-g certified, and OYA offers courses that meet all of the UC/CSU a-g requirements, demonstrating the rigor of courses and our belief in all of our students’ ability to become college and career ready.

The OYA leadership team has a blended experience base from the classrooms and administrative offices of traditional, alternative, and continuation high schools throughout Santa Clara County and California. Through firsthand knowledge and hard work, we have shaped an effective pioneering



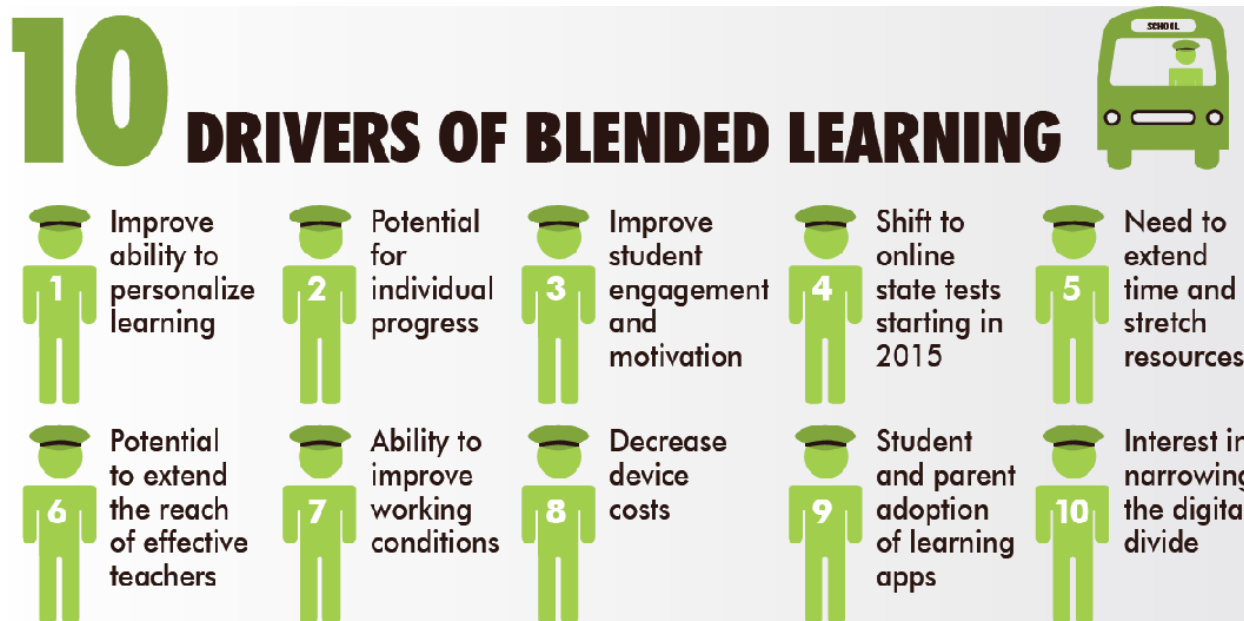
educational strategy for our Opportunity Youth student population. With the guiding hand of the Santa Clara County Office of Education, and the OYA Governance Council, we are setting our sights on a long-term vision of re-engaging more 16 – 24 year olds and closing the graduation gap. Our students have chosen to come back to re-engage in school and reinvest in themselves and allow us to invest in them. Because re-engaged students come back to school with varying degrees of work and family responsibilities, OYA offers a Blended Learning program, providing various curricular selections (online, and subject-specific supplemental materials, attendance options, and work completion choices). This is so that all students have access to an academic path that will allow them to progress towards obtaining their high school diploma, regardless of their circumstance. All students are required to attend or show proof of having worked on their agreed upon course work for a minimum of 20 hours a week.

Students have opportunities to access teachers by agreeing to a daily attendance program; this choice will be highly encouraged to high school-aged students (16, 17 and 18) and to those students who score low in their pre-assessment or are facing a significant credit deficiency. For those students that due to life circumstances cannot attend on a daily basis, they will also be afforded the option of setting up regular weekly meetings to report work carried out at home or to come in for face-to-face tutoring appointments. These students will be able to attend weekly/semi-weekly content specific small group sessions that will be carried out in both morning and afternoon schedules. These intensive labs are designed to provide students direct instruction in the subjects or integrated mathematics, algebra and language arts. And, of course, phone tutoring is available during all scheduled times that the site is open.

Each OYA site has classroom space where students can study and receive additional help from teachers and qualified paraprofessional educators. While most instruction and content is delivered online, OYA teachers provide face-to-face support on a flexible and adaptive as-needed basis through activities such as small-group instruction, group projects, and individual tutoring. Access to learning labs, which grew from a classroom-based model, allows students to attend academics full-time or to split their time with trade or career classes. A Blended Learning model encourages and supports students to be on site daily to promote their engagement and progress towards graduation.

OYA thus defines blended learning as a formal education program in which students learn, at least in part, through delivery of content and instruction via digital and online media with some element of student control over the time, place, path, or pace that their learning takes. This “flex” model works best with students who have issues with regular attendance, are managing work or family obligations beyond schooling, or who are considered at risk. Figure 1 describes 10 reasons or “drivers” behind the decision to utilize a Blended Learning approach with OYA students.

Highly qualified, subject-certified teachers and their paraprofessional assistants are physically present in the learning environment as students work both online and offline to complete their courses. OYA aims to maintain a lower than state average adult-to- student ratio in the classrooms, meaning smaller class sizes than traditional schools. Students submit work through the learning management system or in the classroom utilizing interactive and engaging real-world assignments and tasks, where teachers access it, review it, and then report grades. The face-to-face staff provides synchronous, as-needed help and instruction to complement the online learning components.



**Figure 1:** The rationale, or “drivers”, for the Opportunity Youth Academy Blended Learning Model.

Students complete the program at an individually determined pace. Resources are available just in time to allow for either an accelerated or remedial pace. Differentiation is provided in several ways. Advanced courses are offered in all core content areas, as are foundational or remedial courses, but the real strength lies in the teachers’ ability to differentiate assignments for students according to their skill levels and needs. For example, one student may complete a basic inquiry for U.S. History while another completes an advanced multi-level inquiry project with analysis of primary documents, documentaries, and historical speeches.

Competency is demonstrated through benchmarks and summative assessments, for each course, and culminates in the presentation of Senior Projects that represent a broad sampling of student learning. As students work through the standards-based curriculum in the California state standards content areas, the mastery of these standards and skills showcase themselves in the Senior Projects. The application of these college and career anchor standards, so essential in the core content areas, lend themselves to the Senior Projects and Creative Technology as well as the Final Presentation where students practice their listening and speaking skills. Assignments are aligned to the California state standards, so students and teachers can track the mastery of any particular standard in any content area assignment. Students leave OYA with a solid academic knowledge base in literacy and presentation skills, as well as marketable career and technical skills, increased academic confidence, and a WASC accredited high school diploma. The value and reward of this program is its proven ability to dramatically improve the career opportunities and quality of life prospects for this student population.

### **Description of How Learning Occurs**

OYA provides a dual pronged approach to student re-engagement. One aspect of this re-engagement is our dually credentialed teaching staff, with the support of the OYA counselor and paraprofessionals, guiding and supporting students until they complete all graduation requirements. Simultaneously, our OYA Navigators and Liaisons work with our students to identify and foment possible career pathways and supporting them on their quest to pursue college and university goals.

The counselor and teacher engage the student in identifying their existing high school credit profile, which results in proposed academic goals setting a detailed path to graduation. An accompanying needs assessment, facilitated by the Navigator, helps identify voids or any lack of support for the student as well as possible hindrances present that may impede the meeting of the student's academic goals. The Navigator and Liaison then set about to locate the missing resources and link the student to them to assure that OYA is doing everything possible to undergird the student's efforts. Once the student meets his/her initial goal of securing a high school diploma, the Navigators and Liaison support them into their first semester of college, university, or in the establishment of a workforce connection.

OYA's distinctive and innovative program integrates standards-based academic knowledge within real-world applications in a work-like setting. OYA's blended model is designed to address three significant needs common amongst its unique student population:

- Personal learning – timely assessment (formative and summative).
- Engaging curriculum – content and instruction that is engaging, current, rigorous, and relevant.
- Accessibility – learning that is available to any student, anytime, anywhere, including students with special needs or constraining circumstances.

OYA believes that learning is personal and different for each student. Therefore, by offering a blended learning model, it is better able to help students personalize their learning by offering choices and flexibility, such as the number of courses taken at a time, order of courses, access to specific remediation topics, individual tutoring, small group work, etc. The need for blended learning developed from a desire to enhance good teaching by engaging every student enrolled in OYA in meaningful, rigorous, and personalized learning opportunities. In addition, OYA acknowledges the need to prepare students for 21st century skill attainment.

Personal learning requires the active direction of the student. A number of important studies (Lee, et al., 1995; Newmann, et al., 1992; Stigler & Hiebert, 1999) have pointed to the importance of active participation in learning as a major determinant of performance on tests and in grades.

Previous dropouts benefit from personalized instruction and learning opportunities. With technology, it is easier to allow for student choice, for meeting individual interests, for ensuring that assignments are at appropriate level, and allowing for prior experience to support learning. OYA students graduate with digital proficiencies that prepare them for success in college or career pursuits.

OYA has provided students with opportunities to access curriculum, receive immediate feedback on performance, gain access to interventions, and research and locate resources with technology. Early technology included one-to-one desktop computers, Internet connectivity, interactive software programs, assessment software, and assistive technology for students with special needs.

Schools that provide individually paced, online curriculum have demonstrated an ability to retain more students due to having fewer discipline problems and increased student engagement helping to mitigate the high dropout rates found in schools serving students who have previously dropped out of school. There is also a higher rate of college attendance than schools with a higher ratio of students to computers, according to the results of a study from Project RED (Revolutionizing Education), a national initiative that aims to prove that when properly implemented; investing in technology can boost student achievement.

Sixty-nine percent of the schools in the study reported that their students' achievement scores on high-stake tests were on the rise; among schools with 1-to-1 computing programs, that figure was 70 percent. But it was 85 percent for schools with 1-to-1 computing programs that employed certain strategies for success, including electronic formative assessments on a regular basis and frequent collaboration of teachers in professional learning communities. "Students in reading intervention, special education, [and] Title 1 [programs] ... benefit from the individualized instruction that technology can provide best " according to Project RED.

The blended learning model that OYA employs centers on every student having developed a student agreement and a computer workstation with high-speed connectivity (more similar to an office environment than a traditional classroom). This format supports active rather than passive learning. The blended model at OYA includes variations of delivery to support other learning program needs, too. For example, an independent study program loans laptops and/or tablet PCs with cellular internet access to students to accommodate their need to complete schoolwork while away from the classroom.

OYA uses content-specialists who collaborate together on the design of the program content, combining the best and most appropriate elements from myriad content sources. OYA uses expert online development courses designers who use Flash-based components to make the content highly interactive. Every OYA pupil has access to standards-aligned instructional materials that are updated and refined on an ongoing basis.

Each core content area has a plethora of online instructional materials and resources specific to each course. Each content area course is housed in the Learning Management System. Each content area course utilizes note taking guides, which students are required to complete as they work through interactive tutorials, videos, and labs.

Rather than adhere to seat-time metrics, OYA focuses on students demonstrating competency. A course is complete when a student achieves a minimum of 80 percent mastery, based on embedded benchmark assessments and summative evaluations as they move through the curriculum. Students get real-time feedback on skill mastery through the short-term cycle assessments built into the learning management system. In addition, fully online courses are available for high-stakes test preparation.

OYA classrooms are equipped with state-of-the-art hardware and are workplace environments designed to meet students' instructional needs. OYA sites will provide an environment that allows students to become confident in a 21<sup>st</sup> Century workplace setting and also offer comfortable quiet areas for reading and meeting for small group projects and discussions. Students may work at a high-end computer workstation with high-speed Internet capability and sophisticated software tools to access the curriculum and complete assignments.

OYA classes accommodate individual learning needs through an environment that supports individual learning styles and pacing. OYA teachers have subject-specific expertise through education and credentialing, however they are expected to be educational generalists as well since they must integrate essential elements of core academics. The student-as-worker and teacher-as coach is a central concept of the program. Students move in and out of small group learning activities facilitated

by the instructor. Outside of the classroom walls, or whenever appropriate, the students have access to high quality instructional content that allows them to continue their learning. Students also have access to online teachers via a Helpline through the Learning Management System. This empowers the student to take ownership of their learning and learn to direct their learning pace independently from others.

The OYA educational program supports the use of technology to make learning accessible beyond the walls of the classroom. Availability of laptops and/or tablets, automated alerting for virtual students, live pace charting, and technical support for distance learners will be some of the processes that will comprise our delivery model.

OYA provides high-quality professional development. Teachers and staff learning are supported through regular content-specific Round Tables (professional development, collaborative trainings) for teachers, onsite trainings, virtual meetings, capacity-building courses, webinars, and technology training in learning conferences.

OYA's implementation of blended learning includes meaningful and outcome-focused integration of mobile learning devices (including consideration of Bring Your Own Device capabilities), consolidation of IT systems for improved and sustainable technical support, and data dashboards to support decision-making for instructional staff.

The blended learning model is an integral part of OYA's program delivery contributing directly to student achievement, as well as narrowing the achievement gap. Access to technology facilitates engagement, communication, interaction, and understanding. The blended learning practice provides the flexibility to individualize and personalize learning leading to individual gains in math and reading.

Please see **APPENDIX L** for the 2020-21 school calendar and **APPENDIX M** for a daily schedule.

### **Subject Areas to be Taught**

OYA offers a unique educational program to its students which emphasizes core academics and workplace and college readiness skills. The integrated academic curriculum embeds California State Standards into industry-standard software programs such as Microsoft Office Suite, AutoCAD, Macromedia Flash, and Adobe Creative Suite. This custom curriculum requires that students learn to manipulate sophisticated software applications in order to move through their learning plans. Teachers provide orientation and tutorials to support students learning how to use the software. OYA's flexible program blends both online and classroom instruction, customized to meet the needs of a variety of students.

OYA offers all required courses necessary for students to obtain a high school diploma and meet college entrance requirements. This includes the following: English offers four years of college prep; math offers Intro to Algebra, Algebra 1A, Algebra 1B, Geometry, Algebra 2, Liberal Arts Math, and Math for College Readiness (*higher level math courses are available as needed*); science includes Biology, Physical Science, Earth and Space Science, Anatomy and Physiology, Physics, and Chemistry—all of which include labs; and social studies requires World History I and II, U.S. History I and II, American Government, and Economics.

In addition to the core classes, students are offered electives in the form of Senior Projects to include Small Business Ownership, Computer-Aided Drafting/Design, Composition, Desktop Publishing, and Multimedia Production. Other electives include the following: Business Technology, Graphic Communications, Computer Literacy, Applied Computer Technology, Digital Art, Health Education, Physical Education, Intensive Reading, Foundational Math, and Spanish 1. All core content courses are fully aligned to California State standards and are continuously updated and revised on an annual basis with the help of the content area teachers (see **APPENDIX A** for OYA curricular materials and graduation requirements, and **APPENDIX R** for a course catalog).

### **Partnership between OYA and Work2Future Foundation**

One of the most significant opportunities of OYA is the opportunity for students over 18 to re-engage through career training partnerships between OYA and San Jose area Workforce Innovation and Opportunity Act (WIOA) programs such as Work2Future Foundation.

Work2Future Foundation provides a comprehensive Youth Employment and Training program to help OYA students secure employment through intensive case management, training services, educational programs, and supportive services.

Participants will have access to the following services:

- Career coaching
- Job Developer consultations
- Vocational assessments
- Career Technical Training
- Job Search guidance and training
- Remediation software
- Supportive services
- Incentives
- Job leads
- Job fairs
- Computer labs

The complete summary of the young adult co-enrollment partnership between the OYA and Work2Future Foundation is provided in **APPENDIX B**.

### **OYA Mission and Vision**

The Opportunity Youth Academy (OYA) strives to provide students, who have dropped out of school or are otherwise disengaged from school, the opportunity to complete their high school education. OYA views disengaged students as “At-Promise” as opposed to “At-Risk”. To that end, OYA’s organizational mission is to provide a premier high school reengagement program engaging students through relationship-focused, high-tech, and rigorous learning experiences resulting in students and graduates being **“Ready to Learn, Ready to Work and Ready to Live.”** OYA believes that the program should support the following principles:

- Students viewing their future with optimism, finding success as self-directed learners, and contributing to society;
- Staff being empowered to make a difference in an environment of respect, recognition and professional growth;

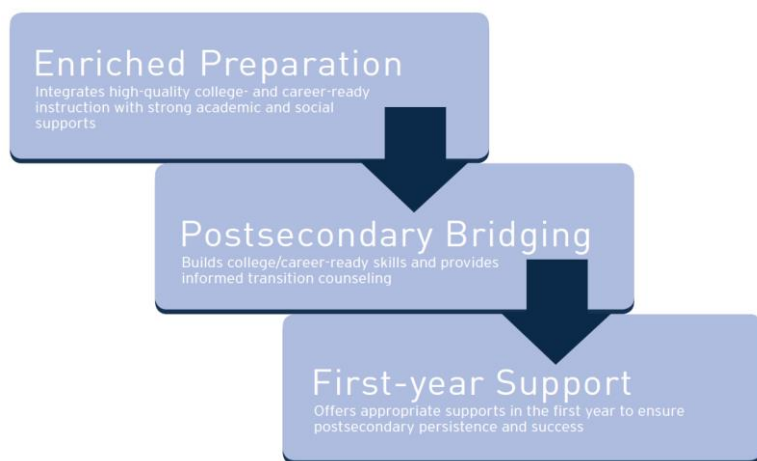
- And communities benefiting from the success and contributions of OYA students.

Additionally, OYA infuses its program delivery with greatly needed soft skills –such as persistence, perseverance and mindset of investment- which must be co-developed along with academic skills to assure maximum reward of efforts for our students.

### Pathways through Post-Secondary

In the longer term, the ambitious vision offered by OYA goes well beyond high school credit recovery. The program will embody what *Jobs for the Future*, a national nonprofit that works to ensure educational and economic opportunity for all, calls “Pathways through Post-Secondary”. OYA will help young people become college and career ready by simultaneously building transparent and supported pathways into and through postsecondary education.

Based on its work with such programs and with the national organizations and networks that support many of them, *Jobs for the Future* has developed a *Back on Track* model to drive growth and scale in this emerging field of practice. This model will be used in enhancing the developing OYA diploma-granting and high school equivalency programs. The *Back on Track* model articulates three program phases and accompanying features that help young people achieve their postsecondary and career ambitions (see Figure 2). In the three-phase model, each phase has distinct elements but will naturally overlap in terms of timing, resources, and staffing. This model is intended to set a higher standard for the OYA program that will bridge into post-secondary education and careers, but it is also aspirational in nature. It assumes that most schools and programs do not have all phases or features fully in place. OYA leaders and staff can thus use the model as a framework to assess the strengths of their designs and partnerships and to plan focused improvements, building toward fully operational pathways that substantially improve college completion rates for young people who are off track to postsecondary success.



**Figure 2:** The Jobs For the Future (JFF) three-phase Back on Track model will guide the future enhancement of Opportunity Youth Academy’s diploma-granting and high school equivalency programs.

The three phases envisioned are as follows:

PHASE ONE: ENRICHED PREPARATION

### College-Going and Career-Ready Culture

- OYA staff deliver consistent messages, from intake through graduation, that students are “college material” and postsecondary credentials and career success are attainable goals.
- Staff continually assess progress through strategic use of data, using postsecondary access and completion as the key measures of program success.
- Staff create a climate focused on acculturation to academic and professional norms, mindsets, and practices as well as personal responsibility for one’s own learning, career and life goals.
- The physical setup and artifacts in the building, and opportunities to experience college classes and college life, enable students to perceive themselves as college students.
- Staff support students to explore a range of career options and to understand their connections to postsecondary programs of study.

### College- and Career-Ready Curriculum & Instruction

- Curriculum emphasizes deep learning over test preparation, focusing on a solid understanding of key concepts within the core disciplines as well as in technical fields within high-demand career sectors, and on key 21st century (meta-cognitive) skills such as critical thinking and problem solving, self-directed learning, collaboration, and effective communication.
- Curriculum is aligned/sequenced toward increasingly challenging subject matter, building skills needed for entry into credit-bearing college coursework and/or career pathway programs of study.
- Staff embed in the curriculum ongoing opportunities to practice college-ready and professional skills and behaviors such as effective time management, team work, and problem solving.
- Students have opportunities to engage in work-based learning, such as internships or job shadows.

### Intentional Use of Time, Technology, and Assessment to Customize Instruction & Accelerate Learning

- Program organizes time flexibly to enable older youth to fulfill family/work responsibilities while working toward graduation and postsecondary goals.
- Program is of sufficient length and intensity to enable youth to both gain a secondary credential and/or get adequately prepared for postsecondary education and careers.
- Staff use regular and various assessment methods (face-to-face and web-based), including college placement exams, to diagnose students’ specific learning needs and customize instruction to accelerate learning.
- Staff utilize student data to understand patterns of learning for individual students and customize the course/curriculum to ensure opportunities for acceleration and additional academic supports.
- Technological tools enhance instructional strategies, provide skill-building support and facilitate “anytime, anywhere, any pace” learning.
- Students are coached and supported to use time in supplemental learning, online learning, work, and service activities to accomplish learning goals and develop independent work and study habits.

### Personalized Guidance and Support

- Students develop a clear, realistic, and detailed postsecondary and career plan.



- Students develop an understanding of how they learn best, reflecting regularly on what they still must accomplish or master to achieve college and career readiness.
- Program provides leadership, service and work opportunities to build students' agency, self-advocacy and key academic and career behaviors, such as persistence and time management.
- The program works to strengthen students' care network, such as child-care and mental health resources, so they have adequate support to address barriers that impede learning.
- Staff develop students' abilities to have greater responsibility and voice in their own learning and life choices.

#### PHASE TWO: POSTSECONDARY BRIDGING

Note: The postsecondary bridging phase can be provided by an affiliated college or delivered through a partnership of OYA and a college or other postsecondary program, and may incorporate some elements of enriched preparation. OYA staff will collaborate to provide information and ensure a smooth transition from OYA to postsecondary training.

##### Supported Dual Enrollment

- Students enroll in credit-bearing courses to gain exposure to college experiences and expectations. First courses can be those that reinforce essential skills within a career context, prerequisite math and English courses, or first coursework towards a technical certificate.
- Where appropriate, program takes advantage of accelerated or streamlined developmental education courses to build student skills and reduce time to completion.
- First college courses explicitly model college instruction through the use of, for example, syllabi, out-of-class assignments, college-style pedagogy and assessments (e.g. sophisticated papers, research projects, and presentations) and blended or on-line approaches.
- The program provides formal, intense academic supports and scaffolding to ensure students are successful in their early postsecondary courses.

##### A Focus on College Knowledge and Success Strategies

- Program coaches students to develop college and career-ready skills and behaviors, including study and other self-directed learning skills, digital literacy skills, time and stress management, persistence, and awareness of performance.
- Students gain postsecondary and career navigation skills, learning about general and technical programs of study, admissions requirements, financial aid, college culture, campus resources, and building relations with professors.
- Program continues to develop the mindsets and key cognitive strategies and content knowledge required for college success, such as formulating hypotheses, problem-solving, analyzing and evaluating findings, and understanding key foundational content in core subject areas.

##### Personalized Guidance and Connection to Best Bets

- Counselors use data such as attendance and course performance to monitor student progress toward the goal of entry into credit-bearing coursework and/or technical programs of study.
- Whenever possible, program utilizes a cohort-based approach to leverage peer connections, expand students' social networks, and build additional postsecondary support, using both face-to-face and online strategies.

- Program integrates intentional career exploration and planning that takes into account students' career aspirations as well as local labor market demand to help drive toward "best bet" postsecondary programs resulting in credentials with labor market value.
- Program graduates who are currently enrolled in college mentor students in the bridge phase to guide their key decisions as they transition to postsecondary (face-to-face and/or online).

### PHASE THREE: FIRST-YEAR SUPPORT

Note: This phase can be delivered solely by an affiliated college or through a partnership between the OYA and the college or other postsecondary program.

#### Support for Students to Earn Credits Predictive of Completion

- Designated staff use data to monitor student progress, with particular attention to performance in the first few months of classes.
- Students are connected to campus resources, networks, and support providers, especially those targeted for first-generation college-goers, expanding their social capital and their awareness of formal and informal supports and resources.
- Students, particularly those who are struggling, receive intensive supports to help them succeed in credit-bearing general or technical program coursework.
- Students are offered performance-based incentives, such as scholarships, to motivate them to accomplish personal and academic benchmarks.
- Staff create individualized plans with students who are not on track to earn a credential after the first year, including self-assessments and additional customized supports.
- Staff anticipate and work with students to address obstacles, such as loss of childcare, housing, or financial aid, and provide additional referrals and follow-up as needed.

#### Building Attachment to Postsecondary Education

- Program enables students to develop increasing independence and self-agency as learners, drawing on academic mindsets and behaviors they began to develop in the Bridge Phase (e.g., self-regulation and study skills, time and stress management, persistence, and ability to self-assess performance).
- Staff leverage technological tools, particularly social media, to provide follow-up and coaching support to students who have transitioned to postsecondary/career training.
- Student mentors provide key information on college courses and professors to help first-year students make more informed choices.
- Students engage in small cohort-based learning and leadership communities whenever possible.

#### **Targeted School Population**

OYA provides educational services for Santa Clara County students, ages 16 to 24, who have not yet obtained their high school diploma due to lack of success in other educational settings for a variety of reasons, including, but not limited to: social, emotional, economic, and legal issues. OYA is one charter operating at multiple sites in Santa Clara County strategically situated to afford student populations in need of our services convenient access to our programs. A key component of the facility locations are accessibility to public transportation and access to partner resources. Each site has a minimum of one teacher assigned, each with a capacity to enroll up to thirty-eight students per teacher. OYA

enrollment per teacher is different than California limits on ADA ratios of students to teacher (See **APPENDIX C** for California Education Code guidelines for charter schools and Independent Study programs). Because OYA operates in exclusive partnerships as authorized pursuant to Education Code Section 47612.1, the minimum age for enrollment at OYA is 16 years.

The vast majority of our students come from situations of poverty. The OYA program brings job training and additional resources provided through partnership with federal and state-sponsored job training organizations, and Workforce Innovation and Opportunity Act (WIOA) programs. WIOA partners provide OYA with referrals to a 100% disadvantaged student population. These students dropped out of school for many different reasons, but three consistently top researchers' lists: a difficult transition to high school, deficient basic skills, and a lack of engagement. This is why we designed our educational ecosystem to create empowered learning environments that compel high school students to master the skills, knowledge, and attitudes that will support their educational efforts and provide opportunities for them to pursue successful and productive lives.

OYA offers a unique educational experience specifically designed for Opportunity Youth, young adults who have not been successful in school and have re-committed to improving their lives and continuing their education, and who meet the requirements for enrollment set forth in Education Code sections 47612(b) and 47612.1. OYA specifically targets students who have previously dropped out of school without receiving a high school diploma.

### **Student Enrollment and Attendance**

Enrollment in OYA shall be consistent with California Charter Schools Act and federal law. The overall enrollment for the six sites is 350 students for the 2020-21 school year. Additional sites are possible for upcoming school years, as need develops. OYA will accept any Santa Clara County student seeking educational re-engagement and who will be eligible to pursue a high school diploma, as well as those from contiguous counties. This is in accordance with standard independent studies compliance guidance from the state. Enrollment projections for the next five years could reach 2,000 students.

The Opportunity Youth Academy actively identifies, recruits and provides a premier dropout recovery, WASC accredited high school program to an Opportunity Youth population. We define Opportunity Youth as youth between the ages of 16 and 24 who are neither enrolled in school nor participating in the labor market. This definition comes from the White House Council for Community Solutions and other prominent resources in the field, including Opportunity Road and The Economic Value of Opportunity Youth.

OYA specifically recruits Opportunity Youth which include but are not limited to the following student groups:

- Foster Youth
- Special Education Youth
- Justice Engaged Youth
- Pregnant and Parenting Youth
- Homeless Youth
- Unemployed Youth
- All other youth 16-24 who are considered economically disadvantaged and who qualify for federal Workforce Innovation and Opportunity Act (WIOA) job training with workforce partners

All OYA students are required to sign an Independent Student Agreement. (See **APPENDIX D**).

### **Who should apply to OYA?**

A potential OYA student is someone who:

- Wants to return to school and complete their high school diploma;
- Wants to identify and explore possible college and career paths;
- Is not currently enrolled in a school or educational program (including a charter school);
- Is willing to create short- and long-term goals towards completing education, as well as transition plans that may include attending community college, taking part in job training and internships.

To provide an exceptional OYA educational program and to support the academic goals of the students enrolled, the OYA program will hire experienced, highly qualified certificated staff with the following qualifications. OYA teachers will:

- Possess a valid California Multiple or Single Subject Teaching Credential
- Possess, or be working towards, a valid California Education Specialist Credential with a Mild/Moderate authorization or equivalent California Special Education Credential (intern eligibility will be considered).

### **Program days and hours of operation**

- The program will operate as a year-round (220 operational days) school to provide maximum opportunity to our students.
- Through flexible staff scheduling options, the program will provide an extended school day by providing access to teachers and learning labs a minimum of 7 hours per day.
- Evening hours may also be offered based upon student and local community needs.

### **What it Means to be an Educated Person in the 21st Century**

There are many ideas from the global community that shape our ideas about the “educated person” in the 21<sup>st</sup> century; however, we consider our definition distinctively American. Touching the past with care and respect, while pushing the boundaries of conventional thinking to invent the future, have always been a part of the American experience. A complex diversity of cultures, the free-wheeling play of ideas, dedication to personal and community fulfillment, and the importance of discovery, change, and growth are key characteristics. For such people, the challenges of the next century are not problems, but widely expanded possibilities. This is the spirit that has infused American “know-how” for generations; this is the spirit and definition of our “educated person” in the 21<sup>st</sup> century.

The Secretary’s Commission on Achieving Necessary Skills (SCANS) for America 2000 report suggests that students must demonstrate a new set of competencies and skills in order to succeed in the 21st century workplace:

“... the technology of mass production emphasized discipline to the assembly line. Today, the demands on business and workers are different. Firms must meet world-class standards and so must workers. Employers seek adaptability and the ability to learn and work in teams.”

The OYA's competency-based instructional model is based on the learning organization work of Peter Senge (*The Fifth Discipline*), Michael Fullen's work on Professional Learning Communities (*Change Forces, Turnaround Leadership*), Ron Edmonds' research on the school effectiveness movement, Robert Marzano's *What Works in Schools*, Larry Lezotte's *Stepping Up!*, Reuven Fuerstein's *Mediated Learning*, and Stephen Covey's *7 Habits of Highly Effective People*. Drawing on the foundational work of Abraham Maslow (*Maslow's Hierarchy of Needs*), Bloom's Taxonomy of Educational Effectiveness, and Covey's *7 Habits*, SIATech has created a curriculum model that has effectively transformed the lives of thousands of students by helping them to achieve the goal of a high school diploma and expanded opportunities for a meaningful career. OYA leveraged the proven success of the SIATech blended learning instructional model and curriculum to prepare our OYA population to successfully transition to the 21<sup>st</sup> century workplace.

Using this theoretical framework, OYA provides high expectations within a highly structured and orderly atmosphere, placing a strong emphasis on skill acquisition, and providing for the frequent monitoring of student progress to promote student success. OYA's use of this customized curriculum provides for:

- integration of California's State Standards (CSS) and Next Generation Science Standards (NGSS).
- high-interest projects and assignments revolving around Career Technical Education (CTE), careers, and college readiness;
- applied academic skills in math, science, English and history requiring real world application through projects (example: Using current events to support a scientific or historical concept);
- multi-media tutorials to learn the core academics and technology applications;
- basic skills embedded in learning high-end technology (example: math students utilize AutoCAD [drafting software] to not only learn drafting, but to reinforce, better illustrate, and to self-discover mathematical concepts); and
- interwoven connections with Career and Technical Education (CTE), trades, and employability skills (multi-media tutorials to learn the core academics, technology, reading, writing, note taking, and speaking and listening skills and standards).

Competency-based learning allows teachers more freedom to use metacognitive approaches and differentiated instructional practices to foster student engagement. A competency-based delivery model considers each student as an individual with different learning needs. A look into working with Career Technical Education (CTE) students demonstrates that competency-based learning is a natural way to assist students' transformation from drop out to life-long learner. The workplace needs of a 21<sup>st</sup> Century economy demands that workers have actual task mastery of skills, not just time on task.

The Opportunity Youth Academy is an idea whose time has come. Never has it been more critical to the success of our students, our educational system, our economy, and our democracy. Competency-based education, with a focus on individual student growth, coupled with rigor, relevance, and relationship, in a high tech and high touch environment, facilitates a unique experience and meaningful transformation that creatively meets many of the needs of a 21<sup>st</sup> century economy and culture. Student success is ensured through small learning communities, lower than average student to teacher ratio, engaging and interactive curriculum, and an individual learning plan

Through a proven, innovative program OYA offers disadvantaged, At-Promise students the real opportunity to earn a high school diploma, transcend their previous situation, and step toward evolving into a “knowledge value” individual as described by David Thornburg.

OYA will leverage the knowledge and expertise of its partners to provide students with access to the middle class through an innovative curriculum and instructional model that prepares students to enter the 21<sup>st</sup> century workforce as vibrant contributing members of the community and the economy. OYA students will grow in persistence, perseverance, and resilience as they celebrate the rewards that comes from effort. OYA graduates will transition into careers, advanced training, and college because through their own hard work, and the support of a myriad a dedicated and caring professional staff, OYA graduates are *“Ready to Learn, Ready to Work, and Ready for Life!”*

### **English Learner Services**

Some of our students face an additional challenge of needing to develop language skills due to being English Learners (ELs). Other students upon enrollment and assessment are found to have below grade level academic skills that require remediation and support to access grade level high school curriculum. And other students arrive with exceptional skills and the ability to truly accelerate their learning. The blended learning model is an integral part of OYA’s program delivery contributing directly to student achievement, as well as narrowing the achievement gap for all students. Access to technology facilitates engagement, communication, interaction, and understanding. The blended learning practice provides the flexibility to individualize and personalize learning leading to individual gains in math and reading.

For students needing supplemental English Language Development (ELD), the following supports are included in the instructional model:

- OYA follows the state mandated protocol and procedures for identifying students using CALPADS, the home language survey, and the English Language Proficiency Assessments for California (ELPAC).
- OYA develops a customized ELD program for each student as part of their individualized learning plan. Their plan may include ELD-modified curriculum and supplementary instructional materials for differentiating instruction.
- The OYA ELD program includes a full immersion program that includes English Language acquisition and computer assisted programs designed to support English development.

OYA will meet all applicable legal requirements for ELs including, but not limited to, annual notification to parents/caregivers; student identification, placement, research-based English Language Development (ELD) and core content instruction; progress monitoring and intervention; teacher qualifications and training; re-classification criteria, and a process to reclassify qualified students to fluent English proficient status; monitoring and evaluating program effectiveness; and, standardized testing requirements.

OYA emphasizes continual improvement dedicated to strengthening and expanding integrated and designated ELD strategies, and will ensure staff is qualified to serve Long-Term EL students and have the needed supports from the SCCOE Student Services & Supports Division.

### ***Home Language Survey***

OYA shall comply with all applicable state and federal laws related to the education of EL students. OYA will follow the SCCOE policies and procedures for the provision of services to ELs including identification and assessment upon initial enrollment, the Home Language Survey will be administered to determine each student's primary language. Any student who is identified as having a primary language other than English, as determined by the Home Language Survey, and who has not been previously identified as an English Learner by a California public school, or for whom there is no record of results from the administration of an English language proficiency test, shall be assessed for English proficiency using the ELPAC.

### ***Assessments***

All students who indicate that their home language is other than English will be administered the ELPAC test within 30 days of initial enrollment, if they are entering a California public school for the first time for the school year, have no record of results, or have never taken an ELPAC test for another reason. They will be tested at least annually to measure their language growth thereafter between July 1 and October 31 of each year until reclassified as fluent English proficient. EL students will also participate in other state mandated tests as required.

### **Reclassification Procedures**

Reclassification procedures will utilize multiple criteria in determining whether to reclassify a pupil as proficient in English, including, but not limited to, all of the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC. The minimum expectations are Level 3 or 4 on ELPAC with no individual language domains less than a Level 2.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental/caregiver opinion and consultation, if applicable, achieved through notice to parents/caregivers of the language reclassification and placement process and encouragement of the participation of parents/caregivers in the school's reclassification procedure.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance levels and basic skills (based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English).

OYA will notify parents/caregivers, if applicable, of the school's responsibility for ELPAC testing under the Every Student Succeeds Act (ESSA) for annual English proficiency testing. ELPAC results will be given to parents/caregivers, if applicable, within 30 days of receiving results.

### **Outcomes**

The goals of the OYA EL Program are to provide students:

- Development of proficiency in English and in the county adopted core curriculum.
- Ability to overcome language barriers and recoup any academic deficits.
- Ability to demonstrate English Language proficiency comparable to the average SCCOE student of the same age or grade level whose primary language is English.

- Equitable access to curriculum and instructional materials provided for all students. Using the curriculum, these students will make progress that is equivalent to their peers, experience success and will sustain adequate psychosocial adjustment.
- To have students function successfully in the English language.

The needs of English Learners will be met through:

- Progress monitoring and assessment of growth in attaining English proficiency and reclassification.
- Access to highly qualified teachers authorized to teach ELs, including integrated and designated ELD.
- Implementation of the California ELD Standards.
- Content teachers engaging students in structured academic talk; systematic, explicit, intensive, differentiated reading instruction; and, development of literacy skills along with oral proficiency and literacy in English.
- Teacher use of scaffolding content and structured, collaborative activities throughout instruction.
- Staff collaboration regarding best practices in working with EL students.
- Primary language support provided by teachers, as feasible.
- Use of nonverbal cues, using graphic organizers, hands-on learning, and cooperative/peer tutoring.
- Use of cooperative learning, study buddies, project-based learning, and one-to-one student/teacher interactions.
- Use of higher order thinking questions, modeling thinking language by think alouds, explicit teaching, test and study skills, and high expectations.
- Use of the native language to increase comprehensibility.
- Total Physical Response (TPR).
- Language Experience (Dictated Stories).
- Scaffolding and activating prior knowledge.
- Use of realia and manipulatives.
- Project Based Instruction

In addition, if OYA enrolls more than 20 EL students, an English Learner Advisory Committee (ELAC) will be formed, comprised of parents, staff, and community members specifically designated to advise school officials on EL program services. Please refer to **APPENDIX T** for a detailed English learner instructional plan.

### **Meeting the Needs of Gifted Students/Proficient Students**

Students enrolled in OYA who are identified as gifted will have an individualized learning plan that will indicate the appropriate course pathway. OYA will provide each student with a learning environment conducive to developing and expanding his/her individual areas of giftedness. OYA recognizes a gifted student as a student who has superior intellectual development and is capable of high performance and accelerated learning.



OYA will provide appropriate challenging coursework for all students along with opportunities to accelerate in order to maximize each student's potential through a variety of options, including but not limited to, modifications of content, processes, or products through a differentiated curriculum, curriculum compacting, acceleration, and/or enrichment. All content areas offer opportunities for students to show mastery of skills and standards via Proficiency Exams, Challenge Tests, and Check Points. Students that are able to master these skills with an 80% proficiency or higher, may test out of all or parts of the curriculum to accelerate their learning pathway. In both math and ELA, gifted students may meet specific criteria to begin the Senior Project Prep modules (STEM for math and Writing and Technology for ELA), which consist of only those assignments needed to complete Senior Projects.

In addition to these pathways, OYA also offers several a-g advanced courses including American Government (A), Economics (G), U.S. History (A), World History (A), Algebra I (C), Geometry (C), Integrated Math II, Biology (D), and Spanish I (E).

OYA's flexible learning environment is designed to challenge and nurture gifted learners. Independent projects, enrichment activities, learning styles, mentors, and leveling assignments are just a few of the strategies that are used to address the needs of all. Coursework will be adapted to meet individual gifted student needs. These adaptations may include adding depth, breadth, complexity, or abstractness to the course curriculum and/or adjusting the pace with which material is presented.

#### **Providing Services to Below Grade Level and Other At-Promise Students**

Students enrolled in OYA who are identified as below grade level will have an appropriate course pathway. OYA will provide each student with a learning environment conducive to developing and expanding his/her individual areas of growth. OYA recognizes a below grade level student as a student who needs scaffolding to build basic, foundational skills before mastering the skills and standards of the high school core curriculum.

OYA provides appropriate scaffolded coursework for all students along with remedial opportunities in order to maximize each student's potential through a variety of options, including but not limited to, modifications of content, processes, or products through a differentiated curriculum, curriculum compacting, and/or enrichment. Supplemental curriculum and resources in Math and Reading strategies; Intensive Reading; a Pre-module, which teaches parts of speech and basic sentence structure; educational videos; and modified curriculum and other resources; and the National Repository of Online Courses(NROC) Developmental Mathematics curriculum that was designed to remediate an adult learner from basic mathematics through college readiness in mathematics.

#### **Meeting the Needs of Students with Special or Exceptional Needs**

OYA shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act of 1992 ("Americans with Disabilities Act") and the Individuals with Disabilities Education Improvement Act. OYA shall be solely responsible, at its own expense, for its compliance with Section 504 and the Americans with Disabilities Act.

When a student enrolls with an IEP under IDEIA, then an IEP meeting will be held to determine FAPE (Free Appropriate Public Education). Placement may be appropriate at OYA, and goals, objectives, supports and services will be determined by the IEP Team.

Upon enrollment, of a student with a current individualized education program (“IEP”), OYA shall comply with the requirements of law for providing services in accordance with or comparable to those described in the IEP and adoption/development of an IEP. Those services are provided either through special education, certified employees, or approved contracted services. Examples of services that are provided include speech & language services, counseling services, vision and hearing screenings, and instructional support. Students are provided with accommodations and/or modifications based on their IEP in the high school curriculum, alternative standards-based curriculum, remediation/supplemental materials, as well as various school settings. OYA has paper-based and computer-assisted curriculum that meets the needs of students who are not able to access the standard curriculum. Peer tutors, assistive technologies, and strength-based instructional planning/delivery are other examples of supports and services that may be used to meet the individual needs of students with disabilities.

OYA has consulted with, and will work in cooperation with, the SCCOE, local educational agencies (LEAs) and the Special Education Local Plan Area (SELPA), to ensure that a Free and Appropriate Public Education (FAPE) is provided to all students with exceptional needs. OYA will align practices and procedures with SCCOE’s Special Education Program Policy Guide to support the same goal: maintain a high quality program delivery model that is fiscally sound and follows a fiscal allocation plan. Agreements will be negotiated to determine allocations of actual and excess costs, as well as OYA’s responsibilities regarding any encroachment on general funds. The anticipated needs and costs associated with special education were based on a review of expenditures and programs similar in design to the OYA rather than comparisons to more traditional schools. Anticipated special education expenditures are based upon implementations of similar schools.

OYA uses SCCOE’s special education policies as a guide in providing a continuum of specialized support and services while maintaining full compliance with county, state, and federal mandates and regulations. OYA administrative and instructional Special Education staff welcomes any opportunity to collaborate, grow professionally, learn from each other, and share best practices.

OYA has elected to function as a dependent charter of the SCCOE local educational agency that granted the charter for purposes of providing special education and related services pursuant to Education Code Section 47641(b).

### **SELPA Membership**

Pursuant to legal provisions of both federal and state law, eligible students enrolled in charter schools are entitled to special education services provided in the same manner as such services are provided in other public schools and charter schools within the SELPA.

OYA shall not discriminate against any pupil in its admission criteria on the basis of disability. OYA will be considered a school of Santa Clara County Office of Education, (SCCOE) for the purposes of special education.

### **OYA Responsibilities**

OYA delivers the required and appropriate special education services to enrolled students unless other agreements have been reached between the SCCOE or Santa Clara County SELPA regional providers.

Services shall include:

- Child Find.
- Initial, annual, and triennial evaluations.
- Individual Education Plan (IEP) development.
- OYA will utilize the county's comprehensive services to provide appropriate education services to all enrolled students.
- Submission of all required reporting, filings, etc. to fully comply with the Santa Clara County SELPA and California Department of Education (CDE) requirements.

### **Provisions for and Compliance of Special Education Services Referral**

OYA students, teachers, key school personnel, or other interested persons systematically review and make recommendations about student performance related to:

- Academic progress;
- Social/Emotional development;
- Physical limitations; and/or,
- Behavioral history.

Students shall be referred for special education assessment only when their individual needs interfere with school performance and cannot be met through modifications within the general education/independent study setting, (federal mandates require general education resources and services be exhausted before the OYA refers a student for special education testing) or if requested by a parent of a student under 18, or an adult student. Objective and complete data will be collected during an initial referral to ensure appropriate recommendations for students are made (i.e., work samples, cumulative record review, CA test scores and health history). A follow-up date is scheduled to review the progress of the proposed strategies. If sufficient progress is noted at the follow-up meeting, more restrictive interventions will not be warranted. If progress is not noted, a Student Study Team (SST) may refer the student to a second tier where more intensive research-based curricular strategies are implemented or may refer the student for special education assessments.

A formal request from a parent or adult student to assess a student for special education supersedes the SST process and OYA staff will comply with all timelines and procedures for developing an assessment plan or sending Prior Written Notice if an assessment is deemed not appropriate.

### **Special Education Programs and Services**

Upon enrollment of a student with an IEP, a representative from OYA staff will meet with the student and parent/caregiver, if applicable, to review the student's current IEP, review transcripts and discuss course assignment. Special education English Learners' IEP goals will reflect the individual student's linguistic objectives. The needs of special education students will be met through:

- Progress monitoring through assessment of progress in meeting student's IEP goals.
- Placement in appropriate courses with highly qualified teachers credentialed to instruct students with special needs.

- Assignment to core classes and intervention courses for reading and/or math based on the student's needs.
- Special modifications and/or accommodations of curriculum or instruction, as specified in their IEP, to enable successful participation in the core curriculum.
- Additional instructional time, as specified in the IEP, to provide students sufficient instruction and practice in order for them to master grade-level standards, if applicable.
- Differentiated instruction by content teachers to engage students in structured reading instruction, development of literacy and math skills, and use of accommodations and/or modifications.
- Collaboration between OYA, the SCCOE and the Santa Clara County SELPA to provide appropriate special education services.

### **Interim Placement and Individual Education Plan (IEP) Development**

OYA will adhere to the legal mandates outlined in the Individuals with Disabilities Education Improvement Act (IDEIA) in implementing regulations. When a student with an active IEP enrolls in OYA he/she is provided an interim special education placement and a new IEP will be written on the corresponding Santa Clara County SELPA forms within 30 days. After the interim placement, staff, parent/caregiver, and the student may revise the IEP with appropriate goals and access to services at the OYA program or to consider alternate placement options, if the student's needs cannot be met at OYA.

The IEP team is comprised of the student, parent/caregiver (and/or their requested representative[s]), if applicable, a general education teacher, special education personnel who will be working with the student, an administrative representative, and the student. Based upon areas of need, the goals, objectives, and frequency/duration of services are designed to maximize educational benefits for the student. Annual goals and short-term objectives are developed based upon California grade level standards and Frameworks. Progress is periodically monitored, and written documentation of progress toward meeting annual goals is provided to parents/caregivers as frequently as their general education counterparts (but no less than three times per year).

### **Initial and Triennial Assessments**

When students are referred for an initial evaluation to determine if they meet eligibility requirements to receive special education, OYA will generate a referral for special education; monitor all legal timelines; develop an assessment plan offering testing in all areas of suspected areas of need/disability; coordinate qualified personnel to provide the required testing; generate IEP meeting notices; develop and facilitate the IEP meeting; and, distribute copies of the IEP to appropriate personnel. Although not legally required, OYA staff will attempt to distribute written assessment reports to the parent/caregiver prior to the IEP meeting. In the event this is not feasible, OYA will ensure copies of the reports are available at the meeting. OYA will utilize the Santa Clara County web-based SELPA Information Record and Analysis Support (SIRAS) system to complete all IEPs and report CASEMIS information.

At least once every three years, a student will be reassessed to determine his/her continued eligibility to receive special education services. Following any initial or triennial assessment, if a student has a documented learning or related disability but does not meet other eligibility requirements for special education, a Section 504 Accommodation Plan is offered and if accepted, developed at the meeting.

### **Identification of Bilingual Special Education Students**

Before a student whose native language is not English is referred for special education, their level of English proficiency will be determined to ensure their lack of acquisition of language skills is not the reason for lower academic performance. Every attempt will be made to have personnel fluent in the student's native language and familiar with their native culture to participate during the SST process and during the referral, assessment and identification processes for determining the eligibility for special education.

The Limited English Proficiency/Fluent English Proficiency status of a student will be used to determine the language that he/she will be assessed in when a formal referral to special education is made. This will be documented on the assessment plan. Bilingual personnel will translate during IEP meetings and are available to transcribe all written documents (assessment reports, IEP forms, Parent Rights and Procedural Safeguards, etc.) when requested by a parent. All goals and objectives for bilingual students will be linguistically appropriate and are developed so that the student's language acquisition needs are taken into account. Special education personnel who assess and deliver services outlined on the student's IEP will have Cross-cultural, Language, and Academic Development (CLAD) certification authorizing them to provide instruction to English learners.

### **Dispute Resolution & Complaint Procedures**

OYA shall comply with applicable federal and state laws and regulations. OYA shall comply with the Santa Clara County Office of Education's Uniform Complaint Procedure ("UCP") in compliance with California Code of Regulations, Title 5 Section 4600 *et seq.* in the processing and investigation of any complaints covered thereby. The UCP shall apply to the filing, investigation, and resolution of complaints alleging a violation by OYA of federal or state law or regulations governing educational programs, including:

1. Complaints of unlawful discrimination against, harassment, intimidation, or bullying against any protected group including actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definitions of hate crimes set forth in Penal Code Section 422.55, including immigration status, or association with an individual or group with one or more of the aforementioned characteristics in any Charter School program or activity; and
2. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, consolidated categorical aid, migrant education, career technical and technical education training programs, childcare and development programs, and child nutrition program.
3. Complaints of unlawful pupil fees pursuant to Education Code Section 49010 to 49013 regarding pupil fees.
4. Complaints regarding instructional materials, teacher vacancy or misassignment, and school facilities, as described in the UCP.

Unless the OYA Board otherwise determines, the person(s), employee(s) or agency position(s) or unit(s) responsible for receiving complaints, investigating complaints and ensuring OYA's compliance with the UCP shall be the same as is(are) responsible for the Santa Clara County Office of Education's

compliance. Parents also have the right to file a complaint with the county and/or the California State Department of Education.

### **LCFF/LCAP Annual Goals and Annual Actions to Achieve Goals for Subgroups**

OYA will observe and meet the state priorities listed in *Education Code Sections 52060* and *52066*. The OYA program will be planned in such a manner as to comply with each of the eight priorities as established in the Local Control Accountability Plan (LCAP). Goals will be established for each group in the following areas:

#### **A. Conditions of Learning:**

- **Basic:** degree to which teachers are appropriately assigned pursuant to Education Code section 44258.9, and fully credentialed in the subject areas and for the pupils they are teaching; pupils have access to standards-aligned instructional materials pursuant to Education Code section 60119; and school facilities are maintained in good repair pursuant to Education Code section 17002(d). (Priority 1)
- **Implementation of State Standards:** implementation of academic content and performance standards adopted by the state board for all pupils, including English Learners. (Priority 2)
- **Course access:** pupil enrollment in a broad course of study that includes all of the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable. (Priority 7)

#### **B. Pupil Outcomes:**

- **Pupil achievement:** performance on standardized tests, share of pupils that are college and career ready, share of English learners that become English proficient, English learner reclassification rate, share of pupils that pass Advanced Placement exams with 3 or higher, share of pupils determined prepared for college by the Early Assessment Program. (Priority 4)
- **Other pupil outcomes:** pupil outcomes in the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Education Code section 51220, as applicable. (Priority 8)

#### **C. Engagement:**

- **Parent involvement:** efforts to seek parent input in decision making, promotion of parent participation in programs for unduplicated pupils and special need subgroups. (Priority 3)
- **Pupil engagement:** school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates and high school graduations rates. (Priority 5)
- **School climate:** pupil suspension rates, pupil expulsion rates, other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness. (Priority 6)

OYA aims to prepare students for success by providing a supportive school environment focused on increasing academic and positive social skills and behaviors, while providing functional life skills

instruction. OYA will operate as a charter school under the authorization of the Santa Clara County Board of Education, as a unique public school with the following overarching goals:

- To provide students and, when applicable, parents/caregivers with expanded choices in the types of educational opportunities that are available within the traditional public school system.
- To reach students who have “dropped out,” are not currently enrolled in any school, or face particular challenges, such as health issues or the need to work, that make daily attendance difficult.
- To educate students who, for a variety of reasons, have fallen behind in their studies and need targeted instruction to fill the gaps in their learning and/or who are credit deficient.
- To increase student learning and academic performance.
- To provide students with alternative methods to master core content standards.
- To foster rigorous learning experiences aligned to state standards.
- To increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are identified as performing below potential.
- To stimulate students’ natural interests and curiosity.
- To develop learners who are self-motivated.
- To support students in identification of life and career goals and assist transition into employment.

OYA will be accountable for meeting these goals and achieving measurable pupil outcomes through a performance based system. The following annual goals and annual actions will be implemented with an eye to the overarching goals listed above. They will be further detailed in the school’s Local Control Accountability Plan (LCAP), to be submitted annually, and they may be revised and/or reorganized therein. OYA recognizes that the majority of our students will likely be socio-economically disadvantaged, and annual goals and actions will be developed to address the needs of this subgroup. The annual goals and annual actions below and future LCAPs to be developed shall reflect laws and regulations as applicable to charter schools, which have added flexibility in several of the state priority areas.

Goal #1- All OYA students will be prepared to transition successfully into subsequent educational levels and the work force.

STATE PRIORITY 1: Teacher credentialing, access to standards-aligned instructional materials, and maintenance of school facilities.

- ANNUAL GOAL 1A, All years. All students: All teachers will possess credentials appropriate to their assignment, as applicable to charter schools.
  - ANNUAL ACTION 1Ai, All years: Ensure possession of appropriate credentials upon hiring.
  - ANNUAL ACTION 1Aii, All years: Monitor validity of teacher credentials.
- ANNUAL GOAL 1B, All years. All students: OYA will utilize materials that support instruction in state standards, as appropriate to the nature of the program operated in Mathematics, Science, History-Social Science and English-Language Arts.
  - ANNUAL ACTION 1Bi, All years: Procure instructional materials to support standards-based instruction.

STATE PRIORITY 2: Implementation of state-adopted standards, including access to academic content and development of English proficiency by English Learners.

- ANNUAL GOAL 2A, All years. All students: All teachers of Mathematics, Science, History-Social Science and English-Language Arts will participate in professional development in implementing standards-based instruction.
- ANNUAL ACTION 2Ai, All years: Provide teacher training as needed to support delivery of standards-based instruction.
- ANNUAL ACTION 2Aii, All years: Monitor students' learning plans and provide ongoing support to teachers to refine implementation.
- ANNUAL ACTION 2Aiii, All years: Monitor EL students English proficiency skills as developed through implementation of the California ELA/ELD Framework.

STATE PRIORITY 4: Pupil achievement as measured by all of the following:

A. Mandated statewide assessments

- ANNUAL GOAL 4A, All years. All students: Set and achieve targets for student performance on mandated statewide assessments.
- ANNUAL ACTION 4Ai, 2020-21. Establish benchmarks and targets for student performance on mandated statewide assessments.
- ANNUAL ACTION 4Aii, All years. Establish and refine curriculum, instruction, and assessment needed to achieve targets.
- ANNUAL ACTION 4Aiii, 2020-21 to 2024-25. Monitor student progress toward targets using formative and summative assessments.
- ANNUAL ACTION 4Aiv, 2020-21 to 2024-25. Provide professional development and adjust instruction as needed in response to analysis of student performance data.

B. The Academic Performance Index (API)

*Not applicable.* The API is currently suspended.

C. UC/CSU a-g/career readiness

- ANNUAL GOAL 4C, All years. All students: Set and achieve targets and metrics for UC/CSU a-g completion rates/career readiness.
- ANNUAL ACTION 4Ci, All years. Review current graduation requirements and move towards greater alignment to UC/CSU a-g course requirements.
- ANNUAL ACTION 4Cii, All years. Investigate barriers to UC/CSU a-g course completion and develop plans to reduce these obstacles.
- ANNUAL ACTION 4Ciii, All years. Investigate barriers to career readiness and develop plans to reduce these obstacles.

D. Progress toward English proficiency

- ANNUAL GOAL 4D, All years, English Learner students: Set and achieve targets and metrics for English proficiency.
- ANNUAL ACTION 4Di, All years. Implement and refine English Language Development services
- ANNUAL ACTION 4Dii, 2020-21 to 2024-25. Establish benchmark and target English proficiency rates.



E. The English Learner reclassification rate

- ANNUAL GOAL 4E, All years, English Learners. Set and achieve targets and metrics for English proficiency.
  - ANNUAL ACTION 4Ei, All years. Implement and refine English Language Development services.
  - ANNUAL ACTION 4Eii, 2020-21 to 2024-25. Establish benchmark and target English Learner reclassification rates.

F. Advanced Placement (AP) exams

*No applicable goals:* Based on the nature of the program, OYA does not view AP exams as applicable. While OYA will support students wishing to take AP courses, based on the school's target population, it is unlikely to be a goal of sufficient numbers of students to be a meaningful school-wide goal.

G. College preparedness assessments

- ANNUAL GOAL 4G, All years. All students: Set and achieve applicable goals for college preparedness assessment for college bound students.
  - ANNUAL ACTION 4Gi, 2020-21, Provide all students guidance and experiences that enable them to determine their level of interest in preparing for college admission.
  - ANNUAL ACTION 4Gii, 2020-21 to 2024-25. Provide all college bound student's instructional support and guidance to prepare for college entrance assessments, including the Early Assessment Program (EAP) where appropriate.

STATE PRIORITY 7: Access to a broad course of study in subject areas described in Education Code Section 51210 and 51220, as applicable.

- ANNUAL GOAL 7A, all years, All students: All students will have access to and enroll in a broad course of study that includes work readiness and skilled career training opportunities.

STATE PRIORITY 8: Pupil outcomes in subject areas described in Education Code Section 51210 and 51220, as applicable.

- ANNUAL GOAL 8A, All years, All students: All students will demonstrate competencies in core content areas and will earn grades and credits in core courses.
  - ANNUAL ACTION 8Ai, All years, All students: All students will show an increase in grades and credits earned.

Goal #2- All OYA students will learn in safe, consistent, nurturing environment.

STATE PRIORITY 1: Teacher credentialing, access to standards-aligned instructional materials, and maintenance of school facilities.

- ANNUAL GOAL 1C, All years. All students: The school facilities are maintained in a manner that ensures that they are clean, safe, and functional as specified in subdivision (c) of Education Code Section 17002.
  - ANNUAL ACTION 1Ci, All years. Evaluate facilities to ensure they are clean, safe, and functional, and make changes as needed.

STATE PRIORITY 3: Set and achieve goals for parent involvement in school site subgroup decisions, including parental participation in programs for unduplicated pupils and EL students.

NOTE: OYA anticipates having different parent involvement from most K-12 schools, based on serving a target population of students aged 16 and older.

- ANNUAL GOAL 3A, All years. All students: Set and achieve goals for parent involvement.
  - ANNUAL ACTION 3Ai, 2020-21. Determine and monitor progress toward goals for parent involvement.
  - ANNUAL ACTION 3Aii, All years. Establish and refine methods for general parent communication, feedback, and, as appropriate, input with respect to school decisions.

STATE PRIORITY 5: Pupil engagement

A. School attendance rates

- ANNUAL GOAL 5A, All years. Set and achieve targeted attendance rates
  - ANNUAL ACTION 5Ai, 2020-21. Establish baseline and target attendance rates and implement strategies to encourage consistent attendance.
  - ANNUAL ACTION 5Aii, 2020-21 to 2024-25. Design, implement, and refine global and targeted strategies as appropriate to achieve targeted attendance rates.

B. Chronic absenteeism rates

- ANNUAL GOAL 5B, All years. Implement research based strategies to prevent and reduce chronic absenteeism.
  - ANNUAL ACTION 5Bi, 2020-21. Establish baseline and target rates of chronic absenteeism.
  - ANNUAL ACTION 5Bii, 2020-21 to 2024-25. Design, implement, and refine strategies as appropriate to assist students in meeting targets for reduced chronic absenteeism.

STATE PRIORITY 6: School climate

A. Pupil suspension rates

- ANNUAL GOAL 6A, All years. All students: Implement strategies designed to prevent pupil suspensions for all students.
  - ANNUAL ACTION 6Ai, All years. Identify any students at risk for suspension and develop and implement services to support each student to meet the school's expectations.
  - ANNUAL ACTION 6Aii, All years. Monitor and analyze effectiveness of services for students at risk of suspension to continually refine and improve.

B. Pupil expulsion rates

- ANNUAL GOAL 6B, All years. All students: Implement strategies designed to prevent pupil expulsions for all students.
  - ANNUAL ACTION 6Bi, All years. Identify any students at risk for expulsion and develop and implement services to support each student to meet the school's expectations.
  - ANNUAL ACTION 6Bii, All years. Support students who are expelled with meeting the terms and conditions of their expulsion plan.
  - ANNUAL ACTION 6Biii, All years. Monitor and analyze effectiveness of services for students at risk of expulsion to continually refine and improve.

C. Other local measures, including surveys of pupils, parents and teachers on sense of safety and school connectedness

- ANNUAL GOAL 6C, All years. All students: Increase or maintain annually the proportion of students, parents and teachers who indicate a high sense of safety and high levels of students' school connectedness.
  - ANNUAL ACTION 6Ci, 2020-21, Develop targets and metrics for school connectedness and safety.
  - ANNUAL ACTION 6Cii, 2020-21 to 2024-25. Based on assessments of school connectedness and safety, develop or refine strategies as appropriate to achieve targets.

### **Transferability of High School Courses**

Upon enrollment, students and their parents (for those students under 18 years of age) will be notified by OYA of the acceptability of credit for transferring into or out of OYA.

### **Career and College Pathway Efforts**

The OYA will partner with other entities to provide options and pathways designed to deliver long-term solutions for over-age, academically underserved, and almost all, poverty level youth, that are not enrolled in school or participating in the labor market.

To provide opportunities for success for every participating student, the OYA program will include resources, and Career Technical Education (CTE) electives and post-secondary preparation training, focused on building the rigorous Academic and Career Technical Education Skills needed for successful transition into postsecondary education, Career Technical training, and employment opportunities in high skill, high wage STEM careers. As a result of our partnerships, OYA can provide access to a vibrant consortium including industry partners, STEM Industry and community foundations, LEAs, WIOA, and community colleges. The OYA Career Pathways will focus on the Silicon Valley priority and emergent industry sectors of Advanced Manufacturing, and Information Computer Technologies (ICT)/Digital Media.

The Opportunity Youth Academy will serve an economically disadvantaged population, underrepresented in STEM College and Career Pathways. Research has shown that workers in STEM fields—science, technology, engineering, and mathematics—play a critical role in driving economic growth, and STEM employment provides a significant pathway to family-supporting incomes. Yet too many African Americans, Latinos, and Native Americans are underrepresented in the STEM workforce. The OYA will be a member of the Opportunity Youth California Career Pathway Trust consortium and will leverage and grow existing partnerships and, forge new relationships, to provide STEM Career and college pathways for Opportunity Youth to high skill, high paid College and Career Pathways. The efforts of this committed group of partners will support and empower, a currently disenfranchised student population with access to the middle class through multiple rewarding STEM career pathway options.

### **New Staff Orientation, Training and Support**

New Staff Orientation (NSO) orients new staff to learn about the needs of opportunity youth, OYA structure and services, the school sites, and most importantly, the unique instructional needs of the population of learners served. This program is offered upon entry and available year round, so it is flexible for staff entering after the traditional beginning of the school year. This program matches the new staff member with a mentor who has been trained to organize and personalize the experience for the new staff member and includes culture, curriculum, and information to equip the staff member to

quickly adjust to the organization and his/her role for supporting students in learning. The Director/Principal also works closely with the mentor and participant to differentiate the course curriculum for each staff member's needs.

As part of NSO, the new staff member has weekly discussions with the mentor for "just in time" support. Those weekly conversations are supplemented by asynchronous coursework using a learning network platform, which includes instruction in the following areas: specific school guidelines; strategies for teaching English Language Learners and special populations students; classroom management; and technology. In addition, new staff members are encouraged to job shadow in their particular area and visit other sites to observe and learn from more veteran teachers and staff.

### **Professional Development**

Supporting and empowering educators are fundamental parts of OYA's educational ecosystem. Through a service contract with SIATech, OYA staff will take part in teacher/leadership development programs where educators are supported at every stage in their careers. Over 25 courses have been developed to prepare instructors, classroom assistants, and administrators to be leaders in the continually changing educational environment. SIATech's professional development program, inclusive of a California certified induction program, prepares experienced and aspiring teachers. New teachers are paired with experienced mentors to help ensure they earn their teaching credentials and evolve toward expert teacher status. Orientation programs welcome new employees and provide training for entire new OYA site locations to ensure staff are able to positively impact student learning immediately and dynamically upon opening of each OYA site. OYA's team supports educators through ever-increasing learning standards and commensurate demands, including subject-focused trainings centered on the CA State Standards.

OYA programs serve a significant population of the most at-risk students from the juvenile justice system and the foster care system. OYA counters these various risk factors with a rigorous curriculum that is adaptable to each student's individual needs, small school programs in multiple, highly accessible locations throughout Santa Clara County and, highly qualified caring educators who are invigorated by frequent professional development, which includes training on trauma informed instruction based upon research done by Dr. Amy Lansing of the University of CA San Diego (UCSD).

Dr. Lansing's research on the developmental impact of chronic and severe traumatic stress on children has begun to link violence exposure, poverty, maltreatment and cognitive functioning. Dr. Lansing is the director of the Cognitive and Neurobehavioral Studies in Aggression, Coping, Trauma and Stress (CNS-Acts) research program at UCSD. Her research program is dedicated to understanding the neurobehavioral underpinnings of high-risk behaviors and functional impairment in underserved and vulnerable populations, such as juvenile delinquents and maltreated youth.

This program integrates neuroscience technologies, cognitive rehabilitation, mental health services, neuropsychology, criminology, social justice and public policy issues. Support for her research comes from the National Institute of Child and Human Development and the National Institute on Minority Health and Health Disparities.

Dr. Amy Lansing states, "While it is critical to instill a sense of personal responsibility, persistently delinquent youth disproportionately have severe trauma exposure, serious mental health issues,

neurological problems and cognitive deficits. These youth also disproportionately come from underperforming school systems, impoverished communities and unstable home environments. There really are very few choices available to them. While the issues are very complex, this should not prevent us from moving forward and working together to improve the lives and living conditions of the most vulnerable portions of our society."

The OYA leadership team believes that knowledge of the impact of chronic and severe traumatic stress on children is a key component to a comprehensive professional development plan that prepares educators to engage and empower an opportunity youth student population.

### **Motivating Reluctant/Resistant Learners**

The impact of chronic and severe traumatic stress upon the OYA student population will also necessitate that our staff undertake additional and targeted professional development to counteract its dire effects. Best practices for how to work and incorporate Reluctant/Resistant Learners into our program will also be identified and adopted into OYA's teaching delivery. For students to feel a sense of ownership in their own learning they need to be a part of the process at its inception. At first, teachers may be leery of allowing students to have a voice in determining the project, or even the criteria for which they would be assessed. However, when students are respected as life-long learners and can suggest the criteria for assessment, they become thoughtful and responsible. This is a step that increases their motivation and challenges their interest, and makes them responsible for the work they produce. A Reluctant/Resistant student usually develops these inherent feelings of exclusion after a lifetime of having been excluded from school, family, community or any number of affirming social circles. OYA will establish a teaching style that:

- Increase students' ownership in the classroom so that they are intrinsically motivated.
- Provide and design strategies that inspire higher level thinking skills that excite and motivate our students to read, write, speak, listen attentively, and perform.
- Utilize coaching strategies that work best with Reluctant/Resistant students to increase the quality of study work.

### **Mindset**

The concept of developing Mindset is a simple idea discovered by world-renowned Stanford University psychologist Carol Dweck in decades of research on achievement and success. OYA staff will be trained to identify and develop this simple idea in our student and will learn that it makes all the difference.

In a fixed mindset, people believe their basic qualities, like their intelligence or talent, are simply fixed traits. Translated into our student populations, OYA students may see themselves only as dropouts because they have been measured and reinforced as being dropouts all their life. So they spend their time documenting their intelligence or talent, or lack thereof, and accept the evidence before them that they are indeed drop-outs. Instead of attempting to develop their intelligence, their mindset, they believe that talent alone creates success—without academic effort. Successful participation in the OYA program will prove them wrong.

In a growth mindset, people believe that their most basic abilities can be developed through dedication and hard work—brains and talent are just the starting point. This view creates a love of learning and a resilience that is essential for great accomplishment. Studies into the profiles of individuals who develop their mindset suggest that virtually all great people have had these qualities. Teaching a

growth mindset creates motivation and productivity in the worlds of business, education, and sports. It enhances relationships. Our OYA staff will be trained to develop their own growth mindset and usher the students that they teach to develop their own as well.

### **STEM/CTE/Project-Based Learning**

The professional development for the OYA staff may also include areas in understanding the college and career opportunities of developing a comfort with and proficiency in the areas of STEM focus. Many of OYA's potential students do not see themselves as fully understanding the subjects of science, technology, engineering or math. Incorporating the benefits of the above professional development topics, OYA teachers will work at addressing students' traumatic and chronic stress complications. OYA teachers will seek to identify and develop in them the perspectives and tools that reluctant/resistant learners need to succeed. OYA will seek to establish and develop a growth mindset in these students by focusing in STEM and CTE subject areas and showing them that they can succeed in these subject areas and benefit from them in their college and career plans.

The proposed professional development topics are interrelated. To the extent possible, trainings will incorporate and integrate the interrelated concepts and the application of those concepts in the instructional program. This approach will allow a more coherent and cohesive implementation.

### **ELEMENT B: Measureable Pupil Outcomes**

**Governing Law:** Measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both school-wide and for all groups of pupils served by the charter school, as that term is defined in Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, which apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605.6(b)(5)(B).

### **OYA Student and Related Outcomes**

OYA seeks to improve student academic knowledge and guide them upon an educational plan that will result in completing all course criteria to qualify them to obtain an accredited California high school diploma. All courses and curriculum utilized by OYA are aligned with California State Standards and its teaching staff meets California Commission on Teacher Credentialing (CCTC) requirements. OYA is a Western Association of Schools and Colleges (WASC) accredited institution and credits earned will be fully transferrable to other high school programs as well as institutions of higher learning.

### **School Exit Outcomes and Performance Goals**

1. Individual Student Growth Results will demonstrate accelerated learning in reading.
  - The percentage of students demonstrating accelerated growth in reading skills will trend up over the term of the charter.<sup>1</sup>
2. Individual Student Growth Results will demonstrate accelerated learning in mathematics.
  - The percentage of students demonstrating accelerated growth in mathematic skills will trend up over the term of the charter.<sup>1</sup>

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<sup>1</sup><https://valueadded.teachingdoctors.com/register/>

3. An evaluation of Individual Student writing skills will demonstrate improvement over time.
  - Individual student growth in writing skills will improve over time as evidenced by student writing portfolios.
4. The OYA graduation rate will compare favorably with the graduation rate of schools serving similar student populations in California and will trend up over the term of the charter.
5. Student enrollment in colleges and/or in advanced training or achievement of certifications will be evaluated annually and will trend up over the term of the charter.
  - Staff will use the National Student Clearinghouse<sup>2</sup> data to gather college data.
  - Staff will encourage student participation in an alumni program to gather these data.
  - Success metrics include, but are not limited to, Career Pathway selection, college credits earned, number of students participating in co-enrollment programs with partner colleges, CTE courses completed, certificates earned, internship and job shadowing experiences, advanced training completed with consortium partners, number of students placed in jobs, match of job to training received, and when available, salary earned in job. These metrics will be gathered and reported annually in the School Accountability Report Card (SARC).
6. Students will be evaluated by the Gallup Poll for hope, engagement, and well-being, measures of non-cognitive efforts to predict student success in academics and general youth development settings.<sup>3</sup>
  - School results will be compared to schools across the country, with the annual goal of overall comparable or better results in hope and engagement.

All of the outcomes and goals described previously align to the school mission, vision, and values through the use of a curriculum designed to engage an older student population and through assessments that will provide relevant academic growth information to each and every individual student.

OYA will adhere to California public high school graduation requirements and will prepare students for the accomplishment of the California State Standards.

OYA will use a comprehensive assessment approach designed to provide valid, reliable, and timely information for teachers to modify and improve instruction, select appropriate modes of classroom activities, monitor student progress, and use assessment results effectively. Assessments are designed to inform teachers about the effectiveness of their teaching and the academic/learning progress being made by students. OYA teachers use a variety of formative and summative assessments and evaluate, apply, and integrate assessment data to improve student performance on the standards-based curriculum requirements. These assessments also prepare students for the California Assessment of Student Performance and Progress (CAASPP) where appropriate.

### **Description of How Curriculum Aligns to Student Performance Standards**

The standards-based curriculum is designed to prepare students for fulfilling lives in the global economy of the 21st century with strong emphasis on real life skills that can be transferred to the

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<sup>2</sup> <https://www.studentclearinghouse.org/>

<sup>3</sup> <http://www.gallup.com/strategicconsulting/148115/Gallup-Student-Poll-Technical-Report.aspx>

world of work and/or higher education. Through the creation of student, school, business, and community partnerships focused on a highly relevant and research-based curriculum model applied to real-world situations, OYA will prepare students to be lifelong learners who are well-prepared to be contributing members of society.

Because the OYA core academic curriculum focuses on intellectual development, it will prepare students to increase proficiency in literacy and numeracy utilizing an instructional program that is aligned to the California State Standards (CSS) and the Next Generation Science Standards (NGSS). The instructional plan is theme-centered, integrated, interdisciplinary, problem-focused, and project-based, all of which will ensure our students are college and career ready.

The curriculum content of the core subject areas (Reading/Language Arts, mathematics, science, and social studies) is aligned with the CSS, NGSS, and State Content Standards for History-Social Science. Students of OYA will demonstrate the following competencies upon graduation.

**English/Language Arts.** Students will demonstrate strong reading skills in informational and literary text, writing from sources, listening, speaking, research and presentation skills in multiple forms of expression (e.g., written, oral, multimedia), with communication skills appropriate to the setting and audience. Through regular practice with complex texts and its academic vocabulary, students will build knowledge from, comprehend, and critically interpret multiple forms of informational and literary text, including complex technical directions much like they will be required to do with the annual California Assessment of Student Performance and Progress (CAASPP) assessment.

**Mathematics.** Students will develop abilities to reason logically, think critically, and persevere in problem solving situations to understand and apply mathematical processes and concepts from the CSS for math: number and quantities, algebra, functions, modeling, geometry and statistics & probability. Students discover and apply math properties and theorems using AutoCAD and other technology and illustrate mastery of concepts and standards via CSS-based activities and projects.

**Science.** Students will successfully utilize scientific research and inquiry methods to understand and apply the major concepts of various strands of science, which include science as inquiry, physical science, life science, earth science, space science, and science and the environment. Students will research scientific current events pertinent to their studies and creatively present their learning so that peers may learn and apply those skills and knowledge. Students will investigate real world issues and complete hands-on and virtual labs to address learning and inquiry as well as reflect on and summarize their learning. The integration of the three NGSS dimensions of practices, crosscutting concepts, and core ideas provides students with a context for the content of science, how science knowledge is acquired and understood, and how the sciences are connected through concepts.

**History/Social Studies.** Students will understand and apply civic, historical, economic, and geographical knowledge in order to serve as participating citizens in today's world of diverse cultures in both workplace and educational settings. Students will utilize key skills such as reading comprehension, critical thinking, problem solving, analyzing and applying knowledge, and using technology effectively. Students will learn historical concepts through domain-specific, informational texts; students are expected to learn through the texts rather than simply referring to them. Students will also build their



academic vocabulary while accessing complex texts. Real-world projects allow students to apply this knowledge to their own lives in the 21<sup>st</sup> century.

Competency is demonstrated in benchmark and summative assessments for each course and culminates in the presentation of five Senior Projects that represent a broad sampling of student learning. Students' mastery of the standards and their developed skills showcase themselves in the Senior Projects. The application of these college and career anchor standards, so essential in the core content areas, lend themselves to the Senior Projects and Creative Technology as well as the Final Presentation where students practice their listening and speaking skills.

Assignments are aligned to the state standards, so students and teachers can track the mastery of any particular standard in any content area assignment. Students leave OYA with a solid academic knowledge base in literacy and presentation skills, as well as marketable career and technical skills, increased academic confidence, and a high school diploma. The value and reward of this program is its proven ability to dramatically improve the career opportunities and quality of life prospects for this student population.

OYA seeks to improve student academic knowledge and guide them upon an educational plan that will result in completing all course criteria to qualify them to obtain a high school diploma. All courses and curriculum materials employed by OYA follow state adopted guidelines and its teaching staff meets California Commission on Teacher Credentialing (CCTC) requirements.

Material modifications of these outcomes or expectations will be submitted to the Santa Clara County Board of Education as an amendment of this charter.

### **ELEMENT C: Method by Which Pupil Progress Will Be Measured**

**Governing Law:** The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card. Education Code Section 47605.6(b)(5)(C).

#### **Methods of Assessment**

To measure the progress of the students at Opportunity Youth Academy and to ensure that the goals of the charter are being met, OYA will adhere to statewide standards with mandated standardized tests and will utilize additional OYA Charter School performance-based assessments on a regular basis to measure student progress. Student performance on these measures will help the OYA School community make informed decisions about instruction efficacy, needed program modifications, or additional goals and objectives to be developed.

The following assessment approaches may be included in the school's measurement of outcomes:

- Curriculum-Embedded Standards-Based Formative and Summative Assessments: locally developed tests, designed to measure student achievement on the grade-level standards-based curriculum content in core areas such as reading, mathematics, science, and social studies in grades 9 through 12. Students are assessed after each unit, module/course and at the completion of individual Senior Projects and the final formal presentation to staff, students, and others (parents, partners and/or fellow students). Advancement to subsequent units and modules requires a minimum 80%

success rate on the preceding ones. This may vary based on individual student's plan and/or additional learning plans, including, but not limited to IEP or 504 Plans.

- Teachers chart and use assessment/test results as an ongoing guide to student instructional needs and to enhance student progress. In order to address the skills needed for success, assessments are developed to include Webb's Depth of Knowledge (DOK) levels of cognitive demand. Depending on the assignment or assessment question, students may be asked to begin with a simple recall question but then might be asked to build upon that through explanation, analysis, or application.
- Teachers also use these DOK levels in formative assessments and classroom conversations, small group instruction, and opening and closing activities as well as to create more cognitively engaging and challenging tasks. These levels are a natural and cohesive part of all curriculum and instruction regardless of content area. These levels are also in alignment with the CA state standards.
- Hess's Cognitive Rigor Matrix also allows the same opportunities for teaching and learning as Webb's DOK levels. Hess's matrix easily allows the students to take the knowledge they have remembered and understood and then transfer that knowledge to other scenarios or applications. Application of knowledge is the key to college and career readiness. It's simply not enough to know something; Hess's matrix is a tool used to examine the depth of understanding required for different tasks and complexity.
- Standardized Assessment(s): OYA will administer and comply with any California mandated tests: CAASPP and any other statewide or national assessments that are added throughout the life of the charter.
- OYA Assessments: A nationally normed, computer adaptive assessment will be utilized to assess individual student growth in reading and mathematics. The Renaissance STAR reading and math assessments, from Renaissance Learning, Inc., are currently being used for this purpose. This assessment or a similar nationally normed assessment will be utilized.
- Portfolio Assessment: Portfolios are divided into two divisions of learning: Core Academics and Electives. The Core Academic portfolios represent a log of essential learning needed to be college and career ready utilizing state standards for math, science, social science and English Language Arts. Real world literacy, numeracy and integrated technologies are at the core of these portfolios to help prepare our students for the competitive 21<sup>st</sup> century job market. Students must also present their senior portfolio to their peers to showcase their core content achievements and illustrate their oral presentation and communication skills.

### **Use and Reporting of Data**

The above assessments are designed to align to the mission, exit outcomes, and the curriculum utilized in OYA. OYA will utilize the data to identify areas for improvement in the educational program. OYA develops an annual performance report based upon the data compiled. The report shall also include:

- Summary data showing student progress toward the goals and outcomes from assessment instruments and techniques as described in this section and an analysis of whether student performance is meeting the outcomes specified by this section. This data will be displayed on both a school-wide basis and disaggregated by major racial and ethnic categories to the extent feasible without compromising student confidentiality;
- A summary of major decisions and policies established during the year, data on the level of parent involvement in the school's governance (and other aspects of the school, if applicable), and summary data from an annual parent and student satisfaction survey;

- Data regarding the number of staff working at the school and their qualifications;
- A copy of the school’s health and safety policies and/or a summary of any major changes to those policies during the year;
- Information demonstrating whether the school implemented the means listed in the Charter to achieve a racially and ethnically balanced student population;
- An overview of the school’s admissions practices during the year and data regarding the number of students enrolled, the number on waiting lists, and the number of students expelled and/or suspended;
- Analyses of the effectiveness of the school’s internal and external dispute mechanisms and data on the number and resolution of disputes and complaints; and,
- Other information regarding the educational program and the administrative, legal, and governance operations of the school relative to compliance with the terms of the Charter.

OYA will use the information compiled in the annual performance report to evaluate and improve upon its educational programming as necessary. Annual OYA performance information will be shared with students, families, and public agencies as appropriate.

#### **ELEMENT D: Location**

**Governing Law:** The location of each charter school facility that the petitioner proposes to operate. Education Code Section 47605.6(b)(5)(D).

**Governing Law:** The County Board of Education shall require that the petitioner or petitioners provide information regarding the facilities to be used by the charter school. Education Code Section 47605.6(h).

OYA is located at six sites, within the boundaries of Santa Clara County. Opportunity Youth Academy shall operate its primary administrative offices at 3550 Snell Av, San Jose, CA 95136. OYA will operate at the locations listed below under one County-District-School (CDS) code as part of a single school with multiple locations. During the term of the charter, it is anticipated that OYA will open additional sites in other parts of Santa Clara County to meet the needs of our students. OYA will notify the school districts where those sites will be located and request a material revision of its charter by the SCCBOE. The County Board of Education shall consider whether to approve those additional locations at an open, public meeting, held no sooner than 30 days following notification of the school districts where the sites will be located. If approved, the location of the approved sites shall be a material revision of the charter school’s approved charter.

All facilities meet the requirements of the Americans with Disabilities Act and will not present physical barriers that would limit an eligible student's full participation in educational and extracurricular programs. Facilities will be large enough to provide space for inviting and engaging learning labs with space for small group activities, group projects, and work space for individual student/teacher meetings. Facilities will also include access to meeting space for teaching staff to collaborate and conduct instructional business or to hold individual tutoring or meeting sessions with students.

## Opportunity Youth Academy

<p><b>ConXion OYA</b> 749 Story Rd San Jose, CA 95122 East Side Union High School District</p>	<p><b>The Hub OYA</b> 591 North King Rd., Suite 1 San Jose, CA 95133 San Jose Unified School District</p>
<p><b>Snell OYA</b> 3550 Snell Av San Jose, CA 95136 San Jose Unified School District</p>	<p><b>Sobrato OYA</b> 512 Valley Way Milpitas CA 95135 Milpitas Unified School District</p>
<p><b>South County OYA</b> 9300 Wren Ave Gilroy, CA 95020</p>	<p><b>Washington United Youth Center OYA</b> 921 S. First Street, Suite B San Jose, CA 95110 San Jose Unified School District</p>

### **ELEMENT E: Governance Structure of School**

**Governing Law:** The governance structure of the school, including, but not limited to, the process to be followed to ensure parental involvement. Education Code Section 47605.6(b)(5)E).

OYA will be a dependent public charter school authorized by the Santa Clara County Board of Education and administered by the Santa Clara County Superintendent of Schools through the Santa Clara County Office of Education (SCCOE). OYA will be non-sectarian in its programs, admissions policies, employment practices, and all other operations; shall not charge tuition; and shall not discriminate on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definitions of hate crimes set forth in Penal Code Section 422.55, including immigration status, or association with an individual or group with one or more of the aforementioned characteristics.

Through its role of long-range policy development and other critical functions and responsibilities, Santa Clara County Board of Education works with the Santa Clara County Superintendent of Schools to offer the most effective educational programs and services available. The OYA Director/Principal will be the senior site-level administrator for OYA. The SCCOE administration will provide SCCOE-level and other administrative services for OYA in the same manner as such services are provided for the SCCOE and its non-charter schools.

OYA will follow applicable policies set forth by Santa Clara County Board of Education and the administrative regulations set by the Santa Clara County Superintendent of Schools unless the OYA Board or the Santa Clara County Board of Education adopt conflicting policies or regulations specifically applicable to OYA. OYA will comply with all applicable federal laws, and state and local laws that are applicable to public charter schools. Please see **APPENDIX N** for the OYA Governance Organizational Chart.

**Conflict of Interest Regulations**

OYA will comply with the requirements of the Political Reform Act of 1974 (Gov. Code § 81000 *et seq.*) and Government Code Section 1090 as applied to charter schools by Education Code Section 47604.1, and shall be included in the Santa Clara County Office of Education’s Conflict of Interest Code.

**Opportunity Youth Academy (OYA) Governing Board/County Superintendent**

The Opportunity Youth Academy Governing Board (“OYA Board”) has been created to provide the governance for OYA, a public dependent charter school of Santa Clara County Office of Education located in multiple locations within the boundaries of Santa Clara County. Due to the fact that OYA is a dependent charter school, OYA shall not be operated by or as a nonprofit public benefit corporation, and the OYA Board shall consist of a single member, who shall be the Santa Clara County Superintendent of Schools. The OYA Board shall have all powers and duties for the governance of OYA. The OYA Board will annually establish a schedule of regular meetings, which shall be held in accordance with all requirements of the Ralph M. Brown Act (Gov. Code § 54950 *et seq.*). In no event shall OYA seek approval of material revisions to or renewal of this Charter without the approval and authorization of the OYA Board. The County Superintendent of Schools shall be responsible for the operations of OYA in accordance with the provisions of this Charter, with the support and assistance of the Santa Clara County Office of Education and staff, and with the input of the OYA Governance Council. The County Superintendent of Schools has the power to appoint a school leader as director/principal for Opportunity Youth Academy.

The OYA Board shall at all times retain ultimate authority over the governance and operations of OYA and the Governance Council shall be an advisory body. The OYA Board shall have authority to veto, overturn, not follow, or remand any decision or recommendation of the Governance Council.

**Governance Council**

OYA will also utilize input from a Charter School-based Governance Council, which will make recommendations directly to the OYA Board. This OYA Governance Council will have five voting members plus one non-voting student representative and will be operated in accordance with its Bylaws. The OYA Governance Council will include the County Assistant Superintendent, Student Services & Support Division, who will be a standing member and serve as the chairperson. The Governance Council will meet on at least a quarterly basis. The OYA Governance Council is an advisory body and is not organized as a corporation, but has adopted the Bylaws set forth in Appendix T to guide the Governance Council’s operations, though these are not formal corporate Bylaws. In the event that the provisions of the Bylaws are inconsistent with the provisions of this charter, the Bylaws shall be amended to be consistent with the Charter.

The role of the Governance Council will be to:

- Make recommendations to the OYA Board in the following areas, and such other areas as may be requested by the OYA Board:
  - To recommend events and activities to be carried out at OYA.
  - To annually review the operating budget and OYA operations.
  - To provide ongoing evaluation of OYA and provide public accountability.
  - To make recommendations for the improvement and further development of OYA.
  - To strive for a diverse student population, reflective of the community, and aligned to the OYA Mission.
  
- Review and recommend business and school partnerships with the communities served by OYA.
  
- Ensure that all students are learning California State Standards by reviewing achievement data.
  
- Review, promote, monitor and evaluate educational initiatives affecting OYA.
  
- Organize activities to raise funds or otherwise solicit and gather monetary donations or other gifts for OYA.
  
- Carry out such other duties as requested by the OYA Board.

The Governance Council shall cause to be kept a complete record of all the minutes, acts and proceedings of the Governance Council.

Please see **APPENDIX O** for OYA Governance Council Bylaws.

### **OYA Director/Principal**

The overall vision of the program and instructional leadership will be provided by the Director/Principal. The Director/Principal shall be employed by SCCOE under a contract of employment approved by the Superintendent of Schools. The Director/Principal's central governance role is to act as manager of OYA as outlined in the position's job specification. The Director/Principal will attend and participate in all Governance Council meetings. The SCCOE has adopted a job specification for the position of Director/Principal that further defines the day-to-day job responsibilities for the Director/Principal. The Director/Principal shall be supervised and evaluated by the Assistant Superintendent, Student Services & Support Division.

### **School Site Council**

The School Site Council will be an advisory group to the Director/Principal. The School Site Council will have representation of parents involved. The School Site Council may make recommendations about issues related to OYA and participate in reviewing parental and

community concerns and opportunities. The Director/Principal will be responsible for communicating all Council recommendations to the Santa Clara County Superintendent of Schools.

### **English Learner Advisory Committee**

In the event that OYA enrolls more than 20 English learner students, an English Learner Advisory Committee (ELAC) will be formed. The ELAC will consist of parents, staff, and community members designated to advise OYA on its English Learner program consistent with California Education Code Sections 35147(c), 52176(b) and (c), 62002.5, and 64001(a).

### **Teacher/Student Agreements**

OYA shall develop a student teacher agreement (Teacher/Student handbook, Independent Study Master Agreement, and attendance compact) to be approved by the County Superintendent of Schools and presented at the time of the intake interview. At a minimum, the Teacher/Student Contract shall:

- Require students and teachers to complete and return all forms, questionnaires, and other requests for information that may be required by the school;
- Require students to complete all class work and homework the teacher assigns;
- Require teachers to correct and return student assignments with useful comments in a timely manner;
- Require all students to follow the Student Conduct Code and all rules of the program in which they are co-participating;
- Require students and teachers to attend all student-teacher conferences as scheduled by the teacher or student;
- Require students and teachers to follow all rules and procedures as approved by the Santa Clara County Office of Education.

Please see **APPENDIX P** for the OYA Student, Family, and Staff Handbook.

### **Role of the Chartering Authority**

As the chartering authority, the Santa Clara County Board of Education will be responsible for fulfilling its statutory oversight responsibilities as required by law, including the duties identified in Education Code Section 47604.32, though the County Board delegates day-to-day oversight responsibilities to the Santa Clara County Superintendent of Schools with the support and assistance of the Santa Clara County Office of Education and staff. The Santa Clara County Board of Education will be responsible for reviewing and taking action on charter petition renewal and revision requests, and has the authority to initiate revocation proceedings if necessary as provided by Education Code Section 47607.

## **Legal Organization of the School**

OYA will operate as a dependent public charter school of the SCCOE. OYA will maintain an agreement with the SCCOE for providing business and administrative services. The County Office will provide personnel, accounting, and payroll services to OYA. Because of the dependent nature of OYA and the close operational and governing relationship between OYA and the Santa Clara County Office of Education, including the County Superintendent of Schools, the Santa Clara County Office of Education's administration, and the Santa Clara County Board of Education, OYA's charter does not necessarily require the same level of detail and specificity as the Santa Clara County Board of Education would require of an independent charter school seeking Santa Clara County Board of Education approval and oversight.

### **ELEMENT F: Qualifications to be met by Individuals to be Employed**

**Governing Law:** The qualifications to be met by individuals to be employed by the school. Education Code Section 47605.6(b)(5)(F).

All employees assigned to OYA will be employees of the Santa Clara County Superintendent of Schools and will be recruited, hired, and comply with the County Superintendent and SCCOE's normal practices. OYA charter school will recruit professional, effective and qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities who believe in the instructional philosophy outlined in its vision statement. In accordance with Education Code 47605.6(d)(1), OYA shall be nonsectarian in its employment practices and all other operations. OYA shall not discriminate against any individual (employee or student) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code , including immigration status, association with an individual or group with one or more of the aforementioned characteristics).

All OYA teachers must meet the requirements of state and federal law. As OYA will be a charter under the authority of the Santa Clara County Board of Education, teachers will abide by the same requirements as all teachers employed at the Santa Clara County Office of Education (SCCOE). English Learners will be served by credentialed teachers holding a Cross-cultural, Language, and Academic Development (CLAD) credential or the equivalent. Independent contractors, other SCCOE employees, and/or unpaid volunteers may support student learning as classroom or parent volunteers, speakers, outside experts and in other roles. Agencies and organizations may provide services to OYA through contracts. All OYA staff will be evaluated with the appropriate SCCOE evaluation forms and process for their classification (i.e. Certificated Management, Certificated Teacher and Classified evaluation).

OYA acknowledges: (1) student achievement increases in schools where teaching and learning have the highest priority and (2) students achieve at higher levels when taught by teachers who know their subject matter and are skilled in teaching it. All OYA instructional staff, including certificated teachers and classified instructional paraprofessionals, will be effective and compliant with federal ESSA requirements.



Research shows that an inspiring and informed teacher is the most important school-related factor influencing student achievement. Staff at OYA will be provided professional development that is ongoing, experiential, collaborative, and connected to and derived from our vision, mission, and school goals.

All OYA employees will possess the personal characteristics, knowledge base and/or relevant experiences in the responsibilities and qualifications identified in the posted job description as determined by the SCCOE. These criteria are further described in the remainder of this section. All OYA teachers will hold dual credentials and will be qualified to teach both general education students as well as special education students with mild or moderate disabilities. OYA will maintain current copies of all teacher credentials, and they will be readily available for inspection and monitoring. OYA will comply with all applicable state and federal laws regarding background checks, clearance of personnel, maintenance and disclosure of employee records, and ESSA guidelines.

All OYA employees shall be fingerprinted and shall successfully pass all required Department of Justice/Federal Bureau of Investigations checks and background checks that provide for the health and safety of OYA's faculty, staff, and students prior to beginning work.

#### **Procedures for Background Checks**

Employees and contractors of OYA will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Director/Principal shall monitor compliance with this policy and report to the County Superintendent of Schools on a regular basis. As the employer, the County Superintendent of Schools will monitor the fingerprinting and background clearance of the Director/Principal. Volunteers shall be fingerprinted and receive background clearance prior to volunteering.

The following are the legal requirements before the first day of employment at OYA:

- A valid and current California State teaching credential, certificated, permit, or other document required for the teacher's certificated assignment for teaching staff
- State and federal fingerprint clearance as required by law
- Criminal record summaries, which will be maintained in a confidential locked file separate from other files and destroyed upon the hiring determination, as required under the law
- I-9 Proof of authorization to work in the United States form with a copy of driver's license and social security card, or other acceptable identification
- A completed Employment Application for all staff
- Copy of teaching credential
- Cover letter
- Resume

- Complete W-4 and DE-4 Income Tax forms
- Proof of Tuberculosis clearance
- Any other requirements established by the County Superintendent

The following key staff job descriptions define the qualifications of OYA employees for the positions of Director/Principal, Teacher, Navigator, Community Liaison Specialist, Counselor, Para-Educator, and School Office Coordinator. These jobs descriptions may be updated and revised at any time by the County Superintendent without the need for material revision of this charter.

For a current set of OYA staff job descriptions please see **APPENDIX E**. For an OYA staff organizational chart, please see **APPENDIX N**.

### **Director/Principal**

The Director/Principal is responsible for planning, organizing, leading, and directing the educational operations, activities, and services of the OYA at all sites. The Director/Principal is responsible for a wide range of management and administrative responsibilities necessary to provide instructional leadership, maintain budgetary oversight, comply with local, state and federal regulations, supervise assigned staff, establish appropriate relationships with the community and other agencies, and ensure an effective program of student education.

### **Assistant Principal**

The Assistant Principal is responsible for assisting the Director/Principal in any or all administration and coordination of Opportunity Youth Academy sites. The Assistant Principal assists the Director/Principal in the overall administration of the sites and assumes leadership of the school in the absence of the Director/Principal; supervises assigned staff; and provides leadership to assigned curricular areas.

### **Teacher**

OYA Teachers are responsible for providing general education (core academic subjects) and special education instructional services for OYA students (special education and regular education) who had previously separated from school and are returning to earn a high school diploma and to enter a college/career pathway. They ensure compliance with special education regulations, court orders, etc., and processing new students in accordance with requirements. These positions may provide lead support to instructional aides and are under the general supervision of the Director/Principal for day-to-day operations and program implementation and a special education administrator for guidance regarding IDEIA regulations/compliance. Internships and project- based learning will be featured components.

### **Navigator**

The OYA Navigator uniquely facilitates school re-engagement of students who have not completed high school and have been absent from school for prolonged periods of time. The Navigator is responsible for conducting intakes and assessing students' reasons for absences and working with students and parents/guardians, if applicable, to develop a plan and strategy

for re-enrolling students in school. The Navigator builds positive and productive relationships with students and leverages those relationships to monitor and implement interventions as needed to ensure academic success.

### **Counselor**

The counselor provides all aspects of counseling and guidance services to students, including supplemental academic intervention services to support underachieving students; informational services to parents, teachers, and administrators in order to promote a comprehensive decision-making process for student educational objectives development and school programming.

### **College Liaison**

The College Liaison provides college assistance and resources to students and graduates to expose them to a variety of career and college pathways; creates a college plan for students to meet their goals beyond their time in Opportunity Youth Academy and/or beyond graduation; exposes students to transfer planning opportunities and helps to develop four-year college transfer plans.

### **Para Educator**

Para Educators assist classroom teachers in the instruction, supervision, and training of individual or groups of students and perform a variety of related duties in the maintenance of an effective learning environment for students.

### **School Office Coordinator**

The office coordinator performs a wide variety of complex responsible administrative, secretarial/clerical, and office functions in support of a department or major work/service unit. Employees in this classification receive limited supervision from a department head within a broad framework of policies and procedures. This job class performs complex and highly responsible administrative, secretarial/clerical, and office functions requiring an advanced level of abilities and skills.

### **Administrative Assistant III**

The Administrative Assistant III performs more advanced clerical and secretarial duties in support of a Director I or II. The Administrative Assistant IV serves as the primary administrative support for a large, complex department managed by a Director III. The Administrative Assistant II performs a variety of clerical and secretarial duties in support of an administrator such as a supervisor, manager or specialist.

### **Registrar**

Under general supervision, the Registrar independently performs various technical and complex clerical duties related to the maintenance of student records according to established laws, rules and regulations for OYA students; provides assistance in the training of regional office personnel regarding student records and graduation requirements; explains laws, policies and

procedures to students, staff and the public; enters and maintains student information in the student information system; and prepares related reports.

### **ELEMENT G: Health and Safety Procedures**

**Governing Law:** The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require the following:

- i. That each employee of the charter school furnish the charter school with a criminal record summary as described in Education Code Section 44237.
- ii. The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Education Code Section 32282.
- iii. That the school safety plan be reviewed and updated by March 1 of every year by the charter school. Education Code Section 47605.6(b)(5)(G).

Opportunity Youth Academy, as a dependent charter, will adhere to the adopted health, safety, and risk management policies of the Santa Clara County Office of Education (SCCOE) unless a separate, supplemental policy is adopted specific to OYA. These policies are incorporated as appropriate into the OYA's student, family, and staff handbooks and will be reviewed on an ongoing basis by the staff and administration (please see **APPENDIX P**).

OYA has developed a school safety plan that includes the safety topics listed in Education Code Section 32282(a)(2)(A)-(J). OYA shall review and update the school safety plan by March 1 of each fiscal year. Please refer to **APPENDIX Q** for the OYA school safety plan.

These policies have been developed in consultation with insurance carriers and at a minimum will address the following:

#### **Seismic Safety**

OYA ensures that school buildings will meet Fire Marshal approval and have been evaluated by structural engineers to present no substantial seismic safety hazard to the extent required by the Education Code for building requirements pertaining to charter schools.

#### **Natural Disaster Emergency Preparedness**

OYA sites will use the Santa Clara County Office of Education (SCCOE) Emergency Plan handbook to formulate responses to natural disasters and emergency situations which may include, but shall not be limited to, fire, flood, earthquake, and other situations that may threaten students or staff.

#### **Immunizations**

All students enrolled and staff will be required to provide records documenting immunizations as is required at public schools pursuant to *Health and Safety Code Sections 120325-120375*, and Title 17, *California Code of Regulations Sections 6000-6075*.

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

OYA shall function as a drug, alcohol, and tobacco free workplace.

**Role of Staff as Mandated Child Abuse Reporters**

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting and training laws, the same policies and procedures used by the SCCOE.

**Emergency Epinephrine Auto-Injectors**

OYA will adhere to Education Code Section 49414 regarding the provision and use of emergency epinephrine auto-injectors by trained office staff or volunteers at school.

**Facility Safety**

OYA shall comply with *Education Code Section 47610* by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. OYA agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. OYA shall conduct fire drills as required under Education Code Section 32001.

**Comprehensive Sexual Harassment Policies and Procedures**

OYA is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, disability or any other characteristic protected by law. OYA has a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at OYA (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the SCOOE's sexual harassment policy. OYA will include the sexual harassment policy as part of any orientation for new and continuing students and will post a poster notifying student of the policy, in accordance with Education Code Sections 231.5 and 231.6.

**Health Care and Emergencies**

OYA recognizes the importance of taking appropriate action whenever an accident or illness threatens the safety, health, or welfare of a student at school or during school-sponsored activities. To facilitate immediate contact with parents/guardians or other emergency contacts as appropriate when an accident or illness occurs, the OYA requires current contact information for all students.

**Feminine Hygiene Products**

OYA will stock bathrooms with feminine hygiene products as required by Education Code Section 35292.6.

**Food**

OYA complies with the requirements of Education Code Section 47613.5 concerning the provisions of a nutritionally adequate free or reduced-price meal. If OYA participates in the

National School Lunch Program or School Breakfast Program, it will not advertise any foods that it is not allowed to sell pursuant to these federal programs, in accordance with Education Code Section 49431.9. OYA will comply with Education Code Sections 49562, 49564, 49564.5, and 49557.5 concerning data sharing and meal programs, as applicable to OYA.

### **Suicide Prevention**

OYA has adopted a suicide prevention policy as required by Education Code Section 215.

### **Title IX**

OYA posts required posting information regarding Title IX on its website as required by Education Code Section 221.61.

### **Bias and Bullying**

OYA provides certificated employees information on school site and community resources related to the support of lesbian, gay, bisexual, transgender, and questioning pupils and pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation as required by Education Code Section 234.1.

### **Lactating Pupils**

OYA provides reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding in accordance with Education Code Section 222.

### **Mental Health**

Mental Health Services OYA notifies students and parents/guardians at least twice during the Schoolyear of how to initiate access to available student mental health services on campus or in the community in the manner required by Education Code 49428.

### **ELEMENT H: Means to Achieve a Reflective Racial and Ethnic Balance**

**Governing Law:** The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the county board of education to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act, on the balance of pupils with disabilities at the charter school. Education Code Section 47605.6(b)(5)(H)

Opportunity Youth Academy's (OYA's) population racial and ethnic makeup is diverse and it is determined by the state data below which delineates the California cohort demographics for the dropout population to be targeted for this program. Although Latino students make up the preponderant numbers of students who have not met the criteria to obtain their high school

diploma, White, Asian, and African American student populations are also represented (please refer to Figures 3).

Ethnic Category	Adjusted Grade 7 Dropouts	Adjusted Grade 8 Dropouts	Adjusted Grade 9 Dropouts	Adjusted Grade 10 Dropouts	Adjusted Grade 11 Dropouts	Adjusted Grade 12 Dropouts	Adjusted Ungraded Secondary Dropouts	Adjusted Grade 9-12 Dropout Total	Grade 9-12 Enrollment Total	Annual Adjusted Grade 9-12 Dropout Rate
Hispanic or Latino of Any Race	13	11	820	91	106	848	8	1,873	32,328	5.8%
American Indian/Alaska Native, Not Hispanic	2	0	0	2	1	3	0	6	248	2.4%
Asian, Not Hispanic	10	3	6	7	9	75	4	101	23,914	0.4%
Pacific Islander, Not Hispanic	1	0	0	0	1	7	0	8	390	2.1%
Filipino, Not Hispanic	1	1	0	3	3	36	1	43	4,073	1.1%
African American, Not Hispanic	1	0	2	4	7	37	1	51	1,903	2.7%
White, Not Hispanic	9	3	15	14	25	92	5	151	17,601	0.9%
Two or More Races, Not Hispanic	0	0	7	2	3	27	1	40	2,765	1.4%
None Reported	0	4	2	1	1	7	0	11	285	3.9%

	Adjusted Grade 7 Dropouts	Adjusted Grade 8 Dropouts	Adjusted Grade 9 Dropouts	Adjusted Grade 10 Dropouts	Adjusted Grade 11 Dropouts	Adjusted Grade 12 Dropouts	Adjusted Ungraded Secondary Dropouts	Adjusted Grade 9-12 Dropout Total	Grade 9-12 Enrollment Total	Annual Adjusted Grade 9-12 Dropout Rate
County Total	37	22	852	124	156	1,132	20	2,284	83,507	2.7%
Statewide Total	1,453	1,138	7,698	5,743	7,873	25,641	294	47,249	1,945,401	2.4%

**Figure3: Santa Clara County and California 2016-17 reported drop-out student population by ethnicity**

OYA recognizes that due to its unique partnerships, the county-wide geographic reach of its school sites, and its primary goal of serving students who have left or been unsuccessful in other public schools, its opportunities to affect the composition of its student body are limited. The existing student population targeted by OYA, namely high school dropouts, is likely not fully representative of the greater Santa Clara County 16 to 24 year old population. Nonetheless, OYA will implement a student recruitment strategy that includes, but is not necessarily limited to:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The ongoing development of promotional and informational materials that appeal to various racial and ethnic groups. Advertising will be formatted in Spanish, Vietnamese and English.
- The distribution of promotional and informational materials to a broad variety of community groups represented in the County.
- Encouraging WIOA training centers and other community partner organizations to increase community outreach efforts.
- OYA will strive to reflect a balanced representation of the student population in the communities in which it operates and Santa Clara County generally.

### ELEMENT I: Financial Audits

**Governing Law:** The manner in which annual, independent financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved. Education Code Section 47605.6(b)(5)(I).

An annual independent financial audit of the books and records of Opportunity Youth Academy (OYA) will be conducted as required by Education Code Sections 47605.6(b)(5)(I) and 47605.6(m). The books and records of OYA will be kept in accordance with generally

accepted accounting principles and, as required by applicable law, the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

OYA's audit will be conducted as part of the Santa Clara County Office of Education's audit or the Santa Clara County Superintendent of Schools will annually approve the selection of an independent auditor for OYA. If conducted as part of Santa Clara County Office of Education's audit, OYA shall cooperate fully with any and all requests and requirements related to the audit. Should OYA's audit be conducted separately, the OYA Director/Principal will facilitate the audit. The auditor will have, at a minimum, a CPA and educational institution audit experience and approval by the State Controller on its published list as an educational audit provider.

The annual audit will be completed and forwarded to the County Office of Education, the State Controller, and to the State Superintendent of Public Instruction by the 15th of December of each year. The County Superintendent will receive and review the audit each year. The Director/Principal, along with the audit committee, will review any audit exceptions or deficiencies and report to the Superintendent with recommendations on how to resolve them. The Superintendent will submit a report to the County Board of Education describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County Board along with an anticipated timeline for the same. Any disputes regarding the resolution of audit exceptions and deficiencies will be addressed to the satisfaction of the Santa Clara County Board of Education.

Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel in accordance with applicable law.

The independent financial audit of OYA is public record to be provided to the public upon request.

#### **ELEMENT J: Pupil Suspension and Expulsion**

**Governing Law:** The procedures by which pupils can be suspended or expelled. Education Code Section 47605.6(b)(5)(J).

The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

- i. For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence



that supports the charges and an opportunity for the pupil to present his or her side of the story.

- ii. For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:
  - Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.
  - Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
- iii. Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605.6(b)(5)(J)

OYA follows SCCOE's comprehensive set of student discipline policies, currently found in SCCOE Board Policy 5144 *et seq.*, that comply with Education Code Section 48900 *et seq.* and 47605.6(b)(5)(J), and which may be updated by SCCOE from time to time without need for a material revision to this charter. (See APPENDIX G for the current-student discipline policies). These policies clearly describe the OYA's expectations regarding, among other things, attendance, mutual respect, substance abuse, violence, safety, and work habits.

No student shall be involuntarily removed by OYA for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform them of the right to initiate the procedures specified in this policy for expulsions, before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified in this policy for expulsions, the student shall remain enrolled and shall not be removed until OYA issues a final decision. As used in this paragraph, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

Notwithstanding the legally required notice in the preceding paragraph, compliance with the procedures for expulsion set forth in this Charter shall be the only processes for OYA to involuntarily dismiss, remove, or otherwise exclude a student who attends OYA from further attendance at OYA for any reason, including but not limited to, disciplinary, attendance, and academic causes.

Students expelled from any school for the offenses listed in Education Code Section 48915(a) or 48915(c) shall not be permitted to enroll in OYA during the period of their expulsion.

Each parent/guardian of high school-aged OYA students, will be required annually to verify that they have reviewed the policies with their student/s and that they understand the policies. Each adult student will also be required annually to verify that they have reviewed and understand the policies.

The procedures by which a student can be suspended or expelled from OYA for disciplinary reasons or otherwise involuntarily removed from OYA for any reason, include an explanation of how OYA will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with the requirements of Education Code section 47605.6(b)(5)(J), quoted above.

Furthermore, in accordance with California Education Code 48900, an OYA student shall not be expelled for any of the acts specified in Education Code Section 48900 subdivision (k) – having disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrator, school officials, or other personnel engaged in the performance of their duties.

OYA acknowledges the responsibility of each student, parent, volunteer, faculty, staff, and administrator to contribute to the well-being of the community by demonstrating responsibility and accountability for individual and group actions. It is OYA's goal to enhance the quality of relationships, the quality of learning, and the quality of the community through shared responsibility.

#### **ELEMENT K: Staff Retirement System**

**Governing Law:** The manner by which staff members of the Charter Schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. Education Code Section 47605.6(b)(5)(K).

Opportunity Youth Academy classified and certificated staff will reflect the contractually agreed upon salary and benefits schedules accorded to all other SCCOE staff members. The financial compensation for school employees will include a base salary that is competitive with like jobs in other local public secondary schools.

Staff members of OYA are, and will continue to be, employees of the Santa Clara County Superintendent of Schools. As such, they are covered by the State Teachers' Retirement System (STRS) and the Public Employees' Retirement System (PERS) in the same fashion as are all employees of the County Superintendent of Schools. All employer contributions required by STRS, PERS, and Social Security, as applicable, will continue to be made by the County Superintendent of Schools. The County Superintendent of Schools also will continue to make contributions for workers' compensation insurance, unemployment insurance and any other employer payroll obligations. All established SCCOE policies and procedures for ensuring employee's due process rights, resolving complaints or grievances, and for staff recruitment, selection, evaluation, and termination will be followed. SCCOE Human Resources will be responsible for ensuring that all appropriate arrangements for the above actions are carried out.

#### **ELEMENT L: Dispute Resolution Process**

**Governing Law:** The procedures to be followed by Opportunity Youth Academy and the entity granting the charter to resolve disputes relating to the provisions of the charter. Education Code Section 47605.6(b)(5)(L).

#### **Disputes Between the SCCOE and the Charter School**

Given the dependent nature and relationship of OYA to the SCCOE, it is unlikely that there will be disputes that arise between SCCOE and OYA. In the unlikely event of a dispute, OYA and the SCCOE will attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures.

If the SCCOE determines that a violation of the Charter or any Memorandum of Understanding with OYA or law may have occurred or a problem has arisen related to the operation of the OYA or the SCCOE's oversight obligations, or a dispute otherwise arises between the SCCOE and the OYA, the following procedures may be followed to resolve the dispute, but nothing herein shall impede the SCCOE's ability and authority to proceed directly with revocation procedures and/or take other action it seems appropriate without complying with all or part of the dispute resolution procedures set forth below:

The Santa Clara County Assistant Superintendent, Student Services & Support Division and the OYA Director/Principal shall meet at a time set by the County Assistant Superintendent, Student Services & Support Division to discuss and attempt to resolve the dispute. Should they not reach mutual agreement on a plan to resolve the dispute or should the dispute not be resolved in accordance with such plan, the dispute may be appealed to the County Superintendent of Schools or designee (which appeal shall be in writing if so directed by the County Superintendent of Schools or designee). The County Superintendent of Schools or designee shall, in their sole discretion, determine and direct the means by which the dispute is to be resolved and/or any violation by the OYA is to be cured. Any period of time agreed upon at the meeting and/or directed by the County Superintendent of Schools or designee for the OYA to attempt to cure the issue shall be deemed and is agreed by the OYA and the County to

constitute the “reasonable opportunity to remedy the violation” provided for in Education Code Section 47607(g) prior to revocation of the Charter.

Nothing in this dispute resolution procedure shall in any way be deemed to limit or restrict the authority of the County Superintendent of Schools voluntarily to close OYA, with or without cause and with or without affording OYA an opportunity to cure or correct any concerns, and without requiring the Santa Clara County Board of Education to revoke the charter in accordance with Education Code Section 47607.

### **Internal Disputes**

OYA may adopt policies and procedures for airing and resolving disputes, other than those between the SCCOE and OYA which are covered above. In the absence of such OYA-specific policies and procedures, the SCCOE’s policies and procedures shall apply. Parents, students, and staff at OYA will be provided with a copy of OYA’s complaint policies and procedures.

The SCCOE’s Uniform Complaint Procedures, Title IX policy and procedure, and anti-discrimination/harassment policies and procedures shall apply with full force and effect to OYA.

Any and all employment actions, including evaluation and discipline, shall be carried out in accordance with the applicable collective bargaining agreement and/or SCCOE policies and procedures.

### **Oversight, Reporting, and Revocation**

The Santa Clara County Office of Education may inspect or observe any part of the school at any time with or without prior notice. The inspection, observation, monitoring, and oversight activities shall be performed by SCCOE.

### **ELEMENT M: Admissions Policy and Procedures**

#### **Governing Law:**

Governing Law: Admission policy and procedures, consistent with subdivision (e) of Education Code Section 47605.6. Education Code Section 47605.6(b)(5)(M).

- (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, gender identity, gender expression, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state.
- (2) (A) A charter school shall admit all pupils who wish to attend the charter school.  
  
(B) If the number of pupils who wish to attend the charter school exceeds the charter school’s capacity, attendance, except for existing pupils of the charter

school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the county except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and [Education Code] Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English Learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) In accordance with [Education Code] Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the County Board of Education shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to [Education Code] Section 48200.

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance

of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

(B) A charter school shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

(C) A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). This subparagraph shall not apply to actions taken by a charter school pursuant to the procedures described in subparagraph (J) of paragraph (5) of subdivision (b) [of Education Code Section 47605.6]. Education Code Section 47605.6(e).

All students attending OYA must follow the application, admission, and enrollment procedures. Because OYA operates in exclusive partnership as authorized pursuant to Education Code Section 47612.1, the minimum age for enrollment at OYA is 16 years. Additionally, OYA students must meet the eligibility and enrollment criteria for the program(s) with which OYA operates in exclusive partnership.

The application packet for admission to OYA shall include information that allows students to be informed about the school's operation as a charter school, its education programs, the academic and behavior expectations of students, and the rights and responsibilities of students who wish to become part of the OYA. The application packet shall include:

- A brief description of what charter schools are and how they differ from regular public schools.
- An Independent Study's Master Agreement to be filled out by student at the time of enrollment.
- OYA's Mission Statement and a summary of the school's education philosophy.
- A description of OYA's education program including a school calendar; curriculum; enrichment and extracurricular programs, attendance expectations; grading, testing, evaluation procedures; and graduation standards (exit outcomes).
- A copy of the Teacher/Student Behavior Contract listing of the rights and responsibilities of OYA teachers and students.
- Emergency information contact form to be submitted upon enrollment.

### **Student Admissions Criteria, Preferences and Priorities**

OYA will be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definitions of hate crimes set forth in Penal Code Section 422.55, including immigration status,

or association with an individual or group with one or more of the aforementioned characteristics. Admission to OYA shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within the State of California, except in accordance with the admission preferences set forth herein, in accordance with Education Code 47605.6(e). Assessments shall not be administered prior to acceptance or enrollment and students/parents/guardians/education right holders shall not be requested or required to submit the student's records prior to enrollment.

OYA shall admit all students who wish to attend the school, subject to space, applicable age limitations, eligibility and admission through OYA's exclusive partnership(s) pursuant to Education Code Section 47612.1. Each year OYA shall have an open enrollment period during which it accepts applications for enrollment to the Charter School; OYA shall also enroll students year round on a rolling basis as space allows. Following the open enrollment period each year, and after accounting for existing students who are guaranteed enrollment in the following school year, application forms shall be counted to determine whether OYA has received more applications than available space. If the number of students applying for admission is at or below the available space, all such applicants shall be admitted to attend OYA. If the number of students applying for admission exceeds OYA's capacity, admission shall be determined by random public drawing held in stages in accordance with Education Code §47605.6(e)(2) as set forth below.

In order for students to be admitted to OYA and included in the public random drawing for admission to OYA (if a public random drawing is necessary), families must submit an application that includes only the student's name, grade, birthdate, and contact information for the family, including address, the student's school district of residence, most recent school of attendance, and any information specifically required in order for the applicant to be eligible for enrollment with OYA's exclusive partnership(s). The admission application submitted prior to any public random drawing and before a student is offered a space at OYA shall specifically be limited only to the above-listed general information and in no event shall any application/registration/enrollment materials that are requested or required prior to the student being offered a place at OYA include any information concerning any protected characteristic of the student or his/her parent/guardian, including, but not limited to, mental or physical disability or current or prior eligibility for services pursuant to the IDEIA or Section 504, unless such information is voluntarily submitted in order to qualify the student for admission preference in accordance with the terms of this charter, should such information be directly related to an approved admission preference.

In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. Furthermore, OYA shall encourage parental involvement but shall notify the parents and guardians of applicants and currently enrolled OYA students that parental involvement is not a requirement for acceptance to, or continued enrollment at OYA.

The admission application and a separate annual notice shall notify parents and guardians of applicants and current students that parental involvement is not a requirement for acceptance to, or continued enrollment at, OYA or in order to obtain preference in admission or other advantage at OYA.

### **Lottery Procedures**

Public notices will be posted at the OYA school sites, the OYA website, and on application forms clearly stating the application deadline and date, time and location of the public random drawing (or “lottery”), and lottery procedures encouraging people to attend. The lottery will be held on a weekday evening to maximize attendance, and the location will be open and accessible to the public. All application forms must be received by the stated deadline to be included in the lottery. Application forms will be made available on the OYA website and in hard copy at the Santa Clara County Office of Education.

Offers of admission to OYA will be conditional upon the student being eligible to participate in OYA’s exclusive partnership programs, and any records necessary to establish such eligibility will be required as part of the enrollment process.

Students who are currently enrolled at OYA will be exempt from the lottery. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Opportunity Youth (ages 16-24) who reside within Santa Clara County;
2. Opportunity Youth (ages 16-24) who reside outside of Santa Clara County;

The admission preferences specified in the Charter have been approved by the County Board in accordance with Education Code Section 47605.6(e)(2)(B), and those preferences may not be amended or deviated from without prior approval by the Santa Clara County Board of Education in accordance with the Charter Schools Act.

OYA will make all necessary efforts to ensure lottery procedures are fairly executed. Names are pulled in order of grade level by the designated lottery official (appointed by the Assistant Superintendent or designee). There is no weighted priority assigned to the preference categories; rather, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference group until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

The lottery procedures will be monitored by the Assistant Superintendent or designee to ensure fair and accurate implementation. Once OYA is filled to capacity, applications will



continue to be drawn for positions on a waiting list. Students who are not granted enrollment for the next school year will remain on the waiting list until the end of the school year for which the lottery was conducted unless otherwise requested by the parent or pupil who is 18 years of older to be taken off. In no circumstance will a waiting list carry over to the following school year. Non-admitted students must reapply for the following year. Students whose applications are received after the admission deadline of each school year for whom there is not space will be added to the last waiting list position in the order in which they are received.

In the event a vacancy occurs during the academic year, students on the waiting list will be offered admission in waiting list order . The order of admission of students at any time during a school year shall be based solely on the order of applicants on the waiting list created during the lottery.

If a student who is subject to compulsory full-time education pursuant to Education Code 48200 is expelled or leaves OYA without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school.

### **Conditions of Enrollment**

To enroll in OYA, after being offered admission, each student shall first:

- Attend an orientation to meet with staff;
- Complete enrollment forms including emergency information cards;
- Provide records documenting immunizations as required by public schools; and
- Provide a full roster of prior schools the student attended allowing OYA access to student's school records and test results;
- Be determined to be eligible to participate in an OYA exclusive partnership program.

### **ELEMENT N: Attendance Alternatives**

**Governing Law:** The public school attendance alternatives for pupils residing within the county who choose not to attend OYA. Education Code Section 47605.6(b)(5)(N)

No pupil shall be required to attend Opportunity Youth Academy. Students who opt not to attend OYA may attend other district or county office of education schools or adult schools, as allowed by law.

### **ELEMENT O: Description of Employee Rights**

**Governing Law:** The rights of an employee of the county office of education upon leaving the employment of the county office of education, to be employed by the charter school, and any

rights of return to the county office of education that an employee may have upon leaving the employment of the charter school. Education Code Section 47605.6(b)(5)(O).

All employees assigned to OYA shall be employees of the County Superintendent of Schools. As specified in Education Code Section 47605.6(f), no public school employee shall be required to work at Opportunity Youth Academy, however, any employee of the County Superintendent of Schools who accepts a position at OYA shall complete the terms of the contract unless they are granted a transfer away from OYA in accordance with standard SCCOE policies, procedures, and collective bargaining agreements. Any employee of the Santa Clara County Office of Education (SCCOE) who chooses to leave their existing position at SCCOE to work at OYA shall have the right to apply for a transfer into any open position for which they are qualified in accordance with the applicable policies, procedures, and collective bargaining agreement terms and shall follow the policies and procedures outlined in their bargaining unit MOU, including existing policies regarding sick/vacation leave, continuation of service credit, and other benefits as appropriate for their position.

Employees will be paid according to the appropriate SCCOE certificated or classified salary schedule for their position.

Employees shall be informed of their rights through the provision of the SCCOE Staff Handbook to all new hires.

Employees of another educational agency who resign from employment to work at OYA and who later wish to return to a local educational agency shall be treated the same as any other former employee seeking reemployment in accordance with the local educational agency policy, applicable law, and applicable collective bargaining agreements. SCCOE and OYA shall not have any authority to confer any rights to return on another local educational agency's employees.

#### **ELEMENT P: Closure of Charter School**

**Governing Law:** A description of the procedures to be used if the Charter School closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the School, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. Education Code Section 47605.6(b)(5)(P).

#### **Documentation of Closure Action**

The decision to close Opportunity Youth Academy, for any reason, will be documented by an official action of the OYA Board in accordance with applicable law. The action will identify the reason for the school's closure. The County Superintendent of Schools or his designee will act as the designated entity responsible to conduct closure-related activities. All required records, including a list of students in each grade level and the classes they have completed, together with information on the students' district of residence, if applicable, will be provided to the Superintendent or designee. All pupil records, state assessment results, and any special education records will be maintained by the Superintendent, as required by law, except for

records and/or assessment results that the law may require to be transferred to a different entity.

If it is feasible to do so while still maintaining a viable and appropriate educational program, charter school closure will occur at the end of an academic year. Mid-year school closures will be avoided if possible, and the charter school and charter authorizer will work together to ensure that an appropriate, viable, and legally compliant education program continues until the end of the school year.

### **Notification to the County Board, California Department of Education, SELPA, and Retirement Systems**

OYA will send a notice of the school closure to the County Board, Charter Schools Unit at the CDE, the SELPA, and the retirements systems in which employees participate. The notification will include the following information:

- Charter school name, charter number, and CDS code.
- The effective date of the closure;
- The name(s) and contact person(s) for information regarding closure;
- The pupils' districts of residence, if applicable; and
- The manner in which a student/parent/guardian may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

Information about students will not be provided to the retirement systems, and will only be provided to the SELPA for students who are entitled to services pursuant to the IDEIA.

### **Notification to Parents and Students**

Parents/guardians and students who are 18 years or older will be notified as soon as possible when it appears school closure is imminent. The notification will include the effective date of the closure, the name(s) and contact person(s) for information regarding closure, information on assistance in transferring the student to another appropriate school, a process for the transfer of all student records, and the manner in which a student/parent/guardian may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

Parents/guardians and students who are 18 years or older will be provided with a packet of student information that may include the closure notice, grade reports, discipline records, immunization records, completed courses and credits that meet graduation requirements and college entrance requirements, etc. that will facilitate transfer to another school, if appropriate for the student.

OYA will communicate with parents/guardians of adult students only under written permission of the student.

### **Notification to Receiving Districts**

OYA will notify any school district that may be responsible for providing education services to former OYA students so the receiving district(s) is/are prepared to assist in facilitating student transfers.

### **Student and School Records Retention and Transfer**

OYA has a process for the timely transfer of student records to the students' district of enrollment or other school to which the student will transfer. OYA will assist students in the transfer to other appropriate schools and facilitate the transfer of all student records.

### **Financial Close-Out**

OYA will commence an independent audit as soon as practicable, but no later than 60 days after the closure of the school, which may coincide with the regular required annual audit of the school. The purpose of the audit is to determine the net assets or net liabilities of the school. The assessment will include an accounting of all the school's assets, including cash and accounts receivable and an inventory of property, equipment and supplies and an accounting of the school's liabilities including any accounts receivable, which may include reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation. The audit will also assess the disposition of any restricted funds received by or due to OYA. The cost of the audit may be considered a liability of OYA.

In addition to a final audit, OYA will submit any required year-end financial reports to the California Department of Education, the Santa Clara County Board of Education, and the County Superintendent of Schools within the time-frame required. These reports will be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year.

### **Disposition of Assets**

Upon completion of the closeout audit, OYA administration and the Superintendent will develop a plan for the repayment of any liabilities , and may consider any procedure recommended by the CDE in developing that plan.

Any net assets remaining after all debts and liabilities of charter school (i) have been paid to the extent of the school corporation's assets, or (ii) have been adequately provided for, shall be returned to the SCCOE.

### **Labor Relations**

**Governing Law:** A declaration whether or not the Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code). Education Code Section 47605.6(b)(6).

Opportunity Youth Academy (OYA) will be a dependent charter school of the Santa Clara County Office of Education (SCCOE). As such, all employees will be considered the exclusive

employees of the County Superintendent for the purposes of the Education Employment Relations Act (EERA). Employment by the County Superintendent with assignment to OYA provides rights to employees as outlined in the applicable collective bargaining agreement.

### **Miscellaneous Charter Elements**

#### **1. Budget and Financial Reporting**

**Governing Law:** The petitioner or petitioners shall also be required to provide financial statements that include operational budgets, cash flow analysis, and multi-year financial projections. Education Code Section 47605.6(h).

The Opportunity Youth Academy (OYA) will ensure that it operates using a sound financial model. Attached, as **APPENDIX H** Budget Assumptions, **APPENDIX I** Multi-Year Projection, and **APPENDIX J** Cash-Flow Analysis.

These documents are based upon the best data available to the OYA petitioners at this time, including the most recent financial projections under the Local Control Funding Formula.

OYA shall provide reports to the Santa Clara County Office of Education (SCCOE) as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the SCCOE:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605.6(h) will satisfy this requirement.
2. By July 1, an annual update (LCAP) required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of OYA's annual, independent financial audit report for the preceding fiscal year shall be delivered to the SCCOE, State Controller, State Department of Education and the Santa Clara County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the SCCOE shall include an annual statement of all receipts and expenditures for the preceding fiscal year.

OYA will provide reporting to the SCCOE as required by law and as requested by the SCCOE including but not limited to the following: California Basic Educational Data System (CBEDS), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605.6(m), the School Accountability Report Card (SARC), and the Local Control Accountability Plan (LCAP).

OYA agrees to and submits to the right of the SCCOE to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

Pursuant to Education Code Section 47604.3, OYA shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the SCCOE.

## **2. Oversight**

Pursuant to California law, the SCCOE will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests. In accordance with Education Code Section 47613(a), the SCCOE may charge for the actual costs of supervisory oversight of OYA not to exceed one (1) percent of the revenue of OYA. The SCCOE may charge up to three (3) percent of the revenue of OYA if OYA is able to obtain substantially rent free facilities from the SCCOE. Pursuant to Education Code Section 47613(f), "revenue of OYA" is defined as the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code Section 42238.02, as implemented by Education Code Section 42238.03. The Charter School acknowledges that the SCCOE's actual costs in conducting its oversight obligations will meet or exceed the maximum percentage permitted by law and the SCCOE shall not be required to submit documentation of its actual oversight costs.

## **3. Audit and Inspection of Records**

OYA agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining its charter authorization:

- Charter school is subject to SCCOE oversight.
- The SCCOE's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of OYA.
- The Santa Clara Board of Education is authorized to revoke this charter for, among other reasons, the failure of OYA to meet generally accepted accounting principles or if it engages in fiscal mismanagement.

Accordingly, the SCCOE hereby reserves the right, pursuant to its oversight responsibility, to audit charter school books, records, data, processes and procedures through any means deemed appropriate by SCCOE. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the Charter.
- Internal controls, both financial and operational in nature.
- The accuracy, recording and/or reporting of school financial information.
- The school's debt structure.
- Governance policies, procedures and history.

- The recording and reporting of attendance data.
- The school’s enrollment process.
- Compliance with safety plans and procedures.
- Compliance with applicable grant requirements.

OYA will cooperate fully with such audits and will make available any and all records necessary for the performance of the audit.

#### **4. Insurance**

As a dependent charter of the SCCOE, at the SCCOE’s option, OYA may be covered under the SCCOE’s existing policies of insurance and/or memoranda of coverage for self-insurance providing coverage in the same manner and to the same extent as the coverage for the SCCOE’s non-charter schools throughout the life of this Charter, with any costs for such coverage to be at OYA’s expense.

Should the County Superintendent of Schools or designee determine that OYA will not be covered fully under the SCCOE’s policies of insurance and/or memoranda of coverage for self-insurance, OYA shall obtain and maintain insurance coverage as specified in its memorandum of understanding (“MOU”) with SCCOE or such other coverage as may be determined to be appropriate by the County Superintendent of Schools or designee. It shall continue to be OYA’s responsibility, not the SCCOE’s, to monitor its vendors, contractors, partners, or sponsors for compliance with the insurance requirements.

OYA shall promptly respond to all inquiries from the SCCOE regarding any claims against OYA and/or any obligation of OYA.

Additionally, OYA shall, at all times, maintain a funds balance (reserve) of its expenditures as suggested by Section 15450, Title 5 of the California Code of Regulations.

#### **5. Administrative Services**

**Governing Law:** The manner in which administrative services of the school are to be provided. Education Code Section 47605.6(h).

Any charter-requested services from the SCCOE will be by mutual agreement in a separate written agreement. Mutually agreed upon fees, if any, must be in place prior to the charter-requested service. OYA will establish an informal competitive bid process balancing quality and price to outsource any of the services not handled through the agreement with the SCCOE.

Subject to availability, OYA may request SCCOE services including, but not limited to:

- Student health and human services, including access to school mental health and suicide prevention services, support from crisis team, and access to audiology services
- Fingerprinting and criminal record processing
- Processing of emergency credentials

- Bilingual fluency testing
- Non-stock requisition processing
- Rubbish disposal
- County purchasing contracts
- Environmental health/safety consultation
- Field trip transportation
- School mail
- Student information system
- Food services
- Risk management
- Attendance accounting

## **6. Transportation**

Because OYA is a school of choice serving youth aged 16 - 24, it will be the responsibility of students themselves or parents/guardians, as appropriate, to provide transportation to and from the school. Transportation will not be provided to and from school, except as required by law, including for students with disabilities in accordance with a student's Individual Education Plan (IEP) and/or as required by the McKinney-Vento Homeless Assistance Act.

OYA is committed to assisting students across Santa Clara County to access its program. For this reason, OYA will explore a variety of public and private transportation options to ensure students are supported in their attendance at our school.

If OYA provides transportation to or from school or a school activity, it will follow SCCOE's transportation safety plan, or will adopt its own plan, in accordance with Education Code Section 39831.3.

## **7. Attendance Accounting**

OYA will implement an attendance recording and accounting system to ensure contemporaneous record keeping which complies with state law. OYA shall report daily attendance requirements to SCCOE in a format acceptable to the County and State. Required reports regarding daily attendance shall be completed and submitted to requesting agencies.

## **8. Potential Civil Liability Effects**

**Governing Law:** Potential civil liability effects, if any, upon the school, any school district where the school may operate and upon the County Board of Education. Education Code Section 47605.6(h).

OYA shall work diligently to assist the SCCOE in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other County-requested protocol to ensure the SCCOE shall not be liable for the operation of OYA.



Further, OYA and the SCCOE shall enter into a Memorandum of Understanding (MOU), wherein OYA shall indemnify the SCCOE for the actions of OYA under this charter. OYA hereby agrees to enter into the SCCOE's standard charter school MOU, or a modified version as appropriate given OYA's dependent status, as well as an OYA-specific addendum to the MOU, as deemed appropriate by the SCCOE Charter Schools Office.

As stated above, OYA shall maintain insurance coverage as required by SCCOE, including naming SCCBOE and SCCOE as additional insureds on OYA's insurance, as deemed appropriate by SCCOE's risk manager.

The OYA Board will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

### **9. Staff Review Matrix**

In order to facilitate the review of this petition, OYA has included the Staff Review Matrix with page numbers as **APPENDIX Z**.

### **Conclusion**

By approving this charter renewal for Opportunity Youth Academy (OYA), the Santa Clara County Board of Education will be fulfilling the intent of The Charter Schools Act of 1992 to improve pupil learning, create new professional opportunities for teachers, and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The OYA petitioners are committed meeting the highest bar for what a charter school can and should be. To this end, the OYA petitioners pledge to work cooperatively with the SCCOE to answer any concerns concerning this Charter.

## APPENDIX A: OYA Curricular Materials and Graduation Requirements

Subject	Textbooks and Instructional Materials/ Year of Adoption
Reading / Language Arts	SIATech Curriculum (See Appendix W)
Mathematics	SIATech Curriculum (See Appendix W)
Science	SIATech Curriculum (See Appendix W)
History – Social Science	SIATech Curriculum (See Appendix W)
Foreign Language	SIATech Curriculum (See Appendix W)
Health	SIATech Curriculum (See Appendix W)
Visual and Performing Arts	SIATech Curriculum (See Appendix W)
Science Laboratory Equipment (Grades 9-12)	SIATech Curriculum (See Appendix W)

### Track One: 220 Units UC/CSU Requirements

Subject	Credits Required
English	40
Mathematics	30
World History	10
US History	10
Government/Economics	10
Life Science	10
Physical Science	10
Physical Education	20
Foreign Language	20
Visual/Performing Fine Arts	10
Life Skills/Health	10
Computer Applications	10
Service Learning	10
Senior Project	10
Electives	10
<b>TOTAL</b>	<b>220</b>

### Track Two: 200 Units California State Requirements

Subject	Credits Required
English	40
Mathematics	10
Algebra I	10
World History	10
US History	10
Government/Economics	10
Life Science	10
Physical Science	10
Physical Education	20
Visual/Performing Fine Arts	10
Electives	60
<b>TOTAL</b>	<b>200</b>

## APPENDIX B: Partnership between OYA, and Work2Future Foundation

### YOUNG ADULT CO-ENROLLMENT PARTNERSHIP BETWEEN OPPORTUNITY YOUTH ACADEMY, AND WORK2FUTURE FOUNDATION

#### Background

Encouragement for co-enrollment linkages between Workforce Innovation and Opportunity (WIOA) Programs such as Work2Future Foundation's local Workforce Development Board (WDB) and pending Opportunity Youth Academy (OYA) applicants or graduates.

#### Partners

The partners envisioned in this co-enrollment linkage will be:

1. Opportunity Youth Academy
2. Work2Future Foundation, the local WDB

#### 1. Recruitment:

A. WIOA recruitment will occur as scheduled by the mutual agreement of the Work2Future Foundation and Opportunity Youth Academy by means of:

- Outreach orientations by Work2Future Foundation case managers at Opportunity Youth Academy location.
- Enrollment, including CASAS pre-testing by Work2Future Foundation case managers, at Work2Future facilities.

B. Opportunity Youth Academy graduates or pending participants targeted.

- Adult-aged students, who are eligible for WIOA services, may co-enroll in WIOA based on eligibility, interest and fit.
- Adult-aged students who are eligible for WIOA services and who are being prepared for charter high school enrollment in Opportunity Youth Academy may co-enroll in WIOA while they are still out-of-school, based on their interest and suitability.

#### 2. Eligibility and enrollment

- Opportunity Youth Academy staff will screen and select OYA charter school applicants for suitability for co-enrollment in WIOA.
- Work2Future Foundation case managers will screen applicants referred by Opportunity Youth Academy staff.
- Work2Future Foundation case managers will assure that all federal, state and local enrollment mandates are complied with including the full provision of all required documentation and out-of-school status at the time of enrollment (date of enrollment entry in the State of California's CalJobs database system)
- WDB management information systems staff will also check eligibility and enrollment to assure that they are error free.
- Charter school enrollment for youth referred to and enrolled in WIOA may occur as determined to be in the best interests of the youth and Opportunity Youth

Academy at any point *after* that individual's enrollment in the State CalJobs system is verified.

3. Career Advisor Assigned by Program Manager:
  - Paperwork and Engagement debrief from Outreach/Enrollment Specialist.
4. Career Advisor schedules 1:1 Orientation and CASAs Assessment
5. Enrollment Complete and Work Readiness Training (WRT) Scheduled – Same day as CASAs:
  - Emotional Intelligence.
  - Module 1, Module 2.
  - Module 3 and WRT Follow-up Meeting Scheduled
  - Module 4 (as needed) – 1:1 Direct Placement Job Search
6. Work Readiness Training Follow-up Meeting with Career Advisor:
  - Module 1 Assessment Review: Career Exploration and Priority Sector Recap
  - MyPath Assessment Review: Account Set-up for MyPath App. / Alliance Credit Union
7. IEP Follow up Meetings Every 2 weeks and Career Exploration Action Plan
  - Priority Sector Workshops
  - ETPL-Advanced Trainings
  - WEX-Paid Internships
  - 3<sup>rd</sup> Party Referral to Vocational Paid Internship/Training Program
8. Direct Job Placement and a Fully “Paved” Career Path
  - 1:1 with Career Advisor and the Direct Placement/OJT Spreadsheet Document
  - Module 4 Registration: 1:1 Job Search with the Youth Trainer
9. You're Hired, Now Go to Work and Get Paid
  - Stay the Course: Delayed Gratification Begins NOW
10. Follow Ups Begins
  - Career Advisors will reach out every 2-3 months/as needed
  - Submit Paystubs to Career Advisors 6 months after and 12 months after for CASH

### **APPENDIX C: California Guidelines for Independent Study ADA Ratios**

Under [Charter School Regulations](#), charter schools may use one of two methods for computing ADA ratios for Independent Study programs:

1. They may follow the instructions for school districts, using as the base the unified school district with the greatest ADA in the county or counties in which the charter school operates. 5 CCR 11704

2. They may use a fixed pupils-to-certificated employee ratio of not more than 25 to 1, or by using a ratio of less than 25 pupils per certificated employee. A new higher or lower ratio for all other educational programs offered by a charter school may be negotiated in a collective bargaining agreement, or a memorandum of understanding indicating that an existing collective bargaining agreement contains an alternative average daily attendance ratio may be entered into by a charter school. All charter school pupils, regardless of age, shall be included in the applicable averagedaily-attendance-to-certificated-employee ratio calculations. EC 51745.6(d)

County Offices of Education (COEs) prior year comparative ratio:

Pursuant to Education Code Section 51745.6, COEs now compare their current year independent ratio to the prior year ratio (was previously a current year ratio) of the high school or unified school district with the largest average daily attendance of pupils in that county.

**APPENDIX D: OYA Student Attendance and Independent Study Agreements**



OYA Student Attendance Agreement

OYA is committed in giving you the opportunity to earn your diploma by providing a safe learning environment, individualized instruction from teachers and guidance from support staff to address your needs.

We expect that you also be as committed as we are in supporting you in earning your diploma by meeting the following expectations:

- Attending class when scheduled
- Informing teachers and staff in a timely manner when you are unable to attend class.
- When in the class, working on assigned courses and not being distracted (i.e. cell phone, social media, etc).
- Be in regular communication and reachable. It will be your responsibility to update any changes in your contact information.
- Meeting minimum expectations and assignment deadlines per arrangement with your teacher.
- Respecting the OYA code of conduct.

In the event that any of these expectations are not met, the following notices will be conducted:

1 <sup>st</sup> Notice	Upon being informed by the teacher that the student is not meeting attendance expectations, OYA will attempt to reach student using the contacts on file; several calls, text or emails may be carried out by teacher or navigator during the period of a week (case managers, social workers and probation officers will also be contacted).
2 <sup>nd</sup> Notice	During the second week of not meeting expectations or failing to reply, OYA will continue attempts to contact student which may also include a navigator conducting a home visit to the address on file.
3 <sup>rd</sup> Notice	At the end of the two week period, a letter will be mailed to notify student that they OYA will be disenrolled from OYA in no less than five schooldays, which notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures used for expulsion from OYA. If the pupil or the pupil’s parent, guardian, or educational rights holder initiates these

	procedures, the pupil shall remain enrolled and shall not be removed until the OYA issues a final decision
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**Should you not meet attendance program expectations or reply to our contacts, OYA will be forced to go through the disenrollment process, as indicated above. If you choose to return after being disenrolled, you will have to re-enroll and your re-admission will be based on space availability.**

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

Date: \_\_\_\_\_

# Opportunity Youth Academy

## Master Agreement for Independent Study

Student's Name: _____	Program Placement: _____
Address: _____	Site: _____ SAI: _____
City/Zip: _____	Parent Name: _____
Birth Date: _____	Beg Date: _____ End Date: _____
Student PH: _____	2 <sup>nd</sup> PH: _____

### Objectives, Methods of Study, Methods of Evaluation, and Resources

The student is to complete the subjects/courses listed below. Subject/course objectives are consistent with charter school standards and Board Policies adopted by the Santa Clara County Office of Education (SCCOE) Board of Education. The specific objectives, methods of study, methods of evaluation, and resources for each assignment covered by this agreement will be provided by the teacher via the adopted school curriculum. The curriculum is aligned with the objectives of the California Common Core curriculum standards. The method of study is provided through a digital curriculum accessed at school or home and supplemented with additional school materials and resources as needed. Students will receive feedback and evaluation via the online curriculum and during sessions with the teacher. Please see the student handbook for a description of school policies and protocols that are also covered for this agreement. Any subsidiary agreement(s) are also part of this agreement. *Ed. Code 51747(c) (2)*

### SUBJECTS/COURSES ENROLLED:

Subjects/Course Value	Subjects/Course Value	Subjects/Course Value	Subjects/Course Value

**Reporting:** Students are required to meet in person (when applicable) with their teacher or virtually to discuss their progress when scheduled. Please indicate the time and days of the week scheduled to work on academic (3 days and 2 hours minimum for minors, 2 days and 2 hours minimum for students over 18): *Ed. Code 51747(a)(1) and 51747(c)(10)*

**STUDENT'S SCHEDULED: WEEK DAYS:** \_\_\_\_\_ **Scheduled Time:** \_\_\_\_\_

Students submit assignments online as they are completed, and students should aim to submit assignments daily. According to the SCCOE Board Policy for independent study (BP/AB 6158), the maximum length of time allowed between the assignment and the date the assignment is due is 3 weeks unless a prior exception is made in the accordance with Board Policy. **After three missed assignments for this agreement, an evaluation will be made to determine whether independent study is an appropriate strategy for this student.** *Ed. Code 51747(c) (4)*

Voluntary Statement: Independent study is an optional education alternative that students voluntarily select, including expelled students and/or students whose expulsion has been suspended. All students who choose independent study have the continuing option of returning to classroom instruction in their District of Residence and/or Adult School Program. *Ed. Code 48917 and Ed. Code 48915)*

**Equitable Provision of Resources and Services:**

The independent study option is to be substantially equivalent in quality and quantity to classroom instruction, and students who choose to engage in independent study are to have equality of rights and privileges with students in the regular school program. Students will have regular contact with their teacher for instruction and support, access to all curriculums online as well as access to supplemental books and materials as needed. *Ed. Code 51747(c) (3)*

**Signature and Dates:**

I have read and understand the terms of this agreement, and agree to all the provisions set forth. This agreement must be signed by all persons who have direct responsibility for providing assistance to the student. *Ed. Code 51747(c) (8)*

*By signing you agree to all subjects and courses modifications within this school year.*

Student:	Date:
Parent/Guardian/Caregiver:	Date:
Supervising Teacher:	Date:
Other Assisting Person:	Date:



## APPENDIX E: OYA Job Descriptions

### SANTA CLARA COUNTY OFFICE OF EDUCATION

CLASS TITLE: DIRECTOR/PRINCIPAL – OPPORTUNITY YOUTH ACADEMY

#### BASIC FUNCTION:

Under the direction of the Assistant Superintendent of Student Services and Support Division, plans, organizes and provides instructional and administrative leadership to the staff and students in all Opportunity Youth Academy sites; directs and oversees the daily operation, management and administration of the Opportunity Youth Academy; plans, implements and evaluates educational programs for diverse student populations; provides supplemental academic intervention services to underachieving students and provides teachers with professional development and coaching to support academic enrichment services; provides strategic planning to support school-wide program improvement and assist teachers in identifying effective differentiated instructional strategies as part of program improvement supplemental teacher coaching; facilitates the provision of a safe school environment and assures the various aspects of the program are in compliance with applicable local, State and federal regulations; assists the Assistant Superintendent with the promotion and coordination of service delivery among social services agencies, school districts and Office programs to Opportunity Youth students and families; cultivates innovation, integration and effective implementation of meaningful standards aligned curricula for Opportunity Youth served; supervises and evaluates assigned classified and certificated personnel; performs related duties as assigned.

#### REPRESENTATIVE DUTIES:

#### ESSENTIAL DUTIES:

- Plans, organizes and provides instructional and administrative leadership to the staff and students assigned to Opportunity Youth Academy; implements, sustains and assures compliance with County Office, California Department of Education, safety, ELL and other mandated requirements.
- Directs and oversees the daily operation, management and administration of the Opportunity Youth Academy; plans, implements and evaluates educational programs for diverse student populations.
- Develops and prepares the annual preliminary Opportunity Youth Academy budget, including Title I; analyzes and reviews budgetary and financial data; controls and authorizes expenditures in accordance with established limitations; monitors revenue projections.

- Develops methods of dealing with inappropriate or unsafe student behaviors, and disciplinary actions; supervises student and determines awards, rewards, consequences and disciplinary actions as appropriate; communicates with families to determine appropriate actions or respond to questions.
- Directs and evaluates the performance of assigned staff; interviews and selects employees and recommends transfers, reassignments, terminations and disciplinary actions; monitors departmental position control; assures appropriate application of bargaining unit agreements among Opportunity Youth Academy faculty, staff, and administration; plans, monitors and evaluates staff development programs, as well as professional growth and improvement plans to address identified areas of need.
- Develops and encourages various levels of staff to participate in the design, implementation and assessment of program goals, procedures, enhancements and areas of growth; provides leadership and coordination in the operational aspects of the Academy; promotes and communicates programs and services to school districts, County, State and federal agencies.
- Assures the program's implementation of local, State and federal regulations and guidelines; interprets and applies educational and penal codes, court decisions, policies and procedures; provides leadership in the development, monitoring, implementation and evaluation of the Department's educational and disciplinary programs and policies; monitors students' academic progress; monitors and approves student and staff attendance.
- Serves as liaison and networks with community agencies, school districts and other County Office departments; responds directly or facilitates staff responses to parental inquiries, concerns and complaints; coordinates and collaborates with various outside agencies including probation, mental health, police and other professionals; organizes parent outreach activities.
- Researches and evaluates data to effectively conduct outreach to targeted students such as those with chronic truancy, dropout/potential dropout, and expulsion issues; makes personal contact (e.g. home visits, phone, email, etc.) with students and parents/guardians for the purpose of arranging meetings, determining reasons for dropping out of the educational system and/or removing barriers to reentry.
- Provides technical expertise, information and assistance to the Assistant Superintendent regarding regional Opportunity Youth activities; assists in the formulation and development of policies, procedures and programs; recommends proper organization structure for assigned programs and functions.

- Plans, organizes and implements long and short-term programs and activities designed to develop programs and services.
- Directs the preparation and maintenance of a variety of narrative and statistical reports, records and files related to assigned activities; develops, monitors and disseminates reports to appropriate entities and agencies; creates master schedules; organizes standardized testing schedules.
- Communicates with other administrators, personnel and outside organizations to coordinate activities and programs, resolve issues and conflicts and exchange information.
- Operates a computer and assigned software programs; operates other office equipment as assigned; drives a vehicle to conduct work as assigned.
- Supervises and evaluates assigned classified and certificated personnel.
- Attends and conducts a variety of meetings as assigned for the Opportunity Youth Academy; serves on a variety of related committees.

**OTHER DUTIES:**

Performs related duties as assigned.

**KNOWLEDGE AND ABILITIES:**

**KNOWLEDGE OF:** Creative and adaptive program planning, design, implementation, maintenance and evaluation; Program compliance issues and regulations; Organizational policies, procedures and operations; Applicable sections of the State Education Code and other applicable laws, codes, regulations, policies and procedures; Budget preparation and control; Oral and written communication skills; Principles and practices of administration, supervision and training; Interpersonal skills using tact, patience and courtesy; Operation of a computer and assigned software; Record-keeping and report preparation techniques; Technical aspects of field of specialty; Public relations and speaking techniques.

**ABILITY TO:**

- Plan, organize, control and direct operations and activities of the Opportunity Youth Academy; Coordinate program activities and information with various departments, districts, outside agencies and the public for smooth and effective program operations;
- Supervise and evaluate the performance of assigned personnel;
- Create and coordinate programs which effectively serve Opportunity Youth;
- Foster the use of technology to enhance curriculum, communication and accountability;
- Assess acute and chronic concerns involving enrolled students, their families, staff and associated agencies, and recommend alternatives and resources toward resolution;
- Interpret, apply and explain rules, regulations, policies and procedures;
- Establish and maintain cooperative and effective working relationships with others;

- Operate a computer and assigned office equipment;
- Analyze situations accurately and adopt an effective course of action;
- Meet schedules and timelines;
- Work independently with little direction;
- Plan and organize work;
- Prepare comprehensive narrative and statistical reports;
- Direct the maintenance of a variety of reports, records and files related to assigned activities

#### EDUCATION AND EXPERIENCE:

Any combination equivalent to: master's degree in education, program administration or related field and five (5) years increasingly responsible experience in school administration or related field and five (5) years of experience in alternative education or related field.

#### LICENSES AND OTHER REQUIREMENTS:

Valid California Administrative Credential or Supervision Credential

Valid California teaching credential or Pupil Personnel Services Credential

Valid California driver's license

#### WORKING CONDITIONS:

##### ENVIRONMENT:

Office environment

Driving a vehicle to conduct work

##### PHYSICAL DEMANDS:

Hearing and speaking to exchange information and make presentations; Dexterity of hands and fingers to operate a computer keyboard;

Seeing to read a variety of materials

## **SANTA CLARA COUNTY OFFICE OF EDUCATION**

### **CLASS TITLE: ASSISTANT PRINCIPAL-*Opportunity Youth Academy***

#### **BASIC FUNCTION:**

Under general direction of the Director/Principal- Opportunity Youth Academy, assists with the administration and coordination of Opportunity Youth Academy sites; assists the principal in the overall administration of the sites and assumes leadership of the school in the absence of the principal; supervises assigned staff; provides leadership to assigned curricular areas; relates to students with mutual respect while carrying out a positive and effective discipline policy; supervises the reporting and monitoring of student attendance, with follow-up student/parent contact where necessary; serves on educational committees with students, parents and/or staff, in order to continually improve learning experiences for students and enhance home/school communications; understands the Master Schedule and implements procedures which facilitate the achievement of program goals; develops plans for emergency situations, in cooperation with staff and public safety agencies; takes administrative responsibility for the student activity program that may include before and after school hours; communicates effectively with the business and residential community and participates in civic activities; maintains a commitment to ongoing growth in self and others, supporting and participating in SCCOE and site professional growth programs; demonstrates positive attitude toward job and remains a flexible and innovative team builder; has knowledge of local policies, state and federal laws relating to minors; has knowledge of Trauma Informed Care, Social Emotional Learning, and Universal Design for Learning relating to minors; provides parent education opportunities; is an active participant in student IEP and collaborates with the Program Specialist, School Psychologist, and Special Education Teachers to ensure Special Education compliance; performs such other duties and assumes such other responsibilities as the principal may request.

#### **REPRESENTATIVE DUTIES:**

#### **ESSENTIAL DUTIES:**

- Provides support to instructional programs and assists that staff and students in Opportunity Youth Academy sites; assists with the implementation of programs and assures compliance with County Office, California Department of Education, safety, ELL and other mandated requirements.
- Assists and oversees the daily operation, management and administration of the Opportunity Youth Academy sites; facilitates, implements and evaluates educational programs for diverse student populations.

- Assists the development of methods of dealing with inappropriate or unsafe student behaviors, and disciplinary actions; supervises student and determines awards, rewards, consequences and disciplinary actions as appropriate; communicates with families to determine appropriate actions or respond to questions.
- Assists and evaluates the performance of assigned staff. Assists and encourages various levels of staff to participate in the design, implementation and assessment of program goals, procedures, enhancements and areas of growth.
- Promotes and communicates programs and services to school districts, County, State and federal agencies as directed by the Director/Principal.
- Assists with the implementation of local, State and federal regulations and guidelines; assists with development, organization, and facilitation of long and short-term goals and programs.
- Operates a computer and assigned software programs; operates other office equipment as assigned; drives a vehicle to conduct work as assigned.
- Supervises and evaluates assigned classified and certificated personnel.
- Attends and conducts a variety of meetings as assigned for the Opportunity Youth Academy; serves on a variety of related committees.

OTHER DUTIES: Performs related duties as assigned.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

Creative and adaptive program planning, design, implementation, maintenance and evaluation; Program compliance issues and regulations, Organizational policies, procedures and operations; Applicable sections of the State Education Code and other applicable laws, codes, regulations, policies and procedures; Budget preparation and control; Oral and written communication skills; Principles and practices of administration, supervision and training; Interpersonal skills using tact, patience and courtesy; Operation of a computer and assigned software; Record-keeping and report preparation techniques; Technical aspects of field of specialty; Public relations and speaking techniques

ABILITY TO:

Plan, organize, control and direct operations and activities. Supervise and evaluate the performance of assigned personnel; Create and coordinate programs which effectively serve Opportunity Youth; Foster the use of technology to enhance curriculum, communication and accountability; Assess acute and chronic concerns involving enrolled students, their families, staff and associated agencies, and recommend alternatives and resources toward resolution;

Interpret, apply and explain rules, regulations, policies and procedures; Establish and maintain cooperative and effective working relationships with others; Operate a computer and assigned office equipment; Analyze situations accurately and adopt an effective course of action; Meet schedules and timelines; Work independently with little direction; Plan and organize work; Prepare comprehensive narrative and statistical reports; Direct the maintenance of a variety of reports, records and files related to assigned activities

**EDUCATION AND EXPERIENCE:**

Any combination equivalent to: master's degree in education, program administration or related field and five (3) years increasingly responsible experience in school administration or related field and five (3) years of experience in classroom teaching and (3) years of experience alternative education or related field.

**LICENSES AND OTHER REQUIREMENTS:** Valid California Administrative Credential or Supervision Credential Valid California teaching credential or Pupil Personnel Services Credential Valid California driver's license **WORKING CONDITIONS:** ENVIRONMENT: Office environment Driving a vehicle to conduct work

**PHYSICAL DEMANDS:** Hearing and speaking to exchange information and make presentations; Dexterity of hands and fingers to operate a computer keyboard; seeing to read a variety of materials

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

**CLASS TITLE:** Opportunity Youth Academy Registrar

**BASIC FUNCTION:** Under general supervision, independently perform various technical and complex clerical duties related to the maintenance of student records according to established laws, rules and regulations for OYA students; provides assistance in the training of regional office personnel regarding student records and graduation requirements; explains laws, policies and procedures to students, staff and the public; enters and maintains student information in the student information system; prepares related reports.

**ESSENTIAL/TYPICAL DUTIES:**

- Independently performs various technical and complex clerical record-keeping duties related to the maintenance of student records
- Evaluates, processes, and posts student grades on transcripts; collects and verifies completion of graduation requirements submitted by OYA Guidance Counselor.
- Requests student transcripts, Individual Educational Plans (IEP), discipline and assessment reports, and verifies records for student release from school districts, probation officers, social workers and other community agencies.

- Assists guidance counselor with student transcript evaluations and assessments.
- Releases student records to a variety of agencies including local school districts, Department of Human Services, the Probation Department, colleges and universities, branches of the military, etc.
- Provides information to school districts, probation officers, social workers and other agencies on program policies and procedures and student status, discipline and assessment; prepares and verifies records for student release
- Enters and maintains student records and grade reports; prepares related statistical and numerical reports (i.e. CALPADS)
- Processes students for graduation and maintains graduation database
- Processes work permit applications and maintains work permit database and a variety of other records and databases
- Assists in student intake and registration, student enrollment, and student withdraws.
- Prepares a variety of correspondence including reports
- Serve as a resource and provide guidance to staff in matters related to student records management and associated laws, rules, regulations and policies

Performs related duties as assigned

#### KNOWLEDGE AND ABILITIES:

##### KNOWLEDGE OF:

Thorough knowledge of the student information system as used for attendance accounting, enrollment and transcript preparation  
 General knowledge of: State rules and regulations governing attendance accounting; automated recordkeeping systems  
 Modern office procedures, organization and equipment  
 Effective recordkeeping systems and procedures  
 Personal computer operations and related word processing and spreadsheet applications

##### ABILITY TO:

Exercise close attention to detail and accuracy  
 Collect data and prepare correspondence and reports  
 Read and accurately interpret laws, rules, and regulations pertaining to student records, graduation requirements, and other topics pertinent to the classification  
 Make decisions on procedural matters within the scope of established policy  
 Work with minimum supervision  
 Serve as a resource and provide guidance related to student records management  
 Type accurately at a rate of speed sufficient for successful job performance  
 Communicate effectively



orally and in writing Establish and maintain effective working relationships with persons contacted through the course of work

**EDUCATION AND EXPERIENCE:**

Possession of a high school diploma; a combination of post-secondary education, training and experience, which clearly demonstrates possession of the knowledge, skills and abilities detailed above.

Any combination equivalent to: Two years of progressively responsible office/clerical experience involving strict and continuous attention to detail in the maintenance of complex manual and computerized records, preferably in an alternative educational school setting. Experience must include frequent interpersonal contact. Previous experience compiling and evaluating student transcript information is highly desirable.

**LICENSES AND OTHER REQUIREMENTS:**

Valid California C driver's license is required. A driving record which meets the County office of Education's insurance requirements

Working Conditions:

**ENVIRONMENT:**

Office environment

May require traveling between school sites

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

**CLASS TITLE: TEACHER-OPPORTUNITY YOUTH ACADEMY**

**General Description**

The position of Teacher-Opportunity Youth Academy is responsible for providing general education (core academic subjects) and special education instructional services for students OYA (special education and regular education) ages 16 to 24 who had previously separated from school and are returning to earn a high school diploma and to enter a college/career pathway. The incumbent ensures compliance with general education (core academic subjects), special education regulations, court orders, etc., and processing new students in accordance with requirements. This position also provides lead support to instructional aides and is under the general supervision of the Director/Principal for day-to-day operations and program implementation and a special education administrator for guidance regarding IDEIA regulations/compliance. Internships and project-based learning will be featured components.

**FUNCTIONS**

- Instructing general education and special education students, particularly Opportunity Youth in special areas;
- Create a culture of learning and promote and recognize efforts and progress;

- Provide guidance and support for students to develop a plan for a post-graduation college and/or career pathway;
- Build professional relationships with students to engage them and sustain their efforts to complete the program;
- Developing goals/objectives and utilize evidenced-based methods designed to meet individual student's instructional needs;
- Counseling students in dealing with a variety of issues for the purpose of improving academic performance and preparing for a college and career pathway;
- Utilize instructional technologies such as blended learning as appropriate to deliver instruction;
- Administering educational assessment instruments for program purposes;
- Maintaining student files, records, etc. for the purpose of documenting activities and/or providing reliable information;
- Onboarding new students for the purpose of enrolling and orienting them;
- Supervising the classroom for the purpose of maintaining order, promoting academic engagement, and building a collaborative, goal-oriented culture;
- Maintaining effective relationships with partners, including probation department employees, community-based agencies, educational partners and social service agencies;
- Access community and program resources to support the student's goals;
- Provide individualized instruction for up to 38 students;
- Utilize innovative educational strategies

#### MINIMUM QUALIFICATIONS:

Knowledge of effective instructional practices and techniques; knowledge of innovative strategies; effective practices and techniques in teaching students with mild to moderate disabilities; California Standards for the Teaching Profession; rules and regulations related to the position; effective student supervision, motivation, and discipline techniques; effective student testing, evaluation methods and techniques; appropriate curriculum and instructional materials for assigned subject area; leadership and teamwork; communication skills; technology related to assignment; familiarity with the California Common Core State Standards and instructing 21<sup>st</sup> Century skills.

#### PREFERRED QUALIFICATIONS: Bilingual

Skills are required to perform professional tasks with a need to upgrade skills in order to meet changing job conditions. Ability to successfully support teachers and students in the assigned area; schedule and deliver lesson plans; use basic job-related equipment; effectively instruct students; establish appropriate learning goals and objectives as well as effective lesson plans; effectively communicate orally and in writing; establish and maintain effective work relationships; work with a diversity of individuals; establish criteria and evaluate students' progress; effectively observe and analyze instructional strategies/techniques; develop and maintain a variety of administrative records; prepare periodic and special reports as necessary;

analyze issues, create plans of action and reach solutions; provide guidance to staff and students; understand and interpret laws and regulations; consult with parents, supervisors, and co-workers to ensure that students have a full education opportunity; demonstrate creativity in planning; meet the travel requirements from site to site if applicable; other duties as assigned by supervisor.

#### Working Conditions

The usual and customary methods of performing the job's functions requires the following physical demands: hearing and speaking to exchange information and make presentations; dexterity of hands and fingers to operate a computer keyboard; driving a vehicle to conduct work; seeing to conduct inspection of data; and occasionally lifting of record boxes and bending or reaching for files. Generally the job requires 10% sitting, 40% walking and 50% standing. The job is performed under minimal temperature variations, a generally hazard free environment, and in a clean atmosphere.

#### Experience

Experience working in an alternative school or alternative education environment preferred.

#### Education

Bachelor's Degree from an accredited college/university is required. Master's Degree desired.

#### Credentials/Certificates/Licenses

Possession of a valid California Multiple or Single Subject Teaching Credential and possession of a valid California Education Specialist credential with a Mild/Moderate authorization, or equivalent California Special Education credential. Intern eligibility will be considered. Candidates possessing a valid California Multiple or Single Subject Teaching Credential and who can make a commitment to complete the credentialing process for a valid California Mild/Moderate or equivalent Special Education credential will be considered, as will a candidate who holds a valid California Special Education credential who can make a commitment to complete the process for a California Multiple or Single Subject Teaching Credential.

The English Learner certification is also required. Successful candidates will be NCLB Highly-Qualified compliant at the secondary level in Math, Science, English, and Social Science or become compliant within one year of employment. Applicants who have not utilized their credential(s) within the last 39 months in a school district must show verification of passage of the California Basic Education Skills Test (CBEST). Proof of Credentials must be provided with application. Valid California Driver's License required. Online and Blended Teacher Certification Preferred.

#### Other

The program may be offered at times other than a standard, traditional school schedule and calendar. The program may operate year-round, have varied scheduled hours, and/or require some evenings and/or weekend hours.

Revised 4/16/15 Job title changed from *Specialized Academic Instructor Teacher (SAI) – Opportunity Youth Academy (OYA)* to Teacher-Opportunity Youth Academy (Specialized Academic Instructor)

Revised 12/15/15 Title and Credentials revised

## **SANTA CLARA COUNTY OFFICE OF EDUCATION**

Personnel Commission

CLASS TITLE: NAVIGATOR – OPPORTUNITY YOUTH ACADEMY

### **BASIC FUNCTION:**

Under the direction of the Opportunity Youth Academy Administrator, the Navigator, facilitates school re-engagement of students ages 16-24, particularly Opportunity Youth who have not completed a high school credential and have been absent from school for prolonged periods of time. The Navigator is responsible for conducting intakes and assessing students' reasons for absences and working with students and parents/guardians to develop a plan and strategy for re-enrolling students in school. The Navigator builds positive and productive relationships with students and leverages those relationships to monitor and implement interventions as needed to ensure academic success.

### **REPRESENTATIVE DUTIES:**

### **ESSENTIAL DUTIES:**

- Develop a supportive and trusting relationship with at-risk students and identify the specific issues impacting student engagement in school and academic performance.
- Work with students to establish academic and career goals and develop life plans using tools such as My Action Plan (MAP).
- Work with Community Liaison, school counselor, social service workers and community partners to develop personalized service plans to address social/emotional issues impacting performance.
- Monitor student academic progress, attendance, and behavior and provide personalized interventions, such as those related to lack of childcare and transportation issues, as needed to keep the student on-track for graduation.
- Facilitate events and workshops for character building and career exploration

- Maintain accurate records of student progress and submit monthly student activity logs and required documentation.
- Conduct home visits and provide support to families in acquiring needed services to ensure student success.
- Follow-up to ensure youth are taking action on service referrals.
- Participate in re-engagement center client meetings/appointments as needed.
- Inform parents(s)/guardians(s) of students' progress.
- Responsible for conducting monitoring visits and developing intervention plans.
- Assist with situations that affect students for the purpose of facilitating student attendance.
- Problem solve with students on issues of attendance, transportation, childcare, etc.
- Use basic mathematical calculations to assist students in areas such as understanding high school credit status, graduation date projections and managing a household budget.

**OTHER DUTIES:**

Performs other related duties as assigned.

**KNOWLEDGE AND ABILITIES:**

**KNOWLEDGE OF:**

- Business telephone etiquette
- Office application software
- Safety practices and procedures
- Demographics of the community
- Individual Learning Plans (ILP)
- Legal issues regarding habitually truant students as it pertains to homeless and foster youth
- Education code and Federal and State regulations
- Community and governmental resources, educational programs, a variety of community resources and social networks
- Problem needs and behavior patterns of at-risk students and disadvantaged groups
- Principles and practices of confidentiality

#### ABILITY TO:

- Develop strong, empathic relationships with students and their families
- Recognize and value diversity and be culturally responsive to the population served
- Work with minimal supervision outside of formalized, central office setting
- Ability to maintain detailed records of student outcomes and activities
- Evaluate and develop intervention strategies to meet the social service needs of at-risk students and coordinate efforts of various social service agencies and community organizations
- Effectively organize and prioritize work assignments
- Conduct home visits and community outreach
- Effectively communicate orally and in writing
- Understand multiple step instructions
- Read, interpret and explain written procedures
- Use proper spelling and grammar
- Perform basic math, including calculations using fractions, percent, and/or ratios
- Perform work using assigned equipment and software programs, such as those included in the Microsoft Office suite.

#### EDUCATION AND EXPERIENCE:

Generally, the required knowledge and abilities will have been acquired through any combination of education and experience equivalent to a Bachelor's degree in counseling, psychology, social work or closely related field and three years of experience in educational service, community based resources or human relations.

#### LICENSES AND OTHER REQUIREMENTS:

Valid California driver's license is required.

Driving record which meets the County Office of Education's insurance requirements

#### WORKING CONDITIONS:

Work flexible hours to meet needs of families and attend evening meetings

#### ENVIRONMENT:

This job is performed generally in an office setting and in the homes of the population served.

Minimal temperature variations.

Generally hazard free environment.

Clean atmosphere.

#### PHYSICAL DEMANDS:

Sitting, walking and standing

Occasional lifting, carrying, pushing and/or pulling

Climbing and balancing

Stooping, kneeling, crouching and/or crawling

Reaching, handling

Use hands and fingers to operate a desktop computer or other office equipment  
Speak clearly and distinctly to answer telephones and provide information  
See to read fine print  
Hear and understand voices over telephone and in person

Approved by Personnel Commission: June 10, 2015

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
**Personnel Commission**

CLASS TITLE: COMMUNITY LIAISON SPECIALIST – OPPORTUNITY YOUTH ACADEMY

**BASIC FUNCTION:**

Under the general direction of the Opportunity Youth Academy (OYA) Administrator, facilitates the re-engagement of students ages 16-24, particularly Opportunity Youth who have not yet completed a high school credential. The Community Liaison Specialist is responsible for liaising between the OYA program and various agencies and researching and evaluating data to effectively conduct outreach to targeted students. The Community Liaison Specialist is responsible for locating recent dropouts from comprehensive districts, providing information and/or referrals of community resources to target population and performing other job related duties as assigned for program students to ensure successful high school completion and transition to college and career.

**REPRESENTATIVE DUTIES:**

**ESSENTIAL DUTIES:**

- Acts as a liaison between the OYA program and various agencies, such as school districts, community colleges, social services, probation, community-based organizations (CBO), etc., for the purposes of recruitment, referral, registration, connection with student service entities and follow-up.
- Collaborates with guidance counselors, community resource programs, social workers, etc., for the purpose of enhancing communication regarding resources to targeted students and parents.
- Communicates with parents and students for the purpose of conveying information regarding the array of services available to facilitate the reentry of students into the educational system.
- Participates in staff meetings and in school activities for the purpose of enhancing program participation and building the resource base for student/parent participants.
- Researches and evaluates data to effectively conduct outreach to targeted students such as those with chronic truancy, dropout/potential dropout, and expulsion issues;

makes personal contact (e.g. home visits, phone, email, etc.) with students and parents/guardians for the purpose of arranging meetings, determining reasons for dropping out of the educational system and/or removing barriers to reentry.

- Confers with teachers, parents and/or appropriate community agency personnel for the purpose of assisting in the evaluation of students' progress and/or implementing students' Individual Learning Plans (ILP).
- Participates in various meetings (e.g., with community based agencies and school officials) for the purpose of receiving and/or providing information.
- Assists other staff as may be required for the purpose of supporting them in the completion of their work activities, such as those related to transitioning students to other staff and providing outside resources of community connections.
- Maintains records (e.g. individual case notes, files, contact log, database, etc.) of students served for the purpose of keeping accurate records and documenting program operations.
- Uses knowledge of Trauma Informed Strategies to support dis-engaged youth.
- Achieves program enrollment goals.
- Performs other duties as assigned.

#### KNOWLEDGE AND ABILITIES:

##### KNOWLEDGE OF:

- Legal issues regarding habitually truant students as pertained to homeless, foster youth, education code, and community and governmental regulations
- Trauma Informed Strategies
- Educational programs, community resources and social networks
- Individual Learning Plans (ILP)
- Demographics of the community
- Problem needs and behavior patterns of at-risk students and disadvantaged groups
- Principles and practices of confidentiality

##### ABILITY TO:

- Evaluate and develop intervention strategies and coordinate efforts of various social service agencies and community organizations to re-engage students to complete their high school education and transition to college and career
- Interpret written procedures
- Multi-task and prioritize work
- Understand multiple step instructions



- Business telephone etiquette
- Office application software
- Follow appropriate safety practices and procedures
- Schedule multiple activities, meetings and/or events
- Gather, collate, and/or classify data
- Prepare and maintain accurate confidential records and referrals
- Effectively work with others in a wide variety of circumstances
- Analyze data using defined and designated processes
- Operate standard office equipment using standard methods of operation and pertinent software applications
- Work with individuals and/or groups with diverse backgrounds
- Problem solve to identify and analyze issues; create plan of actions to reach solutions
- Establish and maintain cooperative working relationships with students, parents, mentors, community-based agencies and school officials
- Identify, seek and establish contact with a variety of community resources
- Keep confidential records and reports
- Perform basic math, including calculations using fractions, percent, and/or ratios
- Learn new technologies and methods as the need arises to maintain effectiveness and efficiency in work tasks

Effectively communicate orally and in writing and with diverse individuals and groups  
 Effectively communicate orally and in writing in Spanish highly desirable.

#### EDUCATION AND EXPERIENCE:

Any combination equivalent to: bachelor's degree from an accredited college or university with major course work in accounting, business administration or a related field and three years of experience related to educational service, community based resources, or human relations; specifically, experience related to liaising, conducting outreach and researching and evaluating data for a program that caters to at-risk youth.

#### LICENSES AND OTHER REQUIREMENTS:

Valid California C driver's license is required.

A driving record which meets the County Office of Education's insurance requirements.

#### WORKING CONDITIONS:

Work flexible hours to meet needs of families and attend evening meetings

#### ENVIRONMENT:

This job is performed generally in an office setting, at schools and in the community

Minimal temperature variation

Generally hazard free environment

Clean atmosphere

**PHYSICAL DEMANDS:**

Lifting, carrying, pushing and/or pulling

Climbing and balancing

Stooping, kneeling, crouching and/or crawling

Reaching, handling

Use hands and fingers to operate a desktop computer or other office equipment

Speak clearly and distinctly to answer telephones and provide information

See to read fine print

Hear and understand voices over telephone and in person

Approved by Personnel Commission: June 10, 2015

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

**CLASS TITLE: COUNSELOR**

**General Description**

Under the direct supervision of the Principal, provides all aspects of counseling and guidance services to students in Santa Clara County Office of Education programs including supplemental academic intervention services to support underachieving students; provides informational services to parents, teachers, and administrators in order to promote a comprehensive decision-making process for student educational objectives development and school programming.

**Certification and Education**

Bachelor's degree from an accredited college or university; and a valid California Pupil Personnel Services Credential authorizing services as a School Counselor.

**Knowledge, Abilities and Experience**

Demonstrated knowledge and experience in counseling children in need of special and/or alternative education; knowledge of, and ability to implement the intent of federal and state mandates for special and/or alternative education in a public school setting; ability to communicate successfully with parents, staff, and other agencies; ability to diagnose, assess, prescribe and evaluate the learning needs of individual pupils; knowledge of education laws relating to child welfare and attendance, work experience programs and counseling.

**Duties and Responsibilities**

**ESSENTIAL DUTIES:**

Reviews student skills assessment/educational needs evaluation; assists with individualized student programming/scheduling; monitors student graduation process; evaluates transcripts; refers students for support services; acts as transfer liaison; provides individual student counseling, group counseling and parent conferencing; provides support services to teachers; develops and implements specialized curriculum; provides career counseling; monitors work

experience; acts as community liaison and may provide in-service to employers working with students enrolled in county office programs and other duties as assigned.

#### Working Conditions

Working conditions described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions. Variations in conditions may occur under certain circumstances.

#### Physical Demands

Incumbents stand and sit for long periods of time; walk short distances on a regular basis; use hands and fingers to operate a computer keyboard or other office equipment; reach with hands and arms; stoop, kneel, or crouch; speak clearly and distinctly to answer telephones and to provide information; see to read fine print and operate computer; hear and understand voice over telephone and in person; and move and transport materials weighing up to 20 pounds.

#### Environment

Duties are performed in a classroom or office environment.

Approved: 9/8/86 by Assistant Superintendent, Personnel  
Revised:

2/24/11, 5/17/11, 6/14/11 (Updated Working Conditions and Physical Demands)

### **SANTA CLARA COUNTY OFFICE OF EDUCATION Personnel Commission**

#### **CLASS TITLE: Paraeducator-Alternative Education**

#### DESCRIPTION OF BASIC FUNCTIONS AND RESPONSIBILITIES

To assist a classroom teacher(s) in the instruction, supervision, and training of individual or groups of students involved in Juvenile Court School Programs and to perform a variety of related duties in the maintenance of an effective learning environment for students.

#### DISTINGUISHING CHARACTERISTICS

This job class is distinguished from the Paraeducator-Special Education classification in that it assists in academic teaching and support to delinquent youth county juvenile institutions, residential programs and community schools in the Alternative Education Department (AED). Employees in this classification receive direct to general supervision within a framework of standard policies and procedures. This job class provides responsible instructional assistance to assigned teachers/students in implementing the educational and social objectives. This job class requires a high degree of positive contact with both students and instructional staff.

## ESSENTIAL AND TYPICAL DUTIES

- Assists teacher in individual and group instruction of students in various learning situations including academic subjects, athletics and crafts
- Assists in supervising students (including students in locked facilities) to maintain effective learning environment, noting behavioral problems observed and applying approved disciplinary procedures; May monitor students during bathroom visits as appropriate
- Assists teacher in the continuous monitoring of student progress, working with or tutoring students, reviewing students' performance and discussing students' needs: participates with teachers after formal conferences
- Performs a variety of related clerical and record keeping duties such as maintaining files, logging and reporting student attendance and incidents, collecting, recording, and filing absence notes, completing tracking forms, requesting transcripts and processing enrollment and termination information, other duties may include typing, filing and distributing mail
- Assists students in times of emotional crisis and offers support by suggesting alternatives; may initiate referrals to other professionals when indicated
- Under the direction of the teacher or counselor assists in the implementation of students' individual behavior management programs by observing students' behavior, delivering consequences to encourage desired behavior and charting data
- Monitors and recognizes potentially serious behavior patterns and reports them to appropriate personnel
- Works with County Sheriff and County Probation Department in the course of assigned duties
- Communicates with parents/guardians, communicating student problem areas or concerns, verifying absences, tardiness and conveying information regarding possible consequences
- Prepares materials for instructional exercises and materials
- Corrects, grades, and records tests, assignments and homework papers
- Maintains confidentiality of student information in accordance with legal requirements and policies
- May administer, and score placement/competency tests, documenting and distributing results; may input, edit and maintain test score data for specified data base or information system
- Orients substitute teachers/aides to classroom routine/procedures and individual student needs
- Participates as a member of a committee or team; may assist with the development and implementation of individual or site crises management plans
- Assists with lunch ordering activities; may prepare and serve lunch to students; verifies food deliveries are accurate and complete
- May work with group homes, health organizations, community and youth agencies in the course of assigned duties
- Schedules parent/teacher conferences as needed
- May participate in new student interviews and orientation meetings

- May physically restrain students who become out-of-control and assist in administering proper disciplinary actions
- Participates in the planning of and may make necessary arrangements for field trips and other program activities; supervises students during field trips as assigned
- May make home visits in special circumstances
- Performs related duties as required

## EMPLOYMENT STANDARDS

### Knowledge of:

- Concepts of child development and adolescent behavior
- Basic characteristics of human behavior
- Math and reading skills
- Effective recordkeeping methods and techniques
- First aid for minor injuries
- Proper English usage, grammar, vocabulary, spelling, and punctuation

### Ability to:

- Assist in the instruction of a variety of subjects including reading, writing and mathematics
- Understand and carry out both oral and written instructions in an independent manner
- Understand the needs of students in difficult circumstances and to effectively relate to these needs in a learning and/or recreational situation
- Model communication and interaction that respects and includes all individuals and their languages, abilities, religions and cultures
- Analyze situations accurately and adopt an effective course of action
- Effectively supervise students in a variety of situations
- Operate standard office/classroom equipment which may include desktop computer, copy machine, tape recorders and projectors
- Maintain effectiveness in stressful situations
- Meet the physical requirements necessary to safely and effectively perform the required duties
- Establish and maintain cooperative and effective work relationships with those contacted in the performance of required duties.

### May require:

Some positions in this class require oral and/or written skills in a second language other than English as designated by the County Office of Education; some positions in this classification may require travel between school sites; some positions may require attention to safety in the classroom where students may have self-abusive tendencies or could cause serious injuries to others.

## EDUCATION AND EXPERIENCE

### Education:

Candidates must meet one of two conditions:

Possession of a high school diploma or equivalent and at least 48 semester units earned at an institution of higher learning that is accredited by one of the seven accrediting associations authorized by the U.S. Department of Education; or

Possession of a high school diploma or equivalent and the ability to obtain a passing score on the County Office of Education No Child Left Behind (NCLB) Paraprofessional Examination.

Experience:

One year of paid or volunteer experience working with at-risk youth in an educational setting preferred.

**BARGAINING UNIT:** Paraprofessional Unit

**WORKING ENVIRONMENT:** Indoor, classroom and outdoor environments

**PHYSICAL DEMANDS:** Hearing and speaking to exchange information; seeing to read, prepare, and proofread documents, perform assigned duties; sitting or standing for extended periods of time; dexterity of hands and fingers to operate a computer keyboard and other equipment; kneeling, bending at the waist, and reaching overhead, above the shoulders and horizontally, to retrieve and store files and supplies; and lifting light objects.

Personnel Commission Approval: 09/84

Revised: 01/85, 09/91; 2/14/08; 05/19/11

## **SANTA CLARA COUNTY OFFICE OF EDUCATION**

### **CLASS TITLE: ADMINISTRATIVE ASSISTANT III**

#### **BASIC FUNCTION:**

Under the supervision of an assigned Director I or II, performs varied and responsible secretarial and administrative assistant duties to relieve the Director I or II of administrative and clerical detail; plans, coordinates and organizes office activities and coordinates flow of communications and information for the Director I or II; prepares and maintains a variety of manual and automated records and reports related to assigned activities.

#### **DISTINGUISHING CHARACTERISTICS:**

The Administrative Assistant III performs more advanced clerical and secretarial duties in support of a Director I or II. The Administrative Assistant IV serves as the primary administrative support for a large, complex department managed by a Director III. The Administrative Assistant II performs a variety of clerical and secretarial duties in support of an administrator such as a supervisor, manager or specialist.

#### **REPRESENTATIVE DUTIES:**

The following duties are examples of assignments performed by incumbents in this classification. It is not a totally comprehensive list of duties, nor is it restrictive regarding job assignments.

#### **ESSENTIAL DUTIES:**

- Performs varied and responsible secretarial and administrative assistant duties to relieve the Director of administrative and clerical detail; plans, coordinates and organizes office activities and coordinate flow of communications and information; assures smooth and efficient office operations.
- Serves as primary secretary to the assigned Director; performs public relations and communication services for the administrator; receives, screens and routes telephone calls; takes, retrieves and relays messages as needed; schedules and arranges appointments, conferences and other events.
- Receives visitors, including administrators, staff, parents and the public; provides information or direct to appropriate personnel; exercises independent judgment in resolving a variety of issues; refers difficult issues to the administrator as needed; provides technical information and assistance related to program or organizational operations and related laws, rules, regulations, policies and procedures.
- Compiles information and prepare and maintain a variety of records, logs and reports related to programs, students, financial activity, budgets, attendance, staff, projects and

assigned duties; establishes and maintains filing systems; revises, verifies, proofreads and edits a variety of documents.

- Inputs a variety of data into an assigned computer system; establishes and maintains automated records and files; initiates queries, develops spreadsheets, manipulates data and generate various computerized lists and reports as requested; assures accuracy of input and output data.
- Composes, independently or from oral instructions, note or rough draft, a variety of materials such as inter-office communications, forms, letters, memoranda, bulletins, agenda items, labels, fliers, requisitions, handbooks, newsletters, brochures, certificates, contracts and other materials; formats materials to meet program and office needs.
- Researches, compiles and verifies a variety of data and information; computes statistical information for various reports as necessary; processes a variety of forms and applications related to assigned functions; duplicates and distributes materials as needed.
- Coordinates, schedules and attends a variety of meetings, workshops and special events; prepares and sends out notices of meetings; compiles and prepares agenda items and other required information for meetings, workshops and other events; sets-up equipment and supplies for meetings and other events as needed; takes, transcribes and distributes minutes as directed.
- Performs a variety of clerical accounting duties in support of assigned program or office as assigned; monitors fiscal activity and funds for income and expenditures, and compared to established budget allocations; assists in assuring expenditures to do not exceed established budget limitations as assigned; calculates, prepares and revises accounting and budgetary data; balances and reconciles assigned accounts and budgets as required; processes budget transfers and purchase orders.
- Performs special projects and prepares various forms and reports on behalf of the assigned administrator; attends to administrative details on special matters as assigned.
- Communicates with personnel and various outside agencies to exchange information and resolve issues or concerns.
- Operates a variety of office equipment including a calculator, copier, fax machine, computer and assigned software.
- Receives, sorts and distributes mail; prepares and distributes informational packets and bulk mailings as directed.



- Maintains appointment and activity schedules and calendars; coordinates travel arrangements and hotel reservations as necessary; reserves facilities and equipment for meetings and other events as needed.
- Monitors inventory levels of office and designated supplies; orders, receives and maintains appropriate levels of inventory as required; prepares, processes and codes purchase orders and invoices as assigned; arranges for billings and payments as directed.
- Collects various monies and fees for assigned office or programs as required; prepares deposits as directed.

#### OTHER DUTIES:

Perform related duties as assigned.

#### KNOWLEDGE AND ABILITIES:

##### KNOWLEDGE OF:

- Department or program organization, operations, policies and objectives.
- Policies and objectives of assigned programs and activities.
- Terminology, practices and procedures of assigned office.
- Record-keeping and filing techniques.
- Business letter and report writing, editing and proofreading.
- Telephone techniques and etiquette.
- Methods, procedures and terminology used in clerical accounting work.
- Modern office practices, procedures and equipment.
- Correct English usage, grammar, spelling, punctuation and vocabulary.
- Data control procedures and data entry operations.
- Interpersonal skills using tact, patience and courtesy.
- Operation of a computer and assigned software.
- Oral and written communication skills.
- Methods of collecting and organizing data and information.
- Mathematic calculations.

##### ABILITY TO:

- Perform varied and responsible secretarial and administrative assistant duties to relieve the Director of administrative and clerical detail.
- Plan, coordinate and organize office activities and coordinate flow of communications and information for the administrator.
- Assure smooth and efficient office operations.
- Learn organizational operations, policies and objectives.
- Learn, interpret, apply and explain laws, codes, rules, regulations, policies and procedures.

- Compose correspondence and written materials independently or from oral instructions.
- Perform a variety of clerical accounting duties in support of assigned department or program.
- Type or input data at an acceptable rate of speed.
- Answer telephones and greet the public courteously.
- Complete work with many interruptions.
- Compile and verify data and prepare reports.
- Maintain a variety of records, logs and files.
- Utilize a computer to input data, maintain automated records and generate computerized reports.
- Establish and maintain cooperative and effective working relationships with others.
- Meet schedules and time lines.
- Work independently with little direction.
- Communicate effectively both orally and in writing.
- Add, subtract, multiply and divide with speed and accuracy.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: Graduation from high school and supplemented by one year of college-level course work in a related area of study, and three years of clerical or secretarial experience involving frequent public contact, supplemented by successful completion of an administrative assistant, office management, or secretarial training program.

WORKING CONDITIONS:

ENVIRONMENT:

Office environment.

Constant interruptions.

PHYSICAL DEMANDS:

Hearing and speaking to exchange information in person or on the telephone.

Dexterity of hands and fingers to operate a computer keyboard.

Seeing to read a variety of materials.

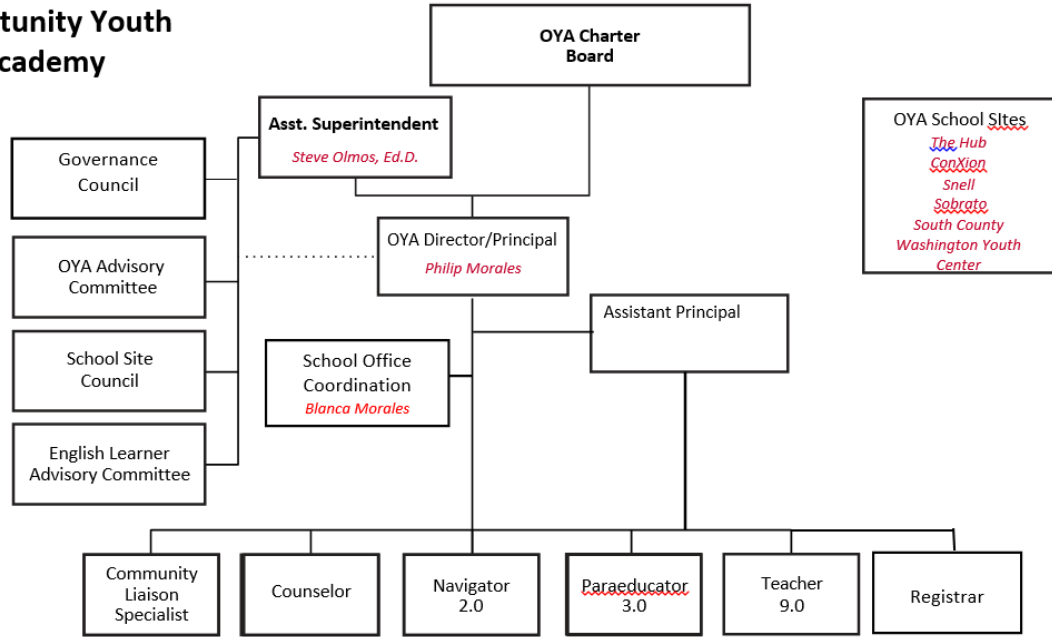
Sitting or standing for extended periods of time.

Bending the waist, kneeling or crouching to file and retrieve materials.

Approved by Personnel Commission: December 14, 2016

**APPENDIX F: OYA Staff Organization Chart**

**Opportunity Youth Academy**



## APPENDIX G: Santa Clara County Office of Education Board Policies

### Board Policies and Administrative Regulations

<b>Section</b>	<b>5000 Students</b>
Title	Discipline
Number	5144 BP
Status	Active
Adopted	October 20, 2010
Last Revised	February 4, 2015
Last Reviewed	February 4, 2015

The Santa Clara County Board of Education (County Board) desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The County Board believes that high expectations for student behavior, effective classroom management, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as means for correcting student misbehavior. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Santa Clara County Office of Education (SCCOE) has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated it may be necessary to remove a student from SCCOE programs.

The County Superintendent of Schools (County Superintendent) or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at SCCOE schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of SCCOE discipline policies and practices.

In addition, the County Superintendent or designee's strategies shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only

when required by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.5 - Student Success Teams)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be those specified in law and/or administrative regulation.

The SCCOE shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The County Superintendent or designee shall comply with procedures for notices and appeals as specified in law and/or administrative regulation. (Education Code 48911, 48915, 48915.5)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each site may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and SCCOE regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the SCCOE's comprehensive safety plan. (Education Code 35291.5, 32282)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the SCCOE's nondiscrimination policies.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

SCCOE goals for improving school climate shall be included in the SCCOE's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

Legal Reference:

CIVIL CODE

1714.1 Parental liability for child's misconduct

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

48900-48926 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CDE PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CDE: <http://www.cde.ca.gov>

USDOE, Office of Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

CSBA: <http://www.csba.org>

Public Counsel: <http://www.fixschooldiscipline.org>

## APPENDIX H: Budget Assumptions

### Opportunity Youth Academy

Budget Narrative

3 Year Budget Assumption: 2020/21-2022/23

The Opportunity Youth Academy (OYA) financial statement includes a three year Multi-Year Projection and accompanying cash-flow analysis.

#### Enrollment

The Opportunity Youth Academy will operate six sites. The population it will serve is youth age 16 to 24 who have dropped out of school and have not yet earned a high school diploma. The six sites will have a total capacity for 380 students and 10 teachers; 38 students per teacher. Although the enrollment student teacher ratio will be 38:1 the allowable ADA ratio for Independent Study programs by the State is 28:1 which has been calculated as a 66% unduplicated count (rounded up from 65.7%). 60% of the population is English Learners.

<b>Total Charter Enrollment, ADA, and Estimated Unduplicated Pupils</b>			
<b>Enrollment</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
Milpitas -Sobrato	38	38	38
Gilroy – South County	38	38	38
SJUSD- Washington	114	114	114
SJUSD- The Hub	76	76	76
ConXion	76	76	76
SJUSD - Snell	38	38	38
TOTAL	380	380	380
OYA % of Attendance	78%	78%	78%
OYA ADA	296.4	296.4	296.4

#### Sites

Six sites are in operation within Santa Clara County. With the exception of the OYA Hub and Snell, all other sites are leased. The cost of the leases is reflected in the budget under 5600 Rental, Leases. Lease costs include the cost of site custodian services.

All OYA sites are listed below:

- OYA Washington United Youth Center
- OYA South County Annex

- OYA The Hub
- OYA Sobrato
- OYA ConXion
- OYA Snell

**Revenue**

LCFF Revenue, including State Aid and Education Protection Account (EPA) funding, for FY20/21 – FY22/23 utilizes the assumptions from the Fiscal Crisis & Management Assistance Team (FCMAT) LCFF Calculator. A conservative budget position was maintained in the formulation of the three year projection. Our affiliation with Work2Future Foundation allows us to collect ADA for all OYA students ages 16 to 24. This is allowed under Chapter 3, Charter School Operation - California Education Code Section 47612.1, which states the following:

(a) Except for the requirement that a pupil be a California resident, subdivision (b) of Section 47612 shall not apply to a charter school whose charter was granted by its chartering authority before July 1, 2014, and that provides instruction exclusively in partnership with any of the following:

(1) The federal Workforce Investment Act of 1998 (Public Law No. 105-220; 29 U.S.C. Sec. 2801 et seq.).

The Workforce Investment Act (now the Workforce Innovation and Opportunity Act -WIOA) was created to provide state and local areas the flexibility to collaborate across educational and non-profit workforce development systems. This effort is undertaken to assure that disengaged students have an opportunity to develop the skills needed by current employees and industries. OYA’s collaboration with a WIOA workforce development partnership allows OYA to service these disengaged students and collect state ADA.

**LCFF Target Entitlements for School Districts and Charter Schools**

The target base grants by grade span for 2020-21 and 2021-22 are shown below.

<b>Grade Span</b>	<b>2020-21 Target Base Grant per ADA</b>	<b>2021-22 Target Base Grant per ADA</b>
TK-3	\$10,373	\$10,653
4-6	\$9,538	\$9,797
7-8	\$9,821	\$10,087
9-12	\$11,678	\$11,995



Updated Assumptions for Governor’s 2020-21 Enacted Budget

	2020-21	2021-22	2022-23
COLA	2.67%	2.71%	2.82%
Remaining LCFF Gap Closed	100%	100%	100%

**Special Education Funding and Expenditures**

OYA belongs to the South East SELPA which operates in many of the districts that we serve. Currently out of total population of 350 enrolled students, OYA has 77 students designated as Special Education which amounts to 16% of the student population. This population was always expected to be a substantial portion of our demographic and thus, the program seeks to employ dually credentialed teachers, possessing a multi-subject and a credential in Special Education. Currently nine teachers are dually credentialed and one teacher is enrolled in a program to meet this criteria.

The OYA projected budget reflects State and Federal Special Education funds. These funds will be utilized to offset the cost of the ten credentialed teachers. State and Federal Special Education revenue is clearly not sufficient to cover the actual cost of these teachers. The excess costs will be absorbed by county office’s general fund. Special Education costs are reflected on the budget under Object Code series 5700. Per projection from the South East SELPA, the estimated federal Special Education fund revenue is \$37,517 for 2020-21, and the estimated state Special Education fund revenue is \$103,039.

**Staffing**

OYA employs dually credentialed teachers (multi-subject qualified and Special Education) that are capable of meeting the various needs of students including Special Education students. OYA maintains an MOU with the SCCOE Special Education Department to secure services that the OYA Special Education teachers cannot carry out on their own. State and federal Special Education funding is utilized to pay MOU and a portion of OYA Special Education teachers’ expenditures. Below is a breakdown of the staff among the sites:

<b>Opportunity Youth Academy Staff – 2020-21 Staffing by Site</b>						
	<b>ConXion</b>	<b>Milpitas</b>	<b>The Hub</b>	<b>South County</b>	<b>WUYC</b>	<b>Snell</b>
Director/Principal	Itinerant among the six sites					
Teachers	2	1	2	1	3	1
Counselor	Itinerant among the six sites					
Administrative Assistant	Itinerant among the six sites					
Paraprofessionals	1	1	1	1	1	1
College Liaison	Itinerant among the six sites					
Program Specialist	Itinerant among the six sites					
School Registrar	Itinerant among the six sites					
Navigators	Itinerant among all sites			Itinerant among all sites		

<b>Opportunity Youth Academy Staff – Three year staffing</b>			
	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
Director/Principal	1	1	1
Assistant Principal	1	1	1
Teachers	10	10	10
Counselor	1	1	1
Program Specialist	1	1	1
College Liaison	1	1	1
Administrative Assistant	1	1	1
Registrar	1	1	1
Paraprofessionals	6	6	6
Navigators	2	3	3

**Expenses**

The largest proportion of expenses reflect teacher and other certificated staff salaries and benefits, the cost of online curriculum, and the professional development needed to adopt this curriculum program as the OYA core program. All other costs have been maintained low since the initial sites were opened and accoutered in the prior year. Opening and setting up additional sites will also be kept to the lowest possible cost, as we will utilize existing SCCOE furniture and technology currently being warehoused.

**Salary and benefits**

The average salary for an OYA teacher is projected to be \$157,320.86 per year. Below are the statutory benefits rates associated with these certificated and classified staff members as well as their projected health and welfare costs.

	2020-21	2021-22	2022-23
STRS (rate)	16.15%	16.00%	18.10%
Number of STRS employees	13.3	13.3	13.3
PERS (rate)	20.70%	22.84%	25.50%
Number of PERS employees	11.75	11.75	11.75
H and W (per FTE)	\$15,378.70	\$15,378.70	\$15,378.70
Number of eligible employees for H&W	25.05	25.05	25.05
Unemployment Insurance	.05%	.05%	.05%
Workers Comp Insurance	1.03%	1.03%	1.03%

**Books and Supplies:**

The OYA classrooms have been accoutered with existing CDE and Board approved curriculum and textbooks from existing SCCOE stocks. Minimal amounts (\$5,000 in each year) have been projected to purchase additional reference curricula as teachers need them. Sufficient funds have been set aside for the purchase of materials and supplies to be able for OYA teachers to carry out their lessons.

**Services & Other Operating Expenditures:**

Cost of mileage for OYA itinerant staff visiting six sites is projected to be around \$18,548 for each year; Director/Principal, Assistant Principal, Administrative Assistant, Counselor, College Liaison and navigators. For the cost of maintenance to OYA sites not covered under the lease agreements \$2,000 was projected. In the lease line item we projected the cost of lease agreements for six sites at \$125,500. OYA is not a daily attendance program and so it does not participate in the National School Lunch Program. Snacks and drinks are provided to students who come in regularly or on a drop-in basis for their lessons (\$7,000).

**Opportunity Youth Academy Budget Report Assumptions  
2020-21 to 2022-23**

<b>Enrollment Assumptions</b>	<b><u>2020-21</u></b>	<b><u>2021-22</u></b>	<b><u>2022-23</u></b>
Grades K-3			
Grades 4-6			
Grades 7-8			
Grades 9-12	380	380	380
<b>Total Enrollment</b>	<b>380</b>	<b>380</b>	<b>380</b>
ADA%	73.0%	73.0%	73.0%
<b>Total ADA</b>	<b>277.4</b>	<b>277.4</b>	<b>277.4</b>
Free and Reduced Lunch Students (FRL)	312	312	312
English Language Learners (EL)	114	114	114
Foster Youth	38	38	38
Unduplicated Count (FRL, EL, Foster Youth)	70.57%	70.57%	70.57%
Special Education Students	72	72	72
Resident LEA Unduplicated % for LCFF Concentration Grant	0%	0%	%0
Percentage of LCFF gap closing increment projected	0%	0%	0%
Funding Rates			
LCFF Rates			
Grades K-3	-	-	-
Grades 4-6	-	-	-
Grades 7-8	-	-	-
Grades 9-12	-	-	-
Federal Revenues			
Special Education	\$49,253	\$49,253	\$49,253

Other Federal Revenue – Provide listing, including amounts	\$342,001	\$342,001	\$342,001
State Revenues			
Special Education	\$199,038	\$199,038	\$199,038
Lottery per ADA	-	-	-
Other State Revenue – Provide listing, including amounts			
<b><u>Local Revenue</u></b> – Provide listing including amounts			

**Opportunity Youth Academy Budget Report Assumptions  
2020-21 to 2022-23**

<b>Expenditure Assumptions</b>	<b>FY 2020-21</b>	<b>FY 2021-22</b>	<b>FY 2022-23</b>
Certificated Salaries			
Number of FTE – Teachers	10	10	10
Number of FTE – Pupil Support Salaries	2	2	2
Number of FTE – Supervisor/Admin Salaries	2	2	2
Number of FTE – Other Certificated Salaries	-	-	-
COLA Percentage Increase	0%	0%	0%
Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP.			

Non-Certificated Salaries			
Number of FTE – Instructional Aide Salaries	5	5	5
Number of FTE – Non-certificated Support Salaries	4	4	4
Number of FTE – Supervisor/Admin Salaries	-	-	-
Number of FTE – Clerical & Office Salaries	2	2	2
Number of FTE – Other Non-Certificated Salaries	-	-	-
Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP.			
Benefits			
STRS (Rate)	16.15%	16.00%	18.10%
Number of STRS Employees	13.3	13.3	13.3
Non-Certificated Retirement (Rate)	20.70%	22.84%	25.50%
Number of Employees (Non-STRS Retirement)	11.75	11.75	11.75
Health & Welfare (per FTE)	15,378.70	15,378.70	15,378.70
Number of Eligible Employees for Health Benefits	25.05	25.05	25.05
Unemployment Insurance (rate)	.05%	.05%	.05%
Workers Comp Insurance (rate)	1.03%	1.03%	1.03%
Books & Supplies			
Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP.	Purchased Naviance College and Career Readiness Online Curriculum; ELLoquence Software for EL support.		
Services & Other Operating Expenditures			
Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP.	Funds were set aside for copier, mileage, housekeeping and rental costs, plus additional Special Education costs not covered by State & Federal funds. Contract with ConnectED National Center for		

	College and Career to provide Linked Learning Pathway development and implementation plan.
Capital Outlay	
Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP.	
Other Outgo	
Other Financing Sources	
Other Financing Uses	

## APPENDIX I: Multi-Year Projection

### CHARTER SCHOOL 2020/21 ADOPTED BUDGET REPORT - ALTERNATIVE FORM MYP

Charter School Name: Opportunity Youth Academy  
 CDS #: 43-10439-0135087  
 Charter Approving Entity: Santa Clara County Office of Education  
 Charter #: 1840  
 Fiscal Year: 2020/21

Description	Object Code	FY 2020/21			Totals	Totals
		Unrestricted	Restricted	Total	FY 2021/22	FY 2022/23
<b>A. REVENUES</b>						
<b>1. LCFF/Revenue Limit Sources</b>						
State Aid - Current Year	8011	1,147,053	-	1,147,053	1,147,053	1,147,053
EPA	8012	40,000	-	40,000	40,000	40,000
State Aid - Prior Years	8019	-	-	-	-	-
Charter Schools In Lieu Property Taxes	8096	1,096,309	-	1,096,309	1,096,309	1,096,309
Other Revenue Limit Transfers	8091, 8097	1,195,575	-	1,195,575	1,195,575	1,195,575
Total, Revenue Limit Sources		3,478,937	-	3,478,937	3,478,937	3,478,937
<b>2. Federal Revenues</b>						
No Child Left Behind/Every Student Succeeds Act	8290	-	342,001	342,001	342,001	342,001
Special Education - Federal	8181, 8182	-	49,253	49,253	49,253	49,253
Child Nutrition - Federal	8220	-	-	-	-	-
Donated Food Commodities	8221	-	-	-	-	-
Other Federal Revenues	8110, 8260-8299	-	-	-	-	-
Total, Federal Revenues		-	391,254	391,254	391,254	391,254
<b>3. Other State Revenues</b>						
Special Education - State	StateRevSE	49,999	149,039	199,038	199,304	199,589
All Other State Revenues	StateRevAO	-	-	-	-	-
Total, Other State Revenues		49,999	149,039	199,038	199,304	199,589
<b>4. Other Local Revenues</b>						
All Other Local Revenues	LocalRevAO	-	-	-	-	-
Total, Local Revenues		-	-	-	-	-
<b>5. TOTAL REVENUES</b>						
		3,528,936	540,293	4,069,229	4,069,495	4,069,780
<b>B. EXPENDITURES</b>						
<b>1. Certificated Salaries</b>						
Certificated Teachers	1100	1,490,621	-	1,490,621	1,535,638	1,550,994
Certificated Pupil Support	1200	155,034	-	155,034	159,716	161,313
Certificated Supervisors & Administrators	1300	312,796	-	312,796	322,242	325,464
Other Certificated Salaries	1900	114,198	-	114,198	117,647	118,823
Total, Certificated Salaries		2,072,649	-	2,072,649	2,135,243	2,156,595
<b>2. Non-certificated Salaries</b>						
Non-certificated Instructional Aides	2100	250,329	-	250,329	257,047	259,617
Non-certificated Support	2200	-	-	-	-	-
Non-certificated Supervisors & Administrators	2300	-	-	-	-	-
Clerical and Office Salaries	2400	164,471	-	164,471	166,885	170,574
Other Non-certificated Salaries	2900	241,679	60,076	301,755	309,854	312,952
Total, Non-certificated Salaries		656,479	60,076	716,555	735,786	743,143
<b>3. Employee Benefits</b>						
STRS	3101-3102	310,043	-	310,043		
PERS	3201-3202	158,662	13,697	172,359		
OASDI / Medicare / Alternative	3301-3302	88,856	-	88,856	93,453	
Health and Welfare Benefits	3401-3402	368,216	15,841	384,057		
Unemployment Insurance	3501-3502	1,369	31	1,400		
Workers' Compensation Insurance	3601-3602	28,244	618	28,862		
OPEB, Allocated	3701-3702	11,931	1,056	12,987		
OPEB, Active Employees	3751-3752	13,893	-	13,893		
Other Employee Benefits	3901-3902	-	-	-		
Total, Employee Benefits		981,314	35,640	1,016,954	1,049,230	1,056,551
<b>4. Books and Supplies</b>						
Approved Textbooks and Core Curricula Materials	4100	-	7,866	7,866	7,866	7,866
Books and Other Reference Materials	4200	-	-	-	-	-
Materials and Supplies	4300	30,209	63,379	93,588	93,588	93,588
Noncapitalized Equipment	4400	7,550	2,987	10,537	10,537	10,537
Food	4700	4,167	-	4,167	4,167	4,167
Total, Books and Supplies		41,926	74,232	116,158	116,158	116,158



**CHARTER SCHOOL  
2020/21 ADOPTED BUDGET REPORT - ALTERNATIVE FORM MYP**

Charter School Name: Opportunity Youth Academy  
 CDS #: 43-10439-0135087  
 Charter Approving Entity: Santa Clara County Office of Education  
 Charter #: 1840  
 Fiscal Year: 2020/21

Description	Object Code	FY 2020/21			Totals	Totals
		Unrestricted	Restricted	Total	FY 2021/22	FY 2022/23
<b>5. Services and Other Operating Expenditures</b>						
Subagreements for Services	5100	-	-	-		
Travel and Conferences	5200	26,711	52,727	79,438	79,438	79,438
Dues and Memberships	5300	4,751	-	4,751	4,751	4,751
Insurance	5400	-	-	-		
Operations and Housekeeping Services	5500	23,388	-	23,388	23,388	23,388
Rentals, Leases, Repairs, and Noncap. Improvements	5800	107,083	-	107,083	107,083	107,083
Transfers of Direct Costs	5700-5799	42,831	45,000	87,831	87,831	87,831
Professional/Consulting Services & Operating Expend.	5800	281,992	241,951	523,943	523,943	523,943
Communications	5900	12,992	-	12,992	12,992	12,992
<b>Total, Services and Other Operating Expenditures</b>		<b>499,748</b>	<b>339,678</b>	<b>839,426</b>	<b>839,426</b>	<b>839,426</b>
<b>6. Capital Outlay</b>						
Sites and Improvements of Sites	6100-6170	-	-	-		
Buildings and Improvements of Buildings	6200	-	-	-		
Books and Media for New/Major Expansion School Library	6300	-	-	-		
Equipment	6400	-	-	-		
Equipment Replacement	6500	-	-	-		
Depreciation Expense (for full accrual only)	6900	-	-	-		
<b>Total, Capital Outlay</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>7. Other Outgo</b>						
Tuition to Other Schools	7110-7143	-	-	-		
Transfers of Pass-through Revenues to Other LEAs	7211-7213	-	-	-		
Transfers of Apportionments to Other LEAs - Spec. Ed.	7221-7223SE	-	-	-		
Transfers of Apportionments to Other LEAs - All Other	7221-7223AO	-	-	-		
All Other Transfers	7281-7299	-	-	-		
Transfers of Indirect Costs	7300-7399	-	30,667	30,667	30,667	30,667
Debt Service:						
Interest	7438	-	-	-		
Principal	7439	-	-	-		
<b>Total, Other Outgo</b>		<b>-</b>	<b>30,667</b>	<b>30,667</b>	<b>30,667</b>	<b>30,667</b>
<b>8. TOTAL EXPENDITURES</b>		<b>4,252,116</b>	<b>540,293</b>	<b>4,792,409</b>	<b>4,906,510</b>	<b>4,942,540</b>
<b>C. EXCESS OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES</b>		<b>(723,180)</b>	<b>-</b>	<b>(723,180)</b>	<b>(837,015)</b>	<b>(872,760)</b>
<b>D. OTHER FINANCING SOURCES / USES</b>						
1. Other Sources	8930-8979	-	-	-		
2. Less: Other Uses	7830-7899	-	-	-		
3. Contributions Between Unrestricted and Restricted Accounts (must net to zero)	8980-8999	723,180	-	723,180	837,015	872,760
<b>4. TOTAL OTHER FINANCING SOURCES / USES</b>		<b>723,180</b>	<b>-</b>	<b>723,180</b>	<b>837,015</b>	<b>872,760</b>
<b>E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>(0)</b>
<b>F. FUND BALANCE, RESERVES</b>						
1. Beginning Fund Balance						
a. As of July 1	9791	-	-	-	-	-
b. Adjustments to Beginning Balance	9793, 9795	-	-	-	-	-
c. Adjusted Beginning Balance		-	-	-	-	-
2. Ending Fund Balance, June 30		-	-	-	0	(0)
<b>Components of Ending Fund Balance (Mod. Accrual Basis):</b>						
a. Nonspendable						
Revolving Cash (equals object 9130)	9711	-	-	-		
Stores (equals object 9320)	9712	-	-	-		
Prepaid Expenditures (equals object 9330)	9713	-	-	-		
All Others	9719	-	-	-		
b. Restricted	9740	-	-	-		
c. Committed						
1. Stabilization Arrangements	9750	-	-	-		
2. Other Commitments	9760	-	-	-		
d. Assigned	9780	-	-	-		
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789	-	-	-		
2. Unassigned/Unappropriated Amount	9790M	-	-	-	-	-
f. Components of Ending Net Position (Accrual Basis)						
1. Net Investment in Capital Assets	9796	-	-	-		
2. Restricted Net Position	9797	-	-	-		
3. Unrestricted Net Position	9790A	-	-	-	-	-

# APPENDIX J: Cash-Flow Analysis

## Opportunity Youth Academy Budget Report - Cash Flow Worksheet 2020/21

		July	August	September	October	November	December	January	February	March	April	May	June	Accruals	TOTAL
<b>A. BEGINNING CASH</b>	0110		(288,548)	(169,589)	(199,180)	(358,873)	(430,857)	(778,479)	(759,430)	(903,396)	(915,733)	(439,827)	(475,150)		
<b>B. RECEIPTS</b>															
Revenue Limit Sources															
Property Taxes	8096	9,265	(380,643)	89,724	87,861	35,144	35,144	40,274	114,065	57,213	174,758	135,185	698,319		1,060,309
Principal Apportionment - State Aid	8011-8019	43,462	21,546	78,231	78,231	78,231	78,231	78,231	139,537	139,537	139,537	139,537	172,742		1,187,053
Miscellaneous Funds	8030-92,8097												1,195,575		1,195,575
Federal Revenue	8100-8299		(28,001)										419,255		391,254
Other State Revenue	8300-8599						3,343	10,494			1,351		183,850		199,038
Other Local Revenue	8600-8799		50,000		(25,000)								(25,000)		0
All Other Financing Sources	8930-8979														0
Other Receipts/Non-Revenue															0
<b>TOTAL RECEIPTS</b>		52,727	(337,098)	167,955	141,092	113,375	116,718	128,999	253,602	196,750	315,646	274,722	2,644,741	0	4,099,228
<b>C. DISBURSEMENTS</b>															
Certificated Salaries	1000-1999	138,630	158,664	159,139	157,260	159,583	157,891	156,947	180,507	162,259	157,632	156,592	327,565		2,072,649
Classified Salaries	2000-2999	35,190	59,959	55,646	46,502	48,837	48,487	48,339	58,070	45,933	40,002	34,931	194,659		716,555
Employee Benefits	3000-3999	60,145	75,636	75,170	69,722	73,518	73,307	74,572	84,195	76,785	70,355	71,254	212,295		1,016,954
Books and Supplies	4000-4999	(51)	1,054	1,848	27,607	(18,143)	51,002	(45,994)	4,254	2,521	29,411	65,406	(5,759)		116,158
Services and Operating Expenditures	5000-5999	12,011	73,147	47,498	30,720	(45,875)	133,103	45,703	105,687	(16,250)	84,640	63,128	315,805		839,426
Capital Outlay	6000-6999														0
Other Outlay	7000-7999			886	4,116	3,183	138,447	(134,473)		236	3,302		(15,497)		0
All Other Financing Uses	7630-7699														0
Other Disbursements/ Non Expenditures															0
<b>TOTAL DISBURSEMENTS</b>		245,925	388,461	339,997	335,929	221,083	602,238	145,064	432,712	271,494	385,351	384,313	1,029,168	0	4,781,742
<b>D. PRIOR YEAR TRANSACTIONS, Other</b>															
Accounts Receivable	9200-9399	9,265	831,127	142,441	35,144	35,724	137,898	35,144	35,144	62,398	545,610	74,067	(1,044,162)		0
Accounts Payable	9600-9630, 9650	(95,350)	824,518	142,441	35,144	35,724	137,898	35,144	35,144	62,397	545,611	74,068	(1,832,938)	0	0
<b>TOTAL PRIOR YEAR TRANSACTIONS, Other</b>															
<b>E. NET INCREASE/DECREASE (B - C + D)</b>		(288,548)	118,959	(29,591)	(159,693)	(71,984)	(347,622)	19,048	(143,966)	(12,337)	476,106	(35,523)	(217,365)	0	(692,513)
<b>F. ENDING CASH (A + E)</b>		(288,548)	(169,589)	(199,180)	(358,873)	(430,857)	(778,479)	(759,430)	(903,396)	(915,733)	(439,827)	(475,150)	(692,515)		(692,513)
<b>G. ENDING CASH, PLUS ACCRUALS</b>															(692,513)

# APPENDIX L: School Calendar

- Professional Development Day
- First/Last Day of School
- Non School Days
- COE Observed Holidays
- Minimum Friday Schedule
- Benchmark, CAASP, ELPAC



Opportunity Youth Academy

## Academic Calendar 2020-2021

<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr><th colspan="5">JULY 2020</th></tr> <tr><th>M</th><th>T</th><th>W</th><th>TH</th><th>F</th></tr> </thead> <tbody> <tr><td></td><td></td><td>1</td><td>2</td><td>3</td></tr> <tr><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td></tr> <tr><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td></tr> <tr><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td></tr> </tbody> </table> <p>Summer Break July 1st - July 17th Mandatory PD July 18-17 First Day of School July 20 WORK: 12 DAYS INSTRUC: 10 DAYS</p>	JULY 2020					M	T	W	TH	F			1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	31	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr><th colspan="5">JANUARY 2021</th></tr> <tr><th>M</th><th>T</th><th>W</th><th>TH</th><th>F</th></tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> </tbody> </table> <p>MLK Day January 18, 2021 WORK: 19 DAYS INSTRUC: 19 DAYS</p>	JANUARY 2021					M	T	W	TH	F					1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29
JULY 2020																																																																							
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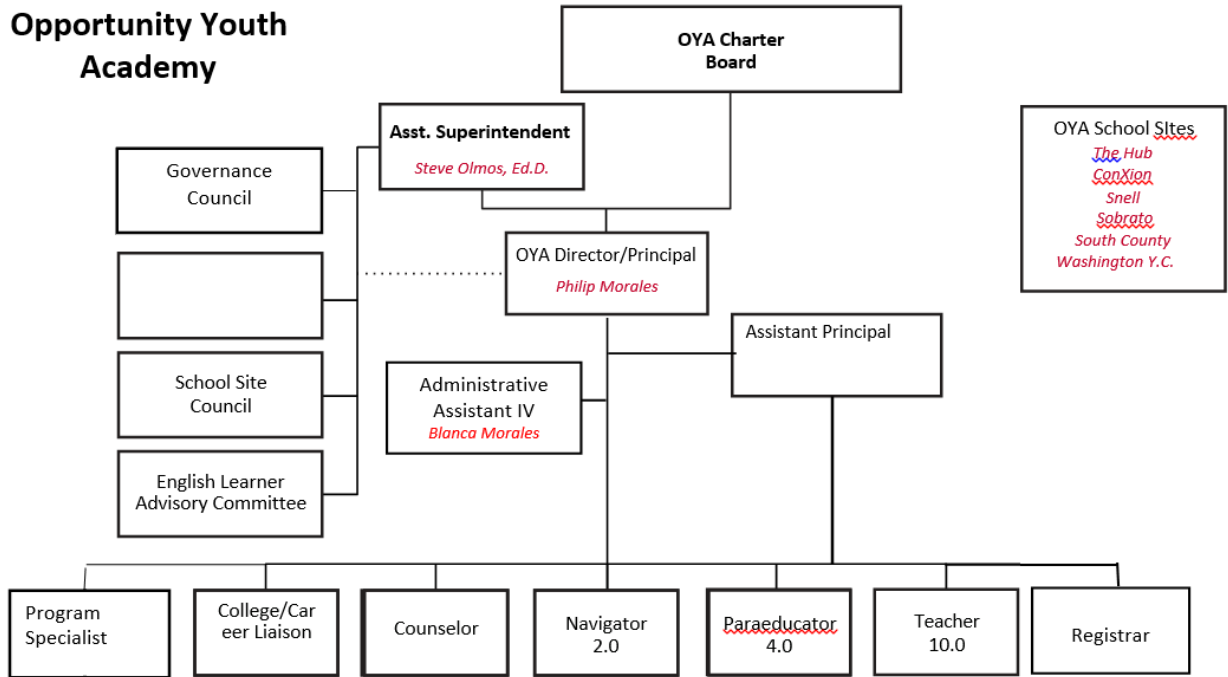
APPENDIX M: OYA Daily Schedule

**OPPORTUNITY YOUTH ACADEMY DAILY SCHEDULE**

OYA teachers are contracted to work a 7 hour day. They also have the capacity to extend their instructional hours into the evening as student needs are identified. Every site has at least two staff members permanently assigned to it and are supported by additional itinerant staff members; Director/Principal, Assistant Principal, Counselor, Navigator, Para-Educators, Administrative Assistant, and College/Career Liaison. By Contract at least two staff members are present at all times when students are present.

8:00 AM			
8:30 AM			
9:00 AM	Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring	Daily attendance students, small group instruction, drop-in, IS appointments and tutoring	Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring
9:30 AM			
10:00 AM			
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11:00 AM			
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2:00 PM	Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring	Daily attendance students, small group instruction, drop-in, IS appointments and tutoring	Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring
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8:00 PM			
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**APPENDIX N: OYA Governance Organizational Chart**



## Appendix O: Governance Council Bylaws

### **Governance Council Bylaws of Opportunity Youth Academy Article I Definitions**

When used in these Bylaws, the terms set forth in this Article shall have the following meanings:

1. "Governance Council" shall mean the Opportunity Youth Academy Governance Council and its Members. The Governance Council is not a corporation and these are not corporate Bylaws.
2. "OYA" shall mean Opportunity Youth Academy as a public dependent charter school of Santa Clara County Office of Education Located in multiple locations within the boundaries of Santa Clara County. OYA is governed by the Governing Governance Council of Opportunity Youth Academy and is authorized by the Santa Clara County Governance Council of Education.
3. "Chair" shall mean the Santa Clara County Assistant Superintendent, Student Services & Support Division who shall serve as the Chairperson of the Governance Council.

### **Article II Mission & Purpose**

#### **Section A: Mission**

The (OYA) strives to break the cycle of poverty by providing students who have dropped out of school or are otherwise disengaged from school, the opportunity to complete their high school education. OYA views disengaged students as "At-Promise" as opposed to "At-Risk". To that end, OYA's organizational mission is to provide a premier high school reengagement program engaging students through relationship-focused, high-tech, and rigorous learning experiences resulting in students and graduates being "Ready to Learn, Ready to Work and Ready to Live."

## Section B. Purpose

The Governance Council has been created to serve as an advisory body to the OYA Governing Governance Council. The Governance Council has no final decision making authority as the OYA Governing Governance Council retains all governing authority and may choose whether or not to follow any or all of the recommendations of the Governance Council in the OYA Governing Governance Council's sole discretion.

1. OYA is designed to provide a blended learning model that, by engaging students through relationship-focused, high-tech, and rigorous learning experiences and academic achievement, will result in students completing their high school diploma. OYA may also partner with a Workforce Innovation and Opportunity Act provider to develop and offer an adult education and literacy program and/or carry out any other programs or activities as permitted by its Charter and law.
2. OYA shall be non-sectarian in its programs, admission policies, employment practices and operations, and will admit students without regard to actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definitions of hate crimes set forth in Penal Code Section 422.55, including immigration status, or association with an individual who has any of the aforementioned characteristics in the same manner as other public schools in California.
3. The Governance Council shall have five (5) voting members plus a non-voting student representative. Governance Council Members shall have all powers and duties for the conduct of the activities of the Governance Council, and that are not in conflict with the duties of the County Superintendent, the OYA Charter, law, or these Bylaws.
4. Governance Council Members shall be devoted to the mission and purpose of OYA and shall represent the best interests of the school.

## Article III Governing Council

### Section A: Composition and Selection

1. **Number:** The Governance Council shall consist of five (5) voting members (plus one (1) non-voting student representative). The student representative will be advisory in nature to the Governance Council. The OYA Governing Board may from time to time alter the number of members by resolution or amendment to the Bylaws.
2. **Qualifications:** Governance Council Members should have the credibility and respect of the community and reflect the community's diversity. The Governance Council is designed to bring expertise to the governance of OYA. Specifically: the Governance Council shall consist of the County Assistant Superintendent, Student Services & Support

Division, two (2) Santa Clara County Office of Education employees, who shall be managers at the Director level or above, without a perceived conflict of interest (i.e. any employee with an active leadership role in OYA or with oversight responsibility over OYA), and two (2) community member OYA partners or parents.

- 3. Terms of Office:** The County Assistant Superintendent, Student Services & Support Division and the two (2) additional Santa Clara County Office of Education employees shall be permanent members of the Governance Council, the seats for these positions will belong to the position, not the employee. The two (2) community member partners shall have staggered three (3) year terms. In order to create staggered terms, the initial terms of community members will be determined by a random draw whereby one Member will serve a 3 year term and the other Member will serve a 2 year term. All subsequent terms will be for 3 years. Community members who serve as Governance Council Members will be limited to serving two consecutive terms, whether full terms or partial in the case of an appointment. This will allow multiple community members to serve OYA over time. Terms will be December through November of each calendar year. The Student representative will serve for one school year.
- 4. Selection:** The County Superintendent shall determine which Santa Clara County Office of Education employment positions shall be designated as OYA Governance Council Members. The County Superintendent may change the designated positions in his/her sole discretion. The Santa Clara County community will be represented by two (2) seats, with the members selected by the OYA Governing Board. The OYA Director/Principal may make recommendations to the OYA Governing Board for persons to serve as the community members of the Governance Council, with the final determination to be made by the OYA Governing Board, either from persons who have been so recommended or any person who the OYA Governing Board determines will best serve the needs and purposes of the Governance Council and OYA.. The non-voting student representative will be selected each year by the OYA teachers and the OYA Director/Principal.
- 5. Compensation and Expenses:** Governance Council Members shall receive no payment for their services, though the Chair and the other Santa Clara County Office of Education employees who serve on the Governance Council shall do so as part of their employment and shall continue to receive their ordinary compensation but no additional compensation for serving on this Governance Council.
- 6. Resignation and Removal:** A community representative Member may resign by submitting his or her resignation in writing to the OYA Governing Board. A community representative Member may be removed for good cause as determined by an affirmative vote of at least three Governance Council voting Members, or if there are less than three voting Members currently on the Governance Council, by a majority of the current voting. Community representative Members being considered for removal shall receive at least two weeks' notice of such proposed action and shall have the opportunity to address the Governance Council regarding such action prior to any vote



on such removal. Santa Clara County Office of Education Members may be removed only by the County Superintendent.

7. **Vacancies:** Any community representative Member vacancy occurring on the Governance Council may be filled by the County Superintendent. In order to preserve the present sequence for staggered terms, a Member selected to fill a vacancy shall be appointed for the unexpired term of such person's predecessor in office.

## **Section B: Powers and Duties**

1. The business, affairs, and property of OYA shall be the ultimate responsibility and under the control of the OYA Board. The OYA Governing Board shall at all times retain ultimate authority over the governance and operations of OYA and the Governance Council shall be an advisory body. The OYA Governing Board shall have authority to veto, overturn, not to follow, or to remand any decision or recommendation of the Governance Council.
2. The role of the Governance Council will be to:
  - a. Make recommendations to the OYA Board in the following areas, and such other areas as may be requested by the OYA Governing Board:
    - i. events and activities to be carried out at OYA;
    - ii. To annually review and make recommendations to the OYA Board concerning the operating budget and OYA operations;
    - iii. To provide ongoing evaluation of the OYA and provide public accountability;
    - iv. To make recommendations for the improvement and further development of OYA;
    - v. To strive for a diverse student population, reflective of the community ,and aligned to the OYA Mission; and
    - vi. Establish and maintain business and school partnerships with the communities served by OYA.
    - vii. Develop, promote, monitor and evaluate educational initiatives affecting OYA.
    - viii. Develop, implement, monitor and evaluate the school plan.
    - ix. Assist in the building of school culture for OYA.

- x. To carry out such other duties as required requested by the OYA Board.

The Governance Council shall cause to be kept a complete record of all the minutes, acts and proceedings of the Governance Council

### **Section C: Attendance**

Attendance at meetings of the Governance Council Members is extremely important for the success of the OYA. While understanding that emergencies and career and family responsibilities may interfere with attendance, each Member should evaluate his or her commitment to the responsibilities as a Member of the Governance Council. With this in mind, the Governance Council shall vote to replace a Governance Council member who misses two (2) consecutive meetings or is absent for more than 50% of the four (4) regularly scheduled meetings during a calendar year. The procedure for replacing a Governance Council member under this provision will follow process for filling vacancies set forth in Section IV.A.7 of these Bylaws.

## **Article V Officers**

### **Section A: Officers**

The Governance Council officers of shall include a Chair, Vice-Chair, and such other officers as the Governance Council shall deem necessary.

### **Section B: Election and Term of Office**

Other than the Chair, the Governance Council shall annually elect the Governance Council officers by majority vote of the Governance Council Members present at the December meeting, and as otherwise necessary to fill a vacancy in office. The County Assistant Superintendent, Student Services & Support Division shall always be Chair of the Governance Council.

### **Section C. Chair**

The Chair of the Governance Council shall preside over Governance Council meetings and shall possess the power to sign all certificates or other instruments of the Governance Council that are approved by the Governance Council. The Chair of the Governance Council shall exercise and perform such other powers and duties as may be prescribed by the OYA Governing Board from time to time.

## **Section D. Vice-Chair**

In the absence of the Chair, the Vice-Chair of the Governance Council shall preside over meetings but shall not otherwise assume the authority of the Chair. The Vice-Chair shall also perform other such duties as may be prescribed from time to time by the Chair of the Governance Council.

## **Section E: Vacancies**

A vacancy in the office of Vice Chair because of death, resignation, removal, disqualification or otherwise, may be filled by the Chair for the unexpired portion of the term.

## **Section F: Committees**

The OYA Board or the Chair may appoint ad hoc committees or standing committees as necessary for the effective operation of the Governance Council.

# **Article VI**

## **Governance Council Meetings**

### **Section A: Regular Meetings**

The Governance Council shall meet to conduct the Governance Council's business in a general public meeting at least four times per year. The regularly scheduled meetings of the Governance Council shall be held in March, June, September and December at the Santa Clara County Office of Education, 1290 Ridder Park Drive, San Jose, CA 95131, at such times and dates as established by a calendar adopted by the OYA Governing Board. The OYA Governing Board and/or the Chair may also call special or emergency meetings of the Governance Council in accordance with the requirements of the Brown Act.

### **Section B: Compliance with Brown Act**

The Governance Council shall comply with all applicable provisions of the Brown Act, including as applicable to committees of the Governance Council. Notice of all meetings above shall occur in compliance with Brown Act.

### **Section C: Quorum**

A majority of the voting Members of the Governance Council shall constitute a quorum at any meeting of the Governance Council. If a quorum is present, the affirmative vote of the majority of the voting Members represented at the meeting, entitled to vote, and voting on any matter shall be a decision of Governance Council. Should there be less than a majority of Governance Council voting Members present at any meeting, no quorum exists, and a meeting will not be

held. Governance Council Members may not vote by proxy.

### **Section D: Indemnification**

OYA shall name the Governance Council and its members as additional insureds on its insurance, whether separate insurance or pursuant to the Santa Clara County Office of Education's insurance. OYA agrees to defend, hold harmless and indemnify any present or former Governance Council Member, officer, employee, volunteer, or agent of OYA for any judgment, liability, cost, including attorneys' fees, penalty or fine rendered or levied in an action or proceeding brought against such person for an act or omission of such person acting in the course and scope of his/her position as a Member of the Governance Council provided that the OYA Board determines that such person acted in good faith in the best interests of OYA and without willful misconduct or negligence. Payments authorized hereunder include amounts paid and expenses incurred in satisfaction of any liability or penalty or in settling any potential or threatened action.

### **Section E: Annual Reports.**

OYA shall provide SCCOE and OYA Governance Council Members with an annual financial report and a program cost report in the state-required formats.

### **Article VIII Amendments**

These Bylaws may be altered or amended by action of the OYA Board during the open session of a public meeting of the OYA Board. Any revised Bylaws will be public records maintained by OYA>

### **Article IX Purpose of Bylaws**

These Bylaws are adopted for the sole purpose of facilitating the discharge, in an orderly manner, of the mission and purposes of OYA. These Bylaws shall never be construed in any way to impair the efficient operation of OYA.

### **Certification**

I HEREBY CERTIFY that these Bylaws constitute Bylaws for OYA's Governance Council, which were adopted by the OYA Governing Board at a public meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Mary Anne Dewan, Ph.D  
OYA Board  
County Superintendent of Schools

## Opportunity Youth Academy Charter School

Ready to learn.

Ready to work.

Ready to Live!



Opportunity Youth Academy Charter School  
Student, Family and Staff Handbook

**Student & Family Handbook**

## Appendix P: OYA Student, Staff Handbook



Student Services Branch

### Opportunity Youth Academy

### Student & Family Handbook 2020-21

OYA ConXion – 749 Story Rd, Suite 10 - San Jose, CA 95122  
OYA The Hub – 591 N. King Rd, Room 17 – San Jose, 95133  
OYA Sobrato – 512 Valley Way, Bldg 3 – Milpitas, CA 95035  
OYA South County – 9300 Wren Ave, Gilroy CA 95020  
OYA Washington – 921 S. First St., Suite B – San Jose, CA 95110  
OYA Snell – 3550 Snell Ave. – San Jose, CA 95136

Site Administrator  
Philip Morales, Director/Principal

County Superintendent of Schools  
Mary Ann Dewan, Ph.D.

Assistant Superintendent  
Student Services & Support  
Steve Olmos, Ed.D.

County Board of Education  
Joseph Di Salvo  
Peter Ortiz  
Rosemary Kamei  
Kathleen M. King  
Grace H. Mah  
Claudia Rossi  
Victoria Chon

1290 Ridder Park Drive, San Jose, CA 95131-2304

## Appendix P: OYA Student, Staff Handbook

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## OYA Mission & Vision

### Our Vision...

Opportunity Youth Academy (OYA) provides young adults who are disengaged from school the opportunity to complete their high school education. OYA is designed to serve “opportunity youth” who are justice engaged, pregnant or parenting, in the foster system, homeless or otherwise disengaged from traditional public schooling.

### Our Mission...

OYA’s organizational mission is to provide a premier high school diploma program to engage “opportunity youth” through relationship-focused, high-tech, and rigorous learning experiences resulting in students and graduates being “Ready to Learn, Ready to Work and Ready to Live.”



## Appendix P: OYA Student, Staff Handbook

### Opportunity Youth Academy Staff Contact Information

Superintendent: Mary Ann Dewan, Ph.D. .... (408) 453-6511  
Assistant Superintendent: Steve Olmos, Ed.D. .... (408) 453-6560  
Director/Principal of Opportunity Youth Academy: Phil Morales (408) 573-3261  
Administrative Assistant: Blanca Morales ..... (408) 573-3262  
School Academic Counselor: Kipcia Jimenez-Mendoza, PPS ..... (408) 573-3265  
College/Career Liaison: Linda Ahmed.....(408) 573-3267  
School Registrar: Miriam Atayde ..... (408) 573-3266  
Navigator: Christina Ramos ..... (408) 847-8843  
Navigator: Lupe Rivas..... (408) 573-3236

#### OYA Faculty:

Bobby Welch - OYA Snell	(408) 573-3263
Anne Kretowicz – OYA Hub	(408) 847-8842
Mike Dempsey – OYA Hub	(408) 573-3230
Kevin Jack – OYA Washington	(408) 573-3240
Anne Le – OYA Washington	(408) 573-3241
Louis Smith – OYA Washington	(408) 573-3244
Raj Pawar – OYA Milpitas	(408) 573-3234
Mary Bravo – OYA ConXion	(408) 573-3227
Tara Guerrero – OYA ConXion	(408) 573-3226
Cid Azevedo – OYA South County Annex	(408) 847-8856

#### Paraeducators:

Michelle Garza-Rivera – OYA South County  
Leticia Almaguer – OYA Washington  
Grace Conley – OYA Hub  
Zayra Dagio-Barajas – OYA ConXion

# Opportunity Youth Academy

### Introduction

Opportunity Youth Academy offers students a blended learning program of teacher-directed instruction and online credit accrual and recovery options. The individualized support of teachers, counselors, education navigators, community liaisons and access to the services of SCCOE partners from community-based organizations is the hallmark of this unique program. The focus is ensuring that students leave the program with a high school diploma, and a path to post-graduation college or career. The classes students complete satisfy admission requirements for California public universities and military service.

### Registration Process

Enrollment in OYA is voluntary. Students wishing to enroll should enroll online <https://aeries.sccoe.org/enrollment/> or call 1-844-OYA-4UUU (1-844-692-4888) to request a registration packet. Students cannot be admitted without a complete registration packet. Because OYA is a year-round program, students can enroll at any time during the year.

OYA will be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, gender identity, gender expression, or disability. Admission to OYA shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within the State of California. Assessments shall not be administered prior to acceptance or enrollment.

OYA shall admit all students who wish to attend the School, subject to space limitations. If the number of eligible students who wish to attend exceeds the school's capacity, attendance will be determined by a lottery. The following category of eligible students shall be exempt from the lottery and may be admitted without participation in the lottery: preferences, including, but not limited to, siblings of students admitted or attending OYA and children of OYA teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all the following:

- Each type of preference shall be approved by the chartering authority at a public hearing.
- Preference shall be consistent with federal law, the California Constitution, and Section 200.
- Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

## Appendix P: OYA Student, Staff Handbook

It is the desire of OYA to admit any eligible student who desires to enroll, however if it is determined that a lottery is necessary due to space limitations, a lottery will be held within two weeks of the determination. Once the lottery is completed, all students not admitted shall be placed on a waiting list, which remains active for the balance of the academic year. In the event a vacancy occurs during the academic year, students on the waiting list will be offered admission in the order in which their names were drawn in the lottery. The order of admission of students at any time during a school year shall be based solely on the order of applicants on the admission priority list. Admission shall be based solely on a first-come first-served basis if OYA determines that space still exists after the admission priority list has been exhausted.

If a student is expelled or leaves OYA without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school.

In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. Furthermore, OYA shall encourage parental involvement but shall notify the parents and guardians of applicants and currently enrolled OYA students that parental involvement is not a requirement for acceptance to, or continued enrollment at OYA.

The following steps must be completed prior to registration at any of the Opportunity Youth Academy site:

### Students must meet all registration requirements:

Registration Requirements for Minors	Registration Requirements for Adults
<ul style="list-style-type: none"> <li>Must be resident of Santa Clara County or a contiguous county (Alameda, San Joaquin, Stanislaus, Merced, San Benito, Monterey, Santa Cruz, San Mateo) and provide proof of residency</li> </ul>	<ul style="list-style-type: none"> <li>Must be resident of Santa Clara County or a contiguous county (Alameda, San Joaquin, Stanislaus, Merced, San Benito, Monterey, Santa Cruz, San Mateo) and provide proof of residency</li> </ul>
<ul style="list-style-type: none"> <li>Must be between the age 16 -18</li> </ul>	<ul style="list-style-type: none"> <li>Must be between the age 18 - 24</li> </ul>
<ul style="list-style-type: none"> <li>Must be officially dis-enrolled from their local school(Withdrawal Letter may be requested)</li> </ul>	<ul style="list-style-type: none"> <li>Officially dis-enrolled from school (Withdrawal Letter may be requested)</li> </ul>
<ul style="list-style-type: none"> <li>Must provide up-to-date immunization records</li> </ul>	<ul style="list-style-type: none"> <li>Must provide up-to-date immunization records</li> </ul>
<ul style="list-style-type: none"> <li>Provide last current IEP or 504 plan <i>if applicable</i></li> <li>Provide last current high school transcript</li> </ul>	<ul style="list-style-type: none"> <li>Provide last current IEP or 504 plan <i>if applicable</i></li> <li>Provide last current high school transcript</li> </ul>
<ul style="list-style-type: none"> <li>Parent or guardian must be present during registration <i>and</i> orientation</li> </ul>	

## Appendix P: OYA Student, Staff Handbook

**Note:** Minors released from Osborne (Juvenile Hall), Blue Ridge, on expulsion or currently attending a county community school do not qualify for OYA and must return to their home district or the Alternative Education Department in the Santa Clara County Office of Education.

Students will meet with Community Liaison to complete forms contained in registration packet. During the meeting, the Community Liaison will gather required documents and determine the student's eligibility. If after the meeting it is determined that OYA is not the best placement, the student will be referred to their home district academic counselor, or the Alternative Education Department in the Santa Clara County Office of Education for other options.

### Orientation Process

Upon completion of the Registration Process, the school registrar will schedule an orientation appointment with the student and parent (if the student is a minor). At this time the following items will be reviewed and completed:

OYA School Rules  
Student Needs Assessment  
Naviance Career Cluster

OYA Attendance Expectations  
Community Resources

### Teacher Meeting

Once the student has completed both registration and orientation processes, the student will meet with the assigned OYA teacher. The teacher will review student's transcripts and determine the student's class schedule, credits needed to graduate and the projected graduation date. In addition, the teacher will also review the Master Agreement for Independent Study with the student and parent (if the student is a minor).

## Registration and Enrollment FAQ

FAQ	Answer
1	What are the benefits of OYA? Students can earn a high school diploma and receive workforce training, employment services, transportation assistance, support with childcare and housing. You will be assigned an OYA Navigator to connect you with services as needed.
2	I'm a minor (16 or 17 years old) currently attending another high school. Can I transfer to OYA? No. Although OYA is a charter, the charter petition has been written to address the needs of disengaged youth who have dropped out of school.
3	I'm a minor (16 or 17 years old) currently enrolled in another school but not attending. Can I transfer to OYA? Yes, if you have proof of non-attendance for more than three months when school is in session.
4	My teacher, counselor, or principal referred me to OYA. Do I qualify? A referral from your school staff does not guarantee eligibility; students must meet all eligibility criteria.
5	My Probation Officer, Social Worker, Case Manager referred me to OYA. Do I qualify? A referral from a Probation Officer, Social Worker, or Case Manager does not guarantee eligibility; students must meet all eligibility criteria.
6	I'm 15 years old, can enroll in OYA? No. Only students aged 16-24 are eligible.
7	I'm 15 years old but will turn 16 pretty soon. Can I register today? No. Only students aged 16-24 are eligible.
8	If OYA is a charter school, why can't I transfer from my current school? OYA is a dependent charter operated by the Santa Clara County of Ed and a re-engagement program for students who have been dis-engaged from school for more than three months. The charter has been written to address the needs of disengaged youth who have dropped out of school.
9	If I am currently attending a high school, do I dis-enroll or withdraw from school and wait 3 months to qualify for OYA? No. We advise students to remain in school and talk to their school counselor or district for other viable options such as the Alternative Education Department (AED) community schools operated by the Santa Clara County Office of Ed.
10	I'm 18 years old. Do I need to be dis-enrolled for more than three months? Yes, if you are currently a senior in a public or charter high school. No, if you did not graduate high school with your senior class.
11	I just turned 18 and was recently released from Juvenile Hall. Do I qualify? No, if you are currently a senior in high school, you must return to your previous school. Yes, if you did not graduate high school with your expected senior class or were enrolled in OYA previous to Juvenile Hall.
12	I'm 24 and need lots of credits. Can I enroll? Yes.
13	Can I continue OYA if I don't graduate by the time I turn 25? Yes, as long as you are enrolled before your 25 <sup>th</sup> birthday.

## Appendix P: OYA Student, Staff Handbook

14	How long does registration and enrollment take?	Approximately 1-2 weeks
15	How do I get the registration forms and enroll?	You can obtain a registration packet at any OYA site or by emailing <a href="mailto:OYA@sccoe.org">OYA@sccoe.org</a> . You can also call 1-844-OYA-4UUU (1-844-692-4888) leave a clear, detailed message with name and phone number and our recruiter will get back to you to schedule a registration appointment.
16	What do I need to bring to my registration appointment?	Minors need to bring their immunization records and a parent or legal guardian. All students need to bring a copy of their official transcripts. Students with special education services need to bring a copy of their most current IEP.
17	What happens after registration?	Your Navigator will call you to schedule your orientation meeting and a meeting with your assigned teacher to review your transcript and create your class schedule.
18	What are the school hours?	8:30 AM – 4:00 PM. Some sites are open until 7:30 PM.
19	How long do I attend each week?	Students attend between one and twenty hours a week, depending on the student's academic needs and current life circumstances. Individual student schedules are developed with the teacher.
20	How long will it take me to graduate?	Because this program allows you to work at you own pace, it depends on how many credits you need and how many hours you dedicate to your studies each week.

## Appendix P: OYA Student, Staff Handbook

### School Office Procedures School Hours

Opportunity Youth Academy sites are open Monday through Thursday from 8:30AM to 4PM

**Fridays** are minimum days. All sites are open from 8:30 a.m. to 12:00 p.m.

#### **Change of Address/Other Info**

Student, parents/guardians should immediately notify the school teachers or School Office Coordinator of any changes in address, home telephone, parent/guardian work telephone, or other contact information. This is important so that the school can communicate effectively with parents and guardians, particularly in the case of an emergency.

#### **Absences**

All absences, illnesses or otherwise, must be verified in writing or by phone within 24 hours. For this reason, it is critical that the school is given updated contact information whenever changes occur.

#### **Illnesses and Injuries**

Students should not come to school when ill. If a student becomes ill or injured while at school, he/she needs to inform the teacher.

- Adult Students may leave the school grounds to go home because of illness or injury but first must inform the teacher or staff onsite.
- Minor Students will not be allowed to leave campus due to illness or injury without contacting and parent permission.
- Students who choose to leave without school or parent permission will receive an unexcused absence and discipline referral.

#### **Medical Appointments**

Minor Students are to bring a signed note from home stating the time, date and doctor's name. This note should be taken to the school teacher. No student may leave campus without authorization from teacher. Parents will be called to verify medical appointment. **Every effort should be made to have medical appointments after school hours.**

#### **Dispensing Aspirin and Other Medications**

California law prohibits school employees from dispensing aspirin or any other medications not authorized by parents or doctors in writing; this includes 18 year old students. Parents whose children are required to take medication on a regular basis may request in writing that medication be dispensed through the School Office Coordinator. A form must be requested through the child's doctor and kept on file in the school office.

#### **Classroom Phone**

Use of the classroom phone is allowed only with the permission of the assigned teacher.

## Appendix P: OYA Student, Staff Handbook

### Lost and Found

If a student has lost an item, he/she should inquire the teacher on site. Students must be aware that all items that are brought to school are brought at their own risk, and that the school is not responsible for the loss of personal items.

### Attendance

This program relies heavily on self-discipline and self-instruction. OYA is not for everyone. Students must attend one or more blocks a week. Students earn credit based on work completed, not seat time. Students must arrive prepared with completed work in hand to scheduled appointments. While attending appointments, students must be in compliance with of all school rules.

The need for consistent school attendance is stressed at each of the schools in Opportunity Youth Academy. The student agreement with the school requires that students will attend regularly. For the purpose of receiving class credit, no distinction is made between excused and unexcused absences; however, teachers may wish to use their discretion in assigning grades to students who have missed too many days under extraordinary circumstances. In some cases, students may be allowed to make up class time following serious injuries, accidents or other unavoidable situations. Students should understand that they are not allowed to miss school for frivolous reasons and that their continued participation in the Opportunity Youth Academy can be severely jeopardized by unexcused absences. Supplemental contracts may be drawn up to address trancies, habitual absences.

### Reporting Absences

State law requires that absence verification be made by the student or parent/guardian (if minor). This verification must be done by calling the assigned teacher within 24 hours of the absence. See page 2 for phone numbers for individual schools. A student or parent/guardian must leave a message with the assigned teacher or school staff or voicemail. Students who are 18 years of age or older may excuse their own absences. **However, adult students who abuse the attendance policy may be transferred to Adult Education.**

**California State law does not recognize any absence as excused.** Opportunity Youth Academy recognizes that the following activities may unavoidably impact the student's schedule.



## Appendix P: OYA Student, Staff Handbook

- Doctor Appointments
- Dental/Orthodontist appointments
- Illness
- Funerals
- At an employment conference
- Court appearances (must be verified by court documents)
- Observation of a holiday or ceremony of his/her religion, or attendance at religious retreats
- When the pupil is the custodial parent of a child who is ill or has a medical appointment during school hours (EC 48205)

Students who are ill should stay at home and recover. Students who come to school sick or who become sick at school will be sent home. Missing the bus, oversleeping, visiting with a relative, staying home to babysit a sibling, etc., are not excusable absence. Please remind students of appointments in the morning before they leave for school. This will help reduce classroom interruptions. Unexcused absences may affect a student's grades

Our attendance procedures are designed:

- To help students be aware that information and instruction given in class is an important part of their educational experience.
- To help students understand that participation in class is important for both the student's own educational experience and the educational experience of his/her classmates.
- To instill in students the awareness of socially appropriate behavior that is considerate of others.
- To better prepare and educate students of the behavior expectations common in the workplace.



## **OYA Student Attendance Agreement**

OYA is committed in giving you the opportunity to earn your diploma by providing a safe learning environment, individualized instruction from teachers and guidance from support staff to address your needs.

We expect that you also be as committed as we are in supporting you in earning your diploma by meeting the following expectations:

- Attending class when scheduled
- Inform teachers and staff in a timely manner when you are unable to attend class
- When in the class, working on assigned courses and not being distracted (i.e. cell phone, social media)
- Be in regular communication and reachable. It will be your responsibility to update any changes in your contact information
- Meeting minimal expectations and assignment deadlines per arrangement with your teacher
- Respecting the OYA code of conduct

In the event that any of these expectations are not met, the following notices will be conducted:

1st Notice	Upon being informed by the teacher that the student is not meeting attendance expectations. OYA will attempt to reach student using the contacts on file; several calls, text or e-mails may be carried out by teacher or navigator during the period of a week (case-managers, social-workers and probations officers will also be contacted).
2 <sup>nd</sup> Notice	During the second week of not meeting expectations or failing to reply, OYA will continue attempts to contact student which may also include a navigator conducting a home visit to the address on file.
3 <sup>rd</sup> Notice	At the end of the two week period, a letter will be mailed to notify student that they OYA will be disenrolled from OYA in no less than five schooldays, which notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures used for expulsion from OYA. If the pupil or the pupil’s parent, guardian, or educational rights holder initiates these procedures, the pupil shall remain enrolled and shall not be removed until the OYA

## Appendix P: OYA Student, Staff Handbook

	issues a final decision
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**Should you not meet attendance program expectations or reply to our contacts, OYA will be forced to go through the disenrollment process, as indicated above. If you choose to return after being disenrolled, you will have to re-enroll and your re-admission will be based on space availability.**

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

## Independent Study Contract

### **Independent Study Contract:**

All students will be given an Independent Study Contract. These are set up with input from the teacher, counselor and at least one staff member.

The student is to complete the subjects/courses assigned listed in the Independent Study Master Agreement Contract. Subject/course objectives are consistent with charter school standards and Board Policies adopted by the Santa Clara County Office of Education (SCCOE) Board of Education. The specific objectives, methods of study, methods of evaluation, and resources for each assignment covered by this agreement will be provided by the teacher via the adopted school curriculum.

### **Assignments:**

According to the SCCOE Board Policy for independent study (BP/AB 6158), the maximum length of time allowed between the assignment and the date the assignment is due is 3 weeks unless a prior exception is made in the accordance with Board Policy. After three missed assignments for this agreement, an evaluation will be made to determine whether independent study is an appropriate strategy for this student.

### **Reporting:**

Students are required to report to their teacher(s) as scheduled in the Independent Study Contract.

### **Voluntary Statement:**

Independent study is an optional education alternative that students voluntarily select, including expelled students (Education Code Section 48915) and/or students whose expulsion has been suspended (Ed Code Sec 48917). All students who choose independent study must have the continuing option of returning to District of Residence and/or Adult School Program.

### **Equitable Provision of Resources and Services:**

## **Appendix P: OYA Student, Staff Handbook**

The independent study option is to be substantially equivalent in quality and quantity to classroom instruction, and students who choose to engage in independent study are to have equality of rights and privileges with students in the regular school program.

## Appendix P: OYA Student, Staff Handbook

### Opportunity Youth Academy

#### Master Agreement for Independent Study

Student's Name: _____	Program Placement: _____
Address: _____	Site: _____ SAI: _____
City/Zip: _____	Parent Name: _____
Birth Date: _____	Beg Date: _____ End Date: _____
Student PH: _____	2 <sup>nd</sup> PH: _____

#### Objectives, Methods of Study, Methods of Evaluation, and Resources

The student is to complete the subjects/courses listed below. Subject/course objectives are consistent with charter school standards and Board Policies adopted by the Santa Clara County Office of Education (SCCOE) Board of Education. The specific objectives, methods of study, methods of evaluation, and resources for each assignment covered by this agreement will be provided by the teacher via the adopted school curriculum. The curriculum is aligned with the objectives of the California Common Core curriculum standards. The method of study is provided through a digital curriculum accessed at school or home and supplemented with additional school materials and resources as needed. Students will receive feedback and evaluation via the online curriculum and during sessions with the teacher. Please see the student handbook for a description of school policies and protocols that are also covered for this agreement. Any subsidiary agreement(s) are also part of this agreement. *Ed. Code 51747(c) (2)*

#### SUBJECTS/COURSES ENROLLED:

Subjects/Course Value	Subjects/Course Value	Subjects/Course Value	Subjects/Course Value
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Reporting:** Students are required to meet in person (when applicable) with their teacher or virtually to discuss their progress when scheduled. Please indicate the time and days of the week scheduled to work on academic (3 days and 2 hours minimum for minors, 2 days and 2 hours minimum for students over 18): *Ed. Code 51747(a)(1) and 51747(c)(10)*

**STUDENT'S SCHEDULED: WEEK DAYS:** \_\_\_\_\_ **Scheduled Time:** \_\_\_\_\_

Students submit assignments online as they are completed, and students should aim to submit assignments daily. According to the SCCOE Board Policy for independent study (BP/AB 6158), the maximum length of time allowed between the assignment and the date the assignment is due is 3 weeks unless a prior exception is made in the accordance with Board Policy. **After three missed assignments for this agreement, an evaluation will be made to determine whether independent study is an appropriate strategy for this student.** *Ed. Code 51747(c) (4)*

Voluntary Statement: Independent study is an optional education alternative that students voluntarily select, including expelled students and/or students whose expulsion has been suspended. All students who choose independent study have the continuing option of returning to classroom instruction in their District of Residence and/or Adult School Program. *Ed. Code 48917 and Ed. Code 48915)*

#### Equitable Provision of Resources and Services:

The independent study option is to be substantially equivalent in quality and quantity to classroom instruction, and students who choose to engage in independent study are to have equality of rights and privileges with students in the regular school program. Students will have regular contact with their teacher for instruction and support, access to all curriculums online as well as access to supplemental books and materials as needed. *Ed. Code 51747(c) (3)*

#### Signature and Dates:

I have read and understand the terms of this agreement, and agree to all the provisions set forth. This agreement must be signed by all persons who have direct responsibility for providing assistance to the student. *Ed. Code 51747(c) (8)*

*By signing you agree to all subjects and courses modifications within this school year.*

Student:	Date:
Parent/Guardian/Caregiver:	Date:
Supervising Teacher:	Date:
Other Assisting Person:	Date:

## **Student Use of Technology**

The Santa Clara County Board of Education intends that technological resources provided by the Santa Clara County Office of Education (SCCOE) be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning. The Superintendent or designee shall notify students and parents/guardians about authorized uses of SCCOE computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with SCCOE regulations and the SCCOE's Acceptable Use Agreement.

Before a student is authorized to use the SCCOE's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities, which is provided during the student's intake. In that agreement, the student and his/her parent/guardian shall agree not to hold the SCCOE or any SCCOE staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence.

They shall also agree to indemnify and hold harmless SCCOE personnel for any damages or costs incurred. The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the SCCOE's technological resources and to help ensure that the SCCOE adapts to changing technologies and circumstances.

The Superintendent or designee shall ensure that all SCCOE computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, pornographic, or harmful to minors and that the operation of such measures is enforced. To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

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

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

## **Appendix P: OYA Student, Staff Handbook**

Student use of SCCOE computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on SCCOE computers with Internet access.

## Graduation Requirements

Track One: 220 Units UC/CSU Requirements		Track Two: 200 Units California State Requirements	
Subject	Credits Required	Subject	Credits Required
English	40	English	40
Mathematics	30	Mathematics	10
World History	10	Algebra I	10
US History	10	World History	10
Government/Economics	10	US History	10
Life Science	10	Government/Economics	10
Physical Science	10	Life Science	10
Physical Education	20	Physical Science	10
Foreign Language	20	Physical Education	20
Visual/Performing Fine Arts	10	Visual/Performing Fine Arts	10
Life Skills/Health	10	Electives	60
Computer Applications	10		
Service Learning	10		
Senior Project	10		
Electives	10		
<b>TOTAL</b>	<b>220</b>	<b>TOTAL</b>	<b>200</b>

### Earning School Credit toward Graduation

OYA calculates credits based on student work production. Approximately one semester credit is earned for each twelve hours of student work productivity.

Reference: California Administrative Code, Title 5, Chapter 7 § 1600a(2)

**Students do not automatically earn credit simply by being enrolled.** Students must complete work assigned and earn a passing grade in a class in order to earn the credits determined by this formula. A passing grade is determined based on a combination of the quality of student’s work and the amount of effort put into the work by the student.



## **Student and Family Support Services**

*Qualifications may apply*

### **Academic Counseling**

All students will have the opportunity to work with an Academic Counselor to set academic goals, create educational program schedules, and transition to college or career after graduation.

### **Mental Health Support**

Students and families have the opportunity to work with a trained therapist for intervention, counseling and support services.

### **Special Education**

Special education programs and services are available to all eligible students. Parents who have reason to believe that a student needs special education services may contact the school counselor or site administrator.

### **Bus Tokens**

Daily tokens are available to students who require transportation to and from school.

### **Work Permits**

Work permit applications are available from the School Office Coordinator. Students applying for a work permit must show proof of age (such as a Birth Certificate, Driver's License, or a DMV Identification card). The permit is valid for one specific job, one school, and one school year. It must be renewed each time any of the above information changes. Work permits can be revoked if the student does not maintain acceptable attendance or satisfactorily complete his/her schoolwork.

### **Identification Cards**

All students, upon enrolling in the school will have their picture taken. These pictures will be used to create identification (ID) cards, which will be provided to students at no charge. Students are encouraged to have these cards in their possession at all times.

### **Confidentiality**

Confidentiality is an important component of the Community Schools program. Students are encouraged to seek solutions to their problems, to avoid harmful behaviors, and to develop their strengths. Occasionally, *Student Success Team* meetings are held in which staff members keep one another informed of the progress of students in the program and share ideas concerning students. Students should expect that information concerning them will be treated with respect for their privacy. However, all staff members are mandated reporters and are required to report information concerning students who intend to hurt themselves or others, or who are suspected victims or child abuse, to appropriate persons or agencies.

## **Appendix P: OYA Student, Staff Handbook**

### **Parent Involvement**

The Santa Clara County Board of Education recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in SCCOE and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home. Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the SCCOE's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

Each year the Superintendent or designee shall identify specific objectives of the SCCOE's parent involvement program for schools that receive Title I funding. S/he shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program.

The Superintendent or designee shall ensure that the SCCOE's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs.

Those strategies shall establish expectations for parent involvement and describe how the COE will carry out each activity listed in Federal Law.

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. S/he also shall involve parents/guardians of participating students in decisions regarding how the COE's Title I funds will be allotted for parent involvement activities.

The Superintendent or designee shall ensure that each school receiving Title I funds develop a school-level parent involvement policy in accordance with Federal Law.

### **Student Dress Code**

Students are expected to comply with the OYA dress code:

1. No gang affiliated clothing or other gang affiliated items.
2. No exposed undergarments.

Any clothing or jewelry judged by school personnel to be inappropriate for school and/or a school function will result in the student needing to change into loaner garments (if available) at the site or the student must go home to change. Gang related clothing may be reported to the appropriate authorities.

## **Appendix P: OYA Student, Staff Handbook**

Please note that some sites (e.g., OYA Washington) have additional dress code rules that must be followed.

### **Smoking and Use of Tobacco Products**

Smoking and the use of tobacco products are prohibited at all sites operated by the County Office of Education. Additionally, students may not smoke, use tobacco products, e-cigarettes, or vapor pens while attending school sponsored activities or while under supervision of school staff.

### **Loitering**

Students need to proceed directly into the school campus in the mornings upon arrival. Students may not loiter (hang out) in front of the schools, on the corner, or in the neighborhood.

### **Graffiti/Tagging**

Any students engaging in graffiti or tagging that leaves damage on a surface or object resulting in a need to be replaced, sandblasted, painted, chemically treated, or otherwise removed in order to restore the surface to its previous condition, regardless of the cost or the damage, will be subject to the following disciplinary consequences: Disciplinary actions include, but are not limited to: warnings, principal intervention, parent/guardian contact, and/or student behavior contracts.

### **Language/Profanity/Slurs**

Students will not use language that is abusive or offensive to others through words, writings, or actions. Disciplinary actions include, but are not limited to: warnings, principal intervention, parent/guardian contact, and/or student behavior contracts.

### **Public Displays of Affection**

Socializing with others is an important component of school life. However, excessive displays of affection are inappropriate in a school community and are not permitted at any time during the school day or at any school related events. This includes but is not limited to kissing, caressing, etc.

### **Visitors**

All visitors must sign in. Parents and legal guardians are welcome on all OYA School campuses. The staff asks that appointments be made to see a teacher or to visit classes so that personnel will be available and so that the educational process will not be disrupted. Requests for social visits by non-students will be denied. Trespassers may be cited.

### **Searches on School/Center Premises**

**BP 5321** References: Education Code 44807 (Re Donaldson, 269 Cal. App. 2d509, 512); AR 5321  
Approved: 05/06/81

## Appendix P: OYA Student, Staff Handbook

It is the policy of the Board that searches on school and center premises shall be conducted only in order to protect the safety and security of persons and to preserve discipline and good order. The right to inspect a student's locker or person and to seize property is inherent in the authority granted the Board and those who administer its programs. That right, however, must be balanced by the rights of privacy of person as well as freedom from unreasonable search and seizure of property, as guaranteed by the Fourth Amendment to the U.S. Constitution.

**SCCOE maintains the right to search personal property of a student**, including clothing, when there is reasonable suspicion that school rules are being violated and/or a threat to the health and safety of students and staff exists. Students involved shall be informed, if possible, prior to the search and, when applicable, be present when the search takes place. **Information leading school officials to conduct a search and/or to seize property may be independent of law enforcement officials.**

However, searches involving law enforcement officials on school grounds shall require notification of a school official who may be present during the search. In instances where firearms and any controlled substances (drugs) are confiscated, the confiscated property shall be turned over to law enforcement officials. School personnel will be guided by policy and education code provisions in pursuing searches and legal action against students in possession of items such as weapons, explosives, drugs, and drug paraphernalia.

### Discipline

Every attempt is made to create and maintain a positive atmosphere in all OYA sites. Since traditional disciplinary measures have been generally unsuccessful with students in this program, a different approach is used. Students and parents are required to sign a student agreement before they are enrolled in the program. With this document, students agree:

1. To sign in when arriving to class and to sign out when leaving class
2. Not to use or possess tobacco, alcohol, illicit drugs, or any other harmful substance on school property or while participating in school-related activities and not come to school while under the influence of these substances
3. Not to participate in violence or threats of violence or to use or possess any type of weapon on school property or while participating in school-related activities
4. To attend school regularly and be in class on time
5. To participate in classroom activities as the teachers ask
6. To respect classmates, school employees and school property
7. To step outside the classroom to use cellphones

Through this system, students understand that they may remain in OYA as long as they are willing to obey these rules. Please note, supplemental contracts may be created to address individual situations.

## California State Testing (English)

DATE

Dear Parent or Guardian,

All 11<sup>th</sup> grade students at Opportunity Youth Academy will participate in California State summative assessments in English, Math and Science between in March and April of 2018.

California state assessments for math, English and science are administered online, and are important measures of students' progress on the Common Core State Standards. Students are assessed on their reading, writing and critical thinking skills, which are essential characteristics of a student who is prepared for high school graduation and career or college. Many supports are available for students, such as the ability to have the test questions read to them or translated into Spanish.

These tests are only used to measure student progress but are required by the state for all students. These are not tests that students have to pass to advance to the next year or to graduate. The results of these tests will be available to parents, teachers and school administrators at the end of the school year.

To get a sense of what the California state tests will be like, you and your student can view the practice test online at the California Department of Education (CDE) webpage:

<http://www.cde.ca.gov/ta/tg/sa/practicetest.asp>.

California Educational Code requires that parents and guardians are notified of their right to provide a hand-signed letter to their school each year that opts their student(s) out from California Assessment of Student Performance and Progress (CAASPP) testing.

If you have any questions about our new California State Standards or the assessments, please feel free to speak to your student's teachers or to contact your student's principal.

Warm regards,

Phil Morales

Director/Principal, Opportunity Youth Academy

## California State Testing (Spanish)

DATE

Estimado padre o tutor,

Todos los estudiante del onceavo (11th) grado participaran en las evaluaciones acumulativas en inglés, matemáticas y ciencias del Estado de California durante **abril y mayo de 2018**.

Las evaluaciones del estado de California para matemáticas, inglés y ciencias se administran en línea, y son medidas importantes del progreso de los estudiantes en las Normas Fundamentales Comunes del Estado. Los estudiantes son evaluados en su lectura, escritura y habilidades de pensamiento crítico, que son características esenciales de un estudiante que se prepara para graduarse de preparatoria y de una carrera o universidad. Muchas opciones están disponibles a los estudiantes, tales como la habilidad que les lean las preguntas del examen o que sean traducidas al español.

Estos exámenes solo se utilizan para medir el progreso del estudiante, pero son requeridos por el estado para todos los estudiantes. Estos no son los exámenes que los estudiantes tienen que pasar para avanzar al próximo año o para graduarse. Los resultados de estos exámenes estarán disponibles para los padres, maestros y administradores escolares al final del año escolar.

Para darse una idea de cómo serán los exámenes estatales, usted y su estudiante pueden ver la práctica del examen en línea en la página web del Departamento de Educación de California (CDE, por sus siglas en inglés): <http://www.cde.ca.gov/ta/tg/sa/practicetest.asp>.

El Código de Educación de California requiere que los padres y tutores sean notificados de su derecho a presentar una carta firmada a mano cada año a su escuela que ellos optan por sus estudiantes a que no tomen el examen de Evaluación del Rendimiento de los Estudiantes y el Examen de Progreso de California (CAASPP, por sus siglas en ingles).

Si usted tiene alguna pregunta sobre nuestras nuevas Normas Estatales de California o las evaluaciones, no dude en hablar con el maestro de su hijo o ponerse en contacto con su director.

Un cordial saludo,

Phil Morales  
Directora, Opportunity Youth Academy

## **Emergency Information**

The County’s Emergency Preparedness Handbook is available online at <http://www.sccoe.org/depts/comserv/preparednessplan/>, as well as at all school sites and at the County Office at 1290 Ridder Park Drive, San Jose, CA 95131.

During an emergency, parents/guardians are expected to support the staff by directing students to stay at school until they are released. School officials will determine when it is safe to release students to return home.

### **Emergency Phone Numbers**

Fire Department	911 or 277-4444
California Highway Patrol	911
Paramedics and Ambulance	911
San Jose Police Department	911 or 311
Santa Clara County Sheriff	911 or 299-3233
Office of Emergency Services	(408) 277-4595
City of San Jose	911 or 277-4595
Santa Clara County	911 or 299-3751
Santa Clara County Communications	911 or 299-2711
CalTrans (Highway Conditions)	(800) 427-7623
Pacific Gas and Electric Company	(800) 743-5000
San Jose Water Company	279-7900
AT&T (Telephone Service)	(800) 750-2355
Honeywell Security (Alarm Service)	283-4140
Acufacts Security	286-5880

### **Radio Stations**

KCBS	740 AM
KGO	810 AM
KSJO	92.3 FM
KLIV	1590 AM

## Community Resources

### Crisis Resource Numbers

1. Eastfield Ming Quong (EMQ) 24 hour Emergency Crisis Line (408) 379 9085
2. Child Abuse Hotline
  - CAN Center Child Abuse Reporting (408) 299-2071
  - Nationwide (800) 422-4453
3. PARENTAL STRESS HOTLINE (408) 279-8228
4. MENTAL HEALTH YOUTH SERVICES, Spanish, English, & Vietnamese 1-800-704-0900
5. 24 HOUR DOMESTIC VIOLENCE CRISIS LINE
  - Next Door (408) 279-2962 a 24-hr. hotline (Spanish & English)
  - Asian Americans for Community Involvement (AACI) (408) 975-2739
  - Community Solutions (South County) (408) 683-4118
  - Support Network for Battered Women, Spanish & English 1-800-572-2782
6. SUBSTANCE ABUSE CRISIS LINE:
  - Gateway 1-800-488-9919
  - 800-662-HELP
7. SUICIDE AND CRISIS LINE
  - 408-279 3312, North County
  - 408-494 8420, South County
  - 1-800-784-3422 (nationwide)
8. CA Youth Crisis Line (800) 843-5200
9. AIDS National Hotline (800) 342-AIDS
10. Homeless and Runaway Youth (408) 243-0222
11. Rape Crisis Hotline
  - (408) 287-3000
  - (650) 493-RAPE
12. STD National Hotline (800) 342-2437

### Basic Need Resources

1. **Child Health and Disability Prevention (CHDP) Program** 408-494-7800 Provides free well child screenings to low income children (ages 0-20)
2. Healthy Kids – Healthy Families – Medical (888) 244-5222
3. Provides free or low cost health, vision & dental to children (0-18) from low or middle-income families.
4. Immunizations 408-792-5200
5. Provides free or low cost immunizations to prevent diseases; e.g. measles, whooping cough, chicken pox & meningitis (ages 0-21)
6. **Oral Health** (408) 283-6200 Provides comprehensive dental care to low income children (ages 0-18)
7. **Supplemental Security Income (SSI)** 800-772-1213 Provides cash assistance and Medical to low income disabled individuals (all ages).
8. **WIC** Women’s, Infants & Children’s Supplemental Food Program 888-942-9675



## Appendix P: OYA Student, Staff Handbook

9. Provides nutrition education and coupons for free food to low-income women (pregnant or nursing), infants, and children with special health care needs (ages 0-5)\
10. **Valley Connection** 1-888-334-1000, Health information/ resources especially MediCal families.

### Self Help Resources

These groups offer persons with similar concerns an opportunity to share experiences and problems with each other and to support each other. These groups are usually nonprofit, nonaffiliated, confidential, and charge no fees for their services.

1. **NARCOTICS ANONYMOUS** 1-650- 802-5950 [www.sfng.org](http://www.sfng.org)
  - a. Narcotics Anonymous 24-hour help line offers referral services for persons with any kind of drug problem.
2. **ALCOHOLICS ANONYMOUS** 408- 374-8511
  - a. Alcoholics Anonymous offers peer discussion and support groups.
3. **ALANON and ALATEEN** 1-888-425-2666 [www.al-anon-anon-alateen.org](http://www.al-anon-anon-alateen.org)
  - a. Alanon and Alateen offer discussion and support groups for family members of alcoholics. Alanon is for entire families and Alateen is specially designed for 13 to 19-year-olds.
4. Family & Children Services of Santa Clara Valley 55 E. Empire St., San Jose 408- 288-6200
5. Social Advocates for Youth 1-650- 961-2622
6. Family and Children Services Crisis Line 408- 379-9085
7. **Safe Ride** 1- 877- 753-7433
8. **Quetzal House (Bill Wilson Center)** 408-243-0222 509 View St. Mountain View, 94041

**School: Opportunity Youth Academy**

## **School – Parent Compact**

The school and the parents of the students agree that this compact outlines how the parents, entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership that will help children achieve the State of California’s high academic standards.

This School-Parent Compact is in effect during the 2017-2018 school year.

### **School Responsibilities**

The school will support student’s learning in the following ways:

1. Provide high quality curriculum and instruction at the student’s educational level in a supportive and effective learning environment that enable the participating students to meet the state of California’s student academic achievement standards.
2. Provide parents information regarding student progress while in the program.

### **Parent Responsibilities**

We, as parents, will support our students’ learning.

### **Student Responsibilities**

We, as students, will support academic achievement through the following activities:

1. Do classwork as assigned or when applicable.
2. Ask for help when I need it.
3. Take ownership of academic success.



## 2020-21 Parent Annual Notification

School districts in California are required to annually notify students, parents, and guardians of their rights and responsibilities. This is the annual notice to parents/guardians of students enrolled in programs operated by the Santa Clara County Office of Education (hereinafter referred to as SCCOE). This notice, which is required by Educational Code 48980, provides important information about federal laws and state education codes, as well as information relating to rights and responsibilities of parents or guardians of children. The abbreviation of "EC" that is found after the title of most sections refers to the California Education Code (EC).

Please review this information carefully as it applies directly to you and your child's participation in our educational programs. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact your school administrator. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Best wishes for a productive and successful 2020-21 school year.

Mary Ann Dewan, Ph.D.  
Interim County Superintendent of Schools

### FOR ALL SCHOOLS AND DISTRICTS

#### **Acceptable Use of Technology**

One of the goals of the Santa Clara County Office of Education (SCCOE) is to assist in advancing the use of technology to enhance student learning. Access to technology is a privilege, not a right, and students enrolled in SCCOE programs or activities must follow SCCOE guidelines and procedures regarding acceptable use of technology. All SCCOE students and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using technological resources. SCCOE shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using SCCOE technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability.

#### **Asbestos Management Plan – Title 40 Code of Federal Regulations 763.93**

The Santa Clara County Office of Education maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact Craig Wilde, SCCOE General Services Director, at (408) 453-4310.

## **Appendix P: OYA Student, Staff Handbook**

### **Attendance Options/Permits – EC 48980(h)**

The following information is a summary of the attendance alternatives available to parents/guardians and their student and is intended to provide an overview of the laws applying to each alternative. Please note that the following attendance alternatives do not pertain to the pupils or the pupil's parent/guardian served by the SCCOE. The attendance alternatives outlined in the remainder of this section pertain to local school districts, and not SCCOE.

### **Residency – EC 48200 and 48204**

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district.

A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the pupil are employed within the boundaries of the school district.

### **Open Enrollment – EC 35160.5(b)**

Residents of the School District may apply to other schools within the District for their child to attend on a space available basis. Information on each school within the District is provided on the District website. Parents of high school athletes should check on CIF sports eligibility rules before pursuing open enrollment. Transportation to any other school is the responsibility of the parent.

### **Interdistrict Attendance – EC 46600 *et seq.***

School districts may enter into agreements for the inter-district transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers. The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other school district under this agreement.

### **District of Choice – EC 48300 *et seq.***

Some school districts may choose to become a district of choice, that is, a district that accepts transfer students from outside the district under the terms of a resolution. A school board that decides to become a district of choice must determine the number of transfers it is willing to accept and make sure that students are selected through a "random and unbiased" process, which generally means a lottery process. Students must request transfer into a district of choice by January 1 of the prior school year. A modified application process is available for relocated military personnel.

## **Appendix P: OYA Student, Staff Handbook**

### **Availability of Prospectus – EC 49063 and 49091.14**

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Each school site shall make its prospectus available for review upon request.

### **Child Abuse and Neglect Reporting – Penal Code 11164 *et seq.***

Santa Clara County Office of Education staff members are required by law to report cases of child abuse and neglect whenever staff have a reasonable suspicion. Staff may not investigate to confirm the suspicion. Both the staff name and the report itself are confidential and cannot be disclosed except to authorized agencies.

### **Child Find System – EC 56301**

Each school district, special education local plan area (SELPA), or county office shall establish written policy and procedures for continuous child find system including children with disabilities who are migrant or homeless or wards of the state and children with disabilities attending private schools. Policy and procedures shall include written notification to all parents of their rights regarding identification, referral, assessment, instructional planning, implementation, review, and procedures for initiating referral for assessment.

### **Children with Diabetes**

Through a cooperative agreement with the American Diabetes Association (ADA), the California Department of Education ensures that all California students who are classified as disabled because of diabetes will have access to legally required care during the school day. Under the agreement, each local education agency will manage the delivery of this care in the best possible way for those students who are Individualized Education Programs or 504 Plans require administration of insulin and related services during the school day. A Legal Advisory spells out who may administer insulin at a school, and it requires that the local education agency must provide training in diabetes management to a volunteer, non-licensed staff member in cases when a school nurse or other licensed professional is not available.

### **Confidential Medical Services – EC 46010.1**

School authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. Notification of this code section is required; however, governing board implementation is permissive. Per Santa Clara County Board Policy 5141, students being released for health care and emergency reasons must be checked out of the school through the school office by the parent/guardian or their designee. In addition, Santa Clara County Board of Education Policy 5141 states that un-emancipated minor students shall not be released from school for the purposes of obtaining confidential medical services without the consent of the student's parent or guardian.

### **Dangerous Objects**

Laser Pointer – Penal Code 417.27

## **Appendix P: OYA Student, Staff Handbook**

It is a crime for any student to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instructional or other school-related purpose.

### **Imitation Firearm – Penal Codes 12550 and 12556**

A BB device can be considered an imitation firearm. The Penal Code makes it a criminal offense to openly display or expose any imitation firearm in a public place, including a public school.

### **Directory Information – EC 49073**

“Directory Information” includes one or more of the following items: student’s name, address, telephone number, 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 public or private school attended by the student. School districts determine in advance which individuals, officials, or organizations may receive directory information. No information may be released to a private profit making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil’s directory information.

### **Disaster Preparedness Educational Materials – EC 32282.5**

Each school has a disaster preparedness plan and conducts regular fire, earthquake and disaster drills. For a copy of your school’s plan, contact your principal.

The California Department of Education (CDE) is now required to electronically distribute disaster preparedness educational materials to school districts and county offices of education in, at least, the three most dominant primary languages spoken by English learners in California. Documents are posted on the CDE website at:  
<http://www.cde.ca.gov/ls/ss/cp/pupilsafetyeducmat.asp>.

### **Disruption in a Public School or Public School Meeting – EC 32210**

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

### **Dress Code – EC 35183**

Schools may adopt and enforce a reasonable dress code policy that requires pupils to wear a schoolwide uniform or prohibits the wearing of “gang-related clothing” if it is determined that it is necessary for the health and safety of the school environment.

### **Excused Absences – EC 46014 and 48205**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.

## Appendix P: OYA Student, Staff Handbook

No pupil shall have his or her grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
  - (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometrist, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

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### Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their student's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee or copies.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887. The name and address of the Office that administers FERPA is:

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



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### **Free and Reduced-price Meals – EC 49510 *et seq.***

Free or reduced-price lunches are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Applications forms may be obtained at the school office.

### **Foster Youth Educational Placement – EC 48850 *et seq.***

All pupils in foster care are entitled to a meaningful opportunity to meet the challenging state pupil academic achievement standards to which all pupils are held. They shall be placed in the least restrictive educational programs and have access to the same academic resources, services, and extracurricular and enrichment activities that are available to all pupils. Each local educational agency is required to designate a foster care educational liaison. The liaison serves as an advocate for all foster youth that reside within his/her district, and ensures that every foster youth has a proper school placement, transfer of records, and immediate enrollment in school. School enrollment is not contingent upon receipt of a student's academic or medical records. Because school stability is extremely important to a child living in foster care, a foster child is allowed to remain in his or her school of origin, even if the child's home placement changes, for the duration of the school year. Students who do change schools during the school year are able to receive practical credit for coursework that is satisfactorily completed. If any dispute arises as to the school placement of a foster child, the student has the right to remain in his or her school of origin pending the resolution of the dispute. Each local educational agency is required to have a dispute resolution process in place that relates to the enrollment of foster youth within their school jurisdiction. The local liaison can assist parents or students in the dispute resolution process.

### **Harm or Destruction of Animals – EC 32255 *et seq.***

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

### **Homeless Youth Education – 42 United States Code 11432**

Requires school district homeless liaisons to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children.

The federal McKinney-Vento Homeless Assistance Act ensures educational rights and protections for children and youth experiencing homelessness. This includes children and youth who are living with a friend, relative or someone else because the family has lost their housing;

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children and youth staying in a motel or hotel due to lack of adequate alternative accommodations; children and youth living in an emergency or transitional shelter or a domestic violence shelter; and children and youth who are living in cars, parks, public spaces abandoned buildings, etc. It is the policy of Congress that students in homeless situations shall have access to the education and other services they need to ensure they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

Services provided to students identified as homeless include:

- Every local education agency designates a staff person to act as the educational liaison for students in homeless situations.
- Students have the option of remaining in their school of origin to the extent feasible or transferring to the local school in the current attendance area when moving to a different address or community. The parent/guardian determines which school is in the child's best interest.
- Students are immediately enrolled in school even if they do not have the documents required. The Liaison can request the necessary documents from previous schools or help to schedule required immunizations.
- Students will be provided transportation to and from school at the parent's request.
- Students will be provided free/reduced lunch.
- Students will be provided Title 1 services.
- School districts will establish a dispute resolution process to resolve disagreements between parents and the district. Families living in homeless situations may contact the Liaison to help them put the disagreement into writing.

### **Grounds for Suspension and Expulsion – EC 48900**

Opportunity Youth Academy (OYA) will develop and maintain a comprehensive set of student discipline policies aligned with the Santa Clara County Office of Education (SCCOE) Board Policy 5114. These policies clearly describe OYA's expectations regarding, among other things, attendance, mutual respect, substance abuse, violence, safety, and work habits.

Each parent/guardian of a high school-aged OYA student, will be required annually to verify that they have reviewed the policies with their student/s and that they understand the policies. Each adult student will also be required annually to verify that they have reviewed and understand the policies.

The procedures by which a student can be suspended or expelled from OYA for disciplinary reasons or otherwise involuntarily removed from OYA for any reason, shall include an explanation of how OYA will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all the following:

- For suspensions of fewer than 10 days, provide oral or written notice of the charges against the student and, if the student denies the charges, an explanation of the evidence that supports the charges and an opportunity for the student to present his or her side of the story.

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- For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:
  - Provide timely, written notice of the charges against the student and explanation of the student’s basic rights.
  - Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate.
- Contain a clear statement that no student shall be involuntarily removed by OYA for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to initiate the procedures specified in above before the effective date of the action. If the student’s parent, guardian, or educational rights holder initiates the procedures specified above, the student shall remain enrolled and shall not be removed until OYA issues a final decision. For the purposes of, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions.

Furthermore, in accordance with California Education Code 48900.10, an OYA student shall not be suspended for any of the acts specified in subdivision (a) – having disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrator, school officials, or other personnel engaged in the performance of their duties - and those acts shall not constitute grounds for a pupil enrolled in any of grades 6 to 12, inclusive, to be recommended for expulsion.

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

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- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k)(1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means 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.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or

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prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
    - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
    - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - (2)(A) “Electronic act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - (i) A message, text, sound, or image.
    - (ii) A post on a social network Internet Web site, including, but not limited to:
      - (I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
      - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
      - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
  - (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off the campus.
  - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

### **Immunizations – EC 49403 and 48216, Health & Safety Codes 120335, 120365 and 120370**

Unless a pupil’s parent or legal guardian provides the school with an acceptable signed waiver, a pupil must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met. SCCOE shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

### **Instruction for Pupils with Temporary Disabilities – EC 48206.3, 48207 and 48208**

A pupil with a temporary disability which makes attendance in the regular day classes or the OYA program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil’s home for one hour a day.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

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It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

### **Medical or Hospital Service – EC 49472**

#### **Services Not Provided**

The Santa Clara County Office of Education does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

#### **Services Provided**

The Santa Clara County Office of Education may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance for injuries to pupils arising out of accidents related to school activity or attendance. No pupil is required to accept such service without the consent of his/her parent or legal guardian.

### **Medication Regimen – EC 49480**

The parent or legal guardian of any pupil taking medication on a regular basis must inform the school nurse or [other contact person] of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil.

### **Administration of Prescribed Medication for Pupils – EC 49423 and 49423.1**

Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken.

### **Megan's Law – Penal Code 290 *et seq.***

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides

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information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

### **Minimum and Pupil-free Staff Development Days – EC 48980(c)**

Parents and guardians of all pupils are to be informed of the schedule of minimum days and pupil-free staff development days. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school will notify parents and guardians of affected pupils as early as possible, but not later than one month prior to the scheduled day.

### **Missing Children – EC 49370**

It is required that specified persons, including school teachers, administrators, aides, playground workers and bus drivers, report missing children to a law enforcement agency in a timely manner.

### **Nondiscrimination Statement – EC 200 *et seq.***

The Santa Clara County Office of Education is committed to equal opportunity for all individuals in education. SCCOE programs and activities shall be free from discrimination based on gender, sex, race, color, religion, national origin, ethnic group identification, physical or mental disability, sexual orientation, or the perception of one or more of such characteristics. SCCOE assures that lack of English language skills will not be a barrier to admission or participation in SCCOE programs. Complaints of unlawful discrimination are investigated through the Uniform Complaint Process. Such complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained. For a complaint form or additional information, contact:

SCCOE Chief Schools Officer  
Student Services Branch  
1290 Ridder Park Drive'  
San Jose, CA 95131 408-453-6560

### **Notice of Alternative Programs – EC 58501**

California state law authorizes all school districts to provide for alternative schools. Education Code 58500 defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

- (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.



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- (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative programs, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

### **Pesticide Products – EC 17612**

To obtain a copy of all pesticide products and expected use at SCCOE school facilities during the year, please contact Risk Management at (408) 453-6862. The notice will identify the active ingredient(s) in each pesticide product and an internet address on pesticide use and reduction.

### **Physical Examination – EC 49451**

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists.

### **Property Damage – EC 48904**

Parents or guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid.

### **Pupil Records – EC 49063 and 49069, Title 34 Code of Federal Regulations 99.7, 20 United States Code 1232g**

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. SCCOE will protect the privacy of such records. Parents/guardians have the right to 1) inspect and review the student's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access student records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, SCCOE shall disclose educational records without parental consent.

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Parents' request to access their student's educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of student records are available to parents for a fee of no more than 10 cents per page.

Any challenge to school records must be submitted in writing to the school principal. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the student.

Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202- 5920.

### **School Rules – EC 35291**

The SCCOE may notify the parent or guardian of all pupils registered in SCCOE schools of the availability of rules pertaining to student discipline.

### **School Safety Plan – EC 32280 *et seq.***

Each Santa Clara County Office of Education school site has a School Safety Plan, which includes a comprehensive disaster preparedness plan. Copies are available to read at each school office.

### **School Visiting Procedures – EC 51101(a)(12) and Penal Code 627.6**

Parents and guardians of students enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed in advance about school rules, including procedures for visiting the school.

PC 627.6: Requires schools to post at every entrance a notice setting forth the visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. Administration has the authority to direct non-students to leave campus. No outsider shall enter or remain on school grounds during school hours without having registered with the principal or designee, except to proceed expeditiously to the school office for the purpose of registering.

### **Sex and HIV/AIDS Education – EC 51938**

The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act (Education Codes 51930 through 51939) is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

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The Santa Clara County Office of Education will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Request a copy of Education Codes 51930 through 51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
5. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
  - a. The date of the instruction
  - b. The name of the organization or affiliation of each guest speaker

The Santa Clara County Office of Education may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate.

### **Sexual Harassment – EC 48980(g)**

It is the policy of the Santa Clara County Superintendent and the Board of Education to maintain learning and working environment which is free from sexual harassment. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of the Civil Rights Act of 1972 and is prohibited by both Federal and State law. Therefore, the Santa Clara County Board of Education prohibits sexual harassment in all schools and facilities within the organization. SCCOE regards sexual harassment as improper, immoral, illegal, and such actions will not be tolerated. This policy is implemented to inform students, staff and parents about what sexual harassment is and the procedures which will be followed by SCCOE upon receipt of sexual harassment allegations.

The SCCOE sexual harassment policy is intended as a preventive measure to protect against sexual harassment before it occurs. The term “sexual harassment” is intended to mean sexual harassment in the broadest meaning of that term in current popular as well as legal usage. Sexual harassment is deliberate and/or repeated sexual or sex-based behavior that is not welcome and is not requested.

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The California Education Code specifies that a pupil may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment. The SCCOE's educational programs may suspend and/or refer pupils back to their local school district. This policy shall not apply to pupils enrolled in kindergarten and grades one to three.

- A. For purposes of this policy, the conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive as to create an intimidating, hostile, or offensive educational environment or to have a negative impact upon the individual's academic performance.
- B. Teachers and other school personnel shall discuss this policy with students in age-appropriate ways and will assure students that they need not endure any form of sexual harassment.
- C. Any student who feels that he/she has been the victim of sexual harassment by an employee, student or volunteer of SCCOE as defined in this policy and administrative regulations shall immediately report the matter to any school official of the school of attendance. The person receiving the complaint shall immediately report the matter to a school administrator, and an investigation into the complaint will begin.
- D. Any staff member who has knowledge of conduct of SCCOE employees, volunteers, students, or other individuals of the school community which may constitute sexual harassment, is expected to report immediately such conduct to an administrator of the school at which the student is in attendance.
- E. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned. All complaints will be taken seriously and confidentiality will be maintained as appropriate. There shall be no retaliation in any form against any complainant or participant in the complaint process.
- F. All employees and pupils shall be notified of this Board Policy on a regular basis.
- G. To promote an environment free of sexual harassment, the school administrator or designee shall provide staff training and ensure student notification.

An appeal of a SCCOE decision may be made in court through civil law remedies. Complainants should consult an attorney for more information. Contact the school principal if you have any questions or would like additional information.

### **Student Conduct – EC 51100**

#### **Duties of Pupils – 5 CCR 300**

Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language.

#### **Jurisdiction – EC 44807**

Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

## Appendix P: OYA Student, Staff Handbook

### **Mandatory Expulsion Violations – EC 48915**

Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault.
5. Possession of an explosive.

The school board shall order the student expelled upon finding that the student committed the act.

### **Sunscreen and Sun-protective Clothing – EC 35183.5**

Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including but not limited to hats. Pupils may use sunscreen during the school day without a physician's note or prescription.

### **Surveys – EC 51513**

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing.

### **Tobacco-free Campus – Health and Safety Code Sections 104420 and 104495**

In accordance with state and federal law, smoking is prohibited in all SCCOE facilities and vehicles.

All school districts and county offices of education that receive Tobacco Use Prevention (TUPE) funds are required to adopt and enforce a tobacco-free campus policy, to communicate this policy to school staff, parents, pupils and community, and to post signs stating "Tobacco Use Prohibited" at all entrances to the school.

Under Health and Safety Code Section 104495, smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground is prohibited, except on a public sidewalk located within 25 feet of the playground.

### **Uniform Complaint Policy and Procedure – 5 CCR 4600 *et seq.***

Requires annual written notification to pupils, employees, parents, district advisory committee, school advisory committees, and other interested parties of the school district's uniform complaint process. Notice to include the identity of the person(s) responsible for processing the complaints, the civil law remedies that may be available, and the appeal or review procedures contained in the following sections: 5 CCR 4650, Basis of Direct State Interventions, 5 CCR 4652, Appealing Local Agency Decisions, and 5 CCR

## Appendix P: OYA Student, Staff Handbook

4671, Federal Review Rights. Notice to be in English, and when applicable under EC 48985, the primary language or mode of communication of the recipient.

The UCP shall also apply to the filing, investigation and resolution of complaints for noncompliance regarding: discrimination, harassment, intimidation or bullying (EC 234.1); pupil fees (EC 49013); Local Control and Accountability Plans (EC 52075); Every Student Succeeds Act/No Child Left Behind; school safety plans (EC 32289); lactation accommodations (EC 222); education rights of foster, homeless, and former juvenile court school students (EC 48853, 48853.5, 49069.5, 51225.1, and 51225.2); course periods without educational content (EC 51228.3); and physical education instructional minutes (EC 51210 and 51223).

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (EC) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in Section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics; 5) unlawful imposition of pupil fees for participation in educational activities in public schools; 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3; 7) noncompliance with physical education instructional minutes at specified grade levels; 8) inappropriate assignment of a pupil to courses without educational content or previously completed and received a grade sufficient for satisfying the requirements for high school graduation and admission into post-secondary education; 9) noncompliance with education provisions for pupils in foster care, who are homeless, or who are former juvenile court school students; and 10) failure to reasonably accommodate lactating pupils.

A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to the Chief Schools Officer who will coordinate an investigation and response within 60 calendar days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 calendar days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for

## **Appendix P: OYA Student, Staff Handbook**

action by the district when one of the conditions listed in Section 4650 of Title 5 of the California Code of Regulations exists, including cases in which the district has not taken action within 60 calendar days of the date the complaint was filed with the district. If a district is found to have violated a state or federal law and/or regulation, and the District does not take corrective action to comply, then various civil remedies may be available. Contact the Assistant Superintendent of Student Services & Support, at 408-453-6560 for additional information or assistance.

### **Victim of a Violent Crime – 20 United States Code 7912a**

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district. The District has 14 calendar days to offer students the option to transfer. For more information, please contact the Chief Schools Officer at (408) 453-6560.

### **Walking or Riding a Bike to School – Vehicle Code 21212**

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

### **Williams Complaint Policy and Procedure – EC 35186**

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or missed assignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the school office and/or online in the SCCOE Student Services area of the [www.SCCOE.org](http://www.SCCOE.org) webpage. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

## **ADDITIONAL NOTIFICATIONS FOR ELEMENTARY & MIDDLE SCHOOLS ONLY**

### **Career Counseling and Course Selection – EC 221.5(d)**

Commencing in grade 7, school personnel shall assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

### **Entrance Health Screening – Health & Safety Codes 124085, 124100, 124105 and 120475**

State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor within 90 days after entrance to first grade. Pupils may be excluded up to 5 days from school

## **Appendix P: OYA Student, Staff Handbook**

for failing to comply or not providing a waiver. Free health screening is available through the local health department.

### **Oral Health Assessment – EC 49452.8**

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31<sup>st</sup> of the pupil's first school year.

### **School Bus Safety – EC 39831.5**

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (*i.e.*, a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

## **ADDITIONAL NOTIFICATIONS FOR HIGH SCHOOLS ONLY**

### **Access by Military Recruiters – 20 United States Code 7908**

Federal law requires school districts to provide military recruiters the same access to secondary school pupils as is provided to post-secondary educational institutions or to prospective employers. Parents may request that SCCOE not release their pupil's name, address and telephone number without prior written consent. Written notice must be submitted to the school if the parent or legal guardian wishes to deny access to this information.

### **Advanced Placement and International Baccalaureate Exam Fees – EC 52244**

Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both.

### **Algebra I Graduation Requirement**

Prior to receiving a diploma of graduation from high school, pupils shall successfully complete at least one course or a combination of two courses which shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605.

### **California High School Proficiency Exam – Title 5, California Code of Regulations 11523**

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more



## Appendix P: OYA Student, Staff Handbook

information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

### **Career Counseling and Course Selection – EC 221.5(d)**

Commencing grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

### **College and Career Technical Education – EC 51229**

Parents or guardians of students in grades 9 through 12 needs to be aware of the following information on College Admission Requirements and Higher Education:

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school.

In order to attend a community college you need only be a high school graduate or 18 years of age. In order to attend a CSU you have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if your GPA is 3.0 or above. In order to attend a UC you must meet requirements for coursework, GPA, and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. You may also transfer to a CSU or UC after attending a community college. For more information on college

### **Admission requirements please refer to the following webpages:**

[www.ccco.edu](http://www.ccco.edu) – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

[www.assist.org](http://www.assist.org) – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

[www.csumentor.edu](http://www.csumentor.edu) – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu) – This massive website offers information regarding admissions, online application, and links to all UC campuses.

Students may also explore career options through career technical education. These are programs and classes offered by a school that are specifically focused on career preparation and/or preparation for work. The programs and classes are integrated with academic courses and support academic achievement. Students can learn more about career technical education by referring to the following webpage: [www.cde.ca.gov/ds/si/rp](http://www.cde.ca.gov/ds/si/rp).

## **Appendix P: OYA Student, Staff Handbook**

Students may meet with their school principal and/or school counselor to choose courses at their school that will meet college admission requirements, or enroll in career technical education courses, or both.



## 2020-21 Acknowledgements of Receipt and Review

Dear Parent/Guardian:

The Santa Clara County Office of Education is required to annually notify parents and guardians of rights and responsibilities in accordance with Education Code 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact the principal at your student’s school. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Please complete the “Acknowledgement of Receipt and Review” form below, and return it to your student’s school.

---

### Acknowledgement of Receipt and Review

Pursuant to Education Code 48982, the parent/guardian shall sign this notice and return it to the school. Signature on the notice is an acknowledgment by the parent or guardian that he or she has been informed of his or her rights but does not necessarily indicate that consent to participate in any particular program or activity has been given or withheld.

Student Name: \_\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone Number: \_\_\_\_\_

---

Signature of Parent/Guardian (if student is under 18)

---

Signature of Student (if student is 18 or older)



**OPPORTUNITY  
YOUTH  
ACADEMY**

Santa Clara County  Office of Education

**“Ready to Learn, Ready to Work and Ready to Live”**

County Board of Education

Joseph Di Salvo

Peter Ortiz

Rosemary Kamei

Kathleen M. King

Grace H. Mah

Claudia Rossi

Victoria Chon

County Superintendent of Schools

Mary Ann Dewan, Ph.D.

Santa Clara County  Office of Education

1290 Ridder Park Drive San Jose, CA 95131-2304

[www.sccoe.org](http://www.sccoe.org)

**Appendix P: OYA Student, Staff Handbook**

# **COMPREHENSIVE SCHOOL SAFETY PLAN**

**Santa Clara County Office of Education County**

**Opportunity Youth Academy**

**2020-2021**

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# **SANTA CLARA COUNTY OFFICE OF EDUCATION**

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Member Kathleen King, Vice-President  
Member Rosemary Kamei  
Member Peter Ortiz  
Member Joseph Di Salvo  
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Anisha Munshi, Ed.D  
Assistant Superintendent- Professional Learning & Instructional Support

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# Investing for IMPACT – Mission, Vision, Goals & Values

Santa Clara County  Office of Education

I N V E S T I N G F O R



EQUITY • DIVERSITY • INCLUSION • PARTNERSHIP

## Vision

Transforming Education through  
Leadership, Service, and Advocacy

## Mission

The Santa Clara County Office of Education  
is committed to serving, inspiring, and  
promoting student and public school success.

## Goals

Improve access to inclusive, equitable, high-quality education.  
Provide quality support to districts, schools, students, and communities.  
Be a premier service organization.

## Values

Students First	Focus on Student Success
Collaboration	Leverage Collective Capacity
Innovation	Champion Creative Thinking
Service	Exceed Expectations
Strengths-Based	Engage Strengths to Improve Results

Santa Clara County Office of Education

## Opportunity Youth Academy

### COMPREHENSIVE SCHOOLS SAFETY PLAN:

Opportunity Youth Academy Safety Committee Evaluation and  
Certification

**2020-2021**

California law requires the Comprehensive School Safety Plan of each school to be annually evaluated and amended, as needed, to ensure the plan is being properly implemented (Education Code 35294.2[e]). An updated file of all safety-related plans and materials is maintained by Opportunity Youth Academy and is readily available for inspection by the public.

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in

Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

- Assessment of school crime committed on school campuses and at school-related functions
- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at:

<https://tinyurl.com/oja-website>

Date of Adoption:

Date of Update: 12/01/2020

Date of Review:

- A. With Staff – 12/04/2020
- B. With Law Enforcement
- C. With Fire Authority

Approved by:

Name	Title	Signature	Date
Phil Morales	Director		
Christina Ramos	President of School Site Council		
Mary Ann Dewan	OYA Board President		

# INTRODUCTION

## SCHOOL PROFILE

Opportunity Youth Academy (OYA) is a county-wide benefit charter designed to address the needs of high school dropouts in Santa Clara County. OYA serves students from ages 16 through 24 who have been disengaged from school and seek to return to a school setting to complete their high school diploma. OYA re-engages students through an innovative curriculum that integrates technology with academics and workforce preparation in a blended learning environment.

Referred to as Opportunity Youth, our students are typically over-age and under-credited, and our students share a common background of struggling in traditional schools and failing to keep up with their intended graduating cohort. Opportunity Youth are also defined as disengaged from the workforce, and all interested students enrolled in Opportunity Youth Academy receive workforce training, certification and job placement through our partnership with local workforce education providers.

OYA schools are designed as small, individualized, and relevant to today's workforce needs. OYA schools run year-round, and students may enroll at any time. Students attend OYA sites between one and 20 hours a week for individualized attention and differentiated instruction in addition to completing up to 20 hours a week of independent work via online curriculum.

## School Crime Status and Reporting

### **Safe/Orderly School Environment**

Opportunity Youth Academy classrooms are single classroom learning labs, an open space with desktop computer stations, group work tables and independent study areas. Students sign in and out of the classroom, and are expected to adhere to the school's behavior expectations and rules. Many OYA classrooms are located within larger facilities owned and operated by outside (non-SCCOE) entities that provide space to Opportunity Youth Academy and may have additional site rules and security protocols.

Opportunity Youth Academy School Staff are committed to the safety of the classroom environment. All staff are assigned to supervise students upon entrance, breaks, and exit from the classroom. An administrator or Teacher in Charge is involved in all major student discipline issues.



## Suspensions and Expulsions

As a voluntary independent study program, OYA does not suspend or expel. Students in need of behavioral intervention receive support from site navigators and teachers, and student behavior contracts may be created when necessary to outline expected behaviors conducive to student success.

## Personal Characteristics of Students

Enrollment and demographics at Opportunity Youth Academy are as follows:

<b>Student Enrollment</b>	<b>339</b>
Socioeconomic Disadvantaged	76%
English Language Learners	30.7%
Students with Disabilities	21.8%
Foster Youth	9.1%

<b>Ethnicity</b>	<b>Percentage</b>
American Indian/Alaskan Native	.88%
Asian	2.7%
Pacific Islander	.29%
Filipino	.29%
Hispanic/Latino	86.4%
African American	5%
White	2.7%
Multiple Races	1.8%

# PHYSICAL ENVIRONMENT

## **The Schools' Location and Physical Environment**

Opportunity Youth Academy has six classroom sites located throughout Santa Clara County. Three sites are classroom spaces within larger facilities, where students first enter the larger facility to access the OYA classroom. One classroom site is street-level space with doors that lead directly to the outside.

## **Description of School Grounds and Maintenance of School Buildings/Classrooms**

Grounds and Maintenance at all sites is the responsibility of the non-SCCOE landlord, including mandated health and fire department expectations. OYA staff periodically examine the site's physical facility to help eliminate or report to the landlord any obstacles to student safety.

OYA classrooms are monitored for safety and appearance by the administration and staff, and, during the hours of classroom operation, staff members provide supervision. The students and staff take pride in the appearance of the learning space, and OYA's classroom sites are well maintained and generally look neat and clean.

## **Internal Security Procedures**

The Santa Clara County Office of Education has established procedures in the following areas: suspension and expulsion procedures, inventory system, and additional pertinent data will be found in the School Accountability Report Card to be published in February 2021.

Because Opportunity Youth Academy receives the most vulnerable of students, our first priority is the safety of our campus. Opportunity Youth Academy has taken steps to develop a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution.

Students in Opportunity Youth Academy receive an hour-long, one-on-one orientation with an OYA navigator, where behavioral expectations are established and the student (and parent/guardian, if the student is a minor) signs the school compact. The OYA navigator also conducts a needs assessment to determine any barriers to schooling the student may be experiencing, such as difficulties with employment, housing, food, child care, transportation or substance abuse. OYA navigators work with agency partners to provide resources for the student to help navigate the obstacles to school re-engagement. OYA believes that a safe learning environment is one where whole-student supports are provided by caring staff who know the student well.

OYA staff and navigators from agency partners meet bimonthly to discuss student needs and plan appropriate interventions to facilitate student success. When necessary, staff will convene behavior intervention meetings with the student (and parents/guardians if the student is a minor) to outline a behavior contract for the student's continued positive participation.

OYA staff and administrators contribute to a positive school climate, promote positive student behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each student identified under E.C. 49079.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive student conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the student's misbehavior.

Opportunity Youth Academy maintains a copy of SCCOE's sexual harassment policy in the Comprehensive School Safety Plan at each site, and the policy is available on request in Student Services at the Santa Clara County Office of Education. SCCOE's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by students.

Included at the end of this School Safety Plan are site maps indicating safe entrance and exit areas for students, parents and school employees. All exits are clearly marked within OYA classrooms and the facilities in which they may be located.

To ensure the safety of students and staff, all visitors and students shall sign in immediately upon entering the OYA classroom during normal hours of operation. SCCOE employees not assigned to Opportunity Youth Academy shall wear appropriate identification badges while on campus conducting business.

Additional internal security procedures affecting the integrity of the school facility include: telephones in every classroom and a security system operational during non- school hours.

# SCHOOL CLIMATE

## **The School's Social Environment**

Leadership at Opportunity Youth Academy is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Opportunity Youth Academy toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

## **Classroom Organization and Structure**

Opportunity Youth Academy teachers create a learning community that incorporates small group instruction and one-on-one teaching in a blended learning environment.

The teachers at Opportunity Youth Academy are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all students. Classrooms and teachers provide safe, orderly learning environments, enhance the experience of learning, and promote positive interactions between students and staff. Instructional time is maximized and disruptions are minimized.

## **The School's Cultural Environment**

There is a high level of cohesiveness among the staff members at Opportunity Youth Academy. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show support for all students. The academic and behavior efforts of students are recognized and rewarded.

All students are expected to behave in a manner that promotes safety and order. Students are encouraged to bring problems to their teacher, navigator, counselor, principal or other staff members. The daily goal for the staff is to be proactive rather than reactive in all situations of concern.

Community involvement is encouraged to help increase school safety. During every student's enrollment process, parents and guardians are extended an invitation to participate in meetings at Opportunity Youth Academy as well as participate in their child's classroom activities.

# SAFETY STRATEGIES

## **Introduction**

Safe Schools are orderly and purposeful places where students and staff are free to learn and teach without the threat of physical and psychological harm. Opportunity Youth Academy promotes educationally and psychologically healthy environments for all students.

Opportunity Youth Academy recognizes there are comprehensive, broad factors directly related to a safe school environment such as the school facility, school programs, staff, parents and the community. Opportunity Youth Academy further recognizes that safe school practices make major contributions to academic and school improvement efforts.

Although keeping students safe requires a community-wide effort, schools are an important piece of the undertaking to keep students safe. Opportunity Youth Academy's efforts are illustrated below which broaden the safety planning and incorporate an expansive range of strategies and programs in the school safety plan.

## **SCHOOL SAFETY STRATEGY #1**

*Positive student interpersonal relations are fostered by teaching social-personal skills, encouraging students to feel comfortable assisting others to get help when needed and teaching students alternative, socially appropriate replacement responses to violence, including, but not limited to problem solving and anger control skills. When appropriate, staff members shall make referrals to recognized community agencies and/or counseling and mental health resources in the community to assist students and families. The school uses a variety of methods to communicate to students, parents, and the greater community that all students are valued and respected, and to promote meaningful parental and community involvement.*

### **Parent/Guardian Involvement**

Staff members in effective and safe schools make persistent efforts to involve parents/guardian by: informing them about discipline policies, procedures, and rules, and about their student's behavior, desirable and undesirable; involving them in making decisions concerning school-wide disciplinary policies and procedures; and encouraging them to participate in prevention programs, intervention programs and crisis planning.

### SCCOE Schools

- effectively use the School Site Council
- notify parents about, and encourages participation in parenting programs.
- have established a school visitation procedure.
- use the School Accountability Report Card as a procedure to communicate to parents.
- provide several opportunities for parent updates and parent-teacher conferences.

Each classroom is arranged to help prevent aggressive behavior. High traffic areas are free of congestion. Students are in full view of the teacher so the teacher can easily monitor students' behavior. Teaching materials and student supplies are readily accessible to minimize student-waiting time. Seats are arranged so students can easily see instructional presentations and to reduce the opportunity for off-task behavior.

### Community Linkages

The Santa Clara County Office of Education advocates for the provision of community resources to help maximize the development of positive behavior and the suppression of antisocial behavior. When working with parents and students with specific issues, the staff at Opportunity Youth Academy will provide information to the families regarding available community resources.

As appropriate, students shall be informed about agencies that offer qualified professional assistance with substance abuse, physical or emotional problems, or other personal problems.

### Student Success Teams

School communities can enhance their effectiveness by identifying factors that result in violence and other problem behaviors. Collaborative problem-solving teams are viewed as essential to successful prevention and intervention with aggressive behavior. Santa Clara County Office of Education schools utilizes a student success team to help address issues of problem behavior. These problem-solving efforts coordinate information from the student, staff, parents, and when appropriate, involved community-based agencies, in order to coordinate interventions for student success and help identify, clarify, analyze and resolve issues concerning student, educational and familial concerns.

## **Preventing and Intervening: Student Aggressive Behavior**

Creating a safe school requires having in place many preventive measures for student's mental and emotional problems. Schools can reduce the risk of violence by teaching students appropriate strategies for dealing with feelings, expressing anger in appropriate ways and resolving conflicts. Staff members at Opportunity Youth Academy have received training in trauma-informed care and Pro-Act de-escalation strategies.

SCCOE also recognizes the needs for a prompt and effective response when students are confronted with a traumatic incident. Early identification and intervention practices shall be enacted to help identify those students who may be at risk for violence so that support may be provided before the student engages in violent or disruptive behavior.



## **Student Recognition Programs**

Opportunity Youth Academy celebrates student graduation and offers incentive programs throughout the year to recognize students on an ongoing basis for academic and personal progress.

## **SCHOOL SAFETY STRATEGY #2**

*Procedures, programs and strategies are used to help eliminate problems of bias or unfair treatment of students by staff and by peers because of ethnic group, gender, race, national origin, social class, religion, disability, sexual orientation, physical appearance, color, ancestry, parental status, or other relevant characteristics. The school provides a way for each student to safely report and, be protected after reporting, troubling behaviors that the student thinks may lead to dangerous situations, such as potential school violence.*

### **Nondiscrimination and Fair Treatment of Students**

A major source of conflict in many schools is the perceived or real problem of bias and unfair treatment of students because of ethnicity, gender, race, social class, religion, disability, nationality, sexual orientation, physical appearance, or some other factor. Effective schools convey the attitude that all students can achieve academically and behave appropriately, while at the same time appreciating individual differences. Effective schools communicate to students and the greater community that all students are valued and respected.

In order to maximize the successful education of all students and help them become productive citizens and lifelong learners in a diverse society, all individuals including students, parents, staff, and community members:

- shall be treated with dignity, respect and fairness;
- shall encourage and maintain high expectations;
- shall model an appreciation for socio-economic, cultural, ethnic, gender and religious diversity;
- shall contribute to an environment of mutual respect, caring and cooperation.

## **Discipline Policy and Code**

Effective and safe schools develop, and consistently enforce, school-wide rules that are clear, broad-based, and fair. School safety can be enhanced by the development of a school-wide disciplinary policy that includes conduct, specific rules and consequences that can accommodate student differences on a case- by-case basis when necessary. Discipline consequences should be commensurate with the offense, should be written, applied in a nondiscriminatory manner, and accommodate cultural diversity. Direct teaching and social problem solving and social decision-making is now a standard feature of effective drug and violence prevention programs.

SCCOE uses both classroom and school-wide discipline codes that clearly communicate the behavioral expectancies and consequences for students. Staff have developed plans to promote positive behaviors in the classroom and within the larger facilities where some OYA classrooms are located.

## **SCHOOL SAFETY STRATEGY #3**

*Opportunity Youth Academy's administrators, teachers, families, students, support staff, and community members recognize and make appropriate use of the early warning signs related to violence, substance abuse, and other at-risk concerns.*

## **Disaster Planning**

The staff of Santa Clara County Office of Education shall increase school safety by evaluating and addressing serious behavioral and academic concerns. Weapons (on campus and in the community), bomb threats, explosives, fights, natural disasters, accidents, and suicides call for immediate, planned action, and long-term, post-crisis intervention. Planning for such contingencies reduces chaos and trauma.

The schools benefit from the Santa Clara County Office of Education's Earthquake Disaster Crisis Response Plan (EDCR). The EDCR Plan includes information on how to respond to a crisis. Risk factors, response and contingency plans, quick response designs, parent contacts, debriefing, suicide/threat response, violence/aggression response and training/drills to become aware of warning signs are among the areas addressed.

## **Gang Affiliation**

Gang affiliation and gang activity will not be tolerated at any SCCOE school. The staff at Opportunity Youth Academy shall work with the Gang Unit regarding all issues and matters that are gang related. Information from the school and the community shall be communicated to the student's parents, if the student begins to make gang affiliations. Appropriate prevention and intervention strategies and programs shall be offered to the families.

## **Drug and Violence Prevention Programs**

The staff at Opportunity Youth Academy participate in community organizations such as the Mayor's Gang Prevention Task Force and the Clean Slate program that work within the Santa Clara County to reduce drug use and community violence. OYA staff work with students' probation officers, social workers and case managers to share information and monitor students' success. OYA students may be referred to local agencies for participation in drug and violence prevention programs.

# RULES AND PROCEDURES

## PROCEDURES TO ENSURE A SAFE AND ORDERLY ENVIRONMENT

### **Elements of a Good Discipline Program**

1. The program is focused upon making the entire campus, especially the classroom, a safe supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with state law and SCCOE policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
  - by all staff members at all times
  - strictly, but not rigidly
  - in substantial part by adult modeling
  - using techniques that promote the growth of positive self-esteem
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

## Family and Children Services Interviews of Students

### **Santa Clara County Department of Family and Children's Services**

The Court hereby authorizes the Santa Clara County Department of Family and Children's Services to conduct an initial interview of students suspected of being the victims of child abuse or neglect on school premises pursuant to Penal Code 11174.3.

Pursuant to *Greene v. Camreta* (2009) 588 F.3d 1011, any such interviews shall be conducted without the involvement of law enforcement and shall not be for the purpose of acting as an agent for a law enforcement investigation.

The purpose of the interview is to determine what protective measures, if any, are necessary to ensure the safety and well-being of the suspected victim. The interview shall not exceed the amount of time necessary to make that determination.

As provided in Penal Code 11174.3, the child shall be afforded the option of being interviewed in private or selecting any adult who is a member of the staff of the school, including any certificated or classified employee or volunteer aide, to be present at the interview. The purpose of the staff person's presence shall be to lend support to the child and enable him or her to be as comfortable as possible. However, the staff member shall not participate in the interview. The member of staff shall not discuss the facts of the case or circumstances with the child. The staff member is governed by the statutory confidentiality requirements contained in Penal Code 11174.3.

This order shall be in effect after the Department of Family and Children's Services has either attempted to obtain parental consent for the interview or has determined that seeking parental consent may endanger the safety or well-being of the child.

This order does not limit the cross reporting requirements of Penal Code section 11166, which shall be followed as directed by statute.

## PROCEDURES FOR NOTIFYING TEACHERS ABOUT DANGEROUS STUDENTS

Pursuant to Education Code 48267, the Santa Clara County Probation Department notifies the Students Services Branch of the Santa Clara County Office of Education regarding students who have engaged in certain criminal conduct. This information is forwarded to the principal's office. The principal/designee is responsible for prompt notification of the student's teachers. This information is also often forwarded to all administrators.

## Confidential Memorandum

Date

TO:

FROM: Principal

SUBJECT: Students having committed specified crime

The student named below has been convicted of a penal code violation.

Welfare and Institutions Code 827 requires teachers to be informed when a student has engaged in certain criminal conduct.

NOTE: SUCH INFORMATION IS CONFIDENTIAL AND CANNOT BE FURTHER DISSEMINATED BY THE TEACHER OR OTHERS. UNLAWFUL DISSEMINATION OF THIS INFORMATION IS PUNISHABLE BY A SIGNIFICANT FINE.

PLEASE DESTROY THIS NOTE IMMEDIATELY AFTER READING.

\_\_\_\_\_ was found to have committed the following criminal activity:

If you have any questions, please see me.



## SUSPECTED CHILD ABUSE REPORTING PROCEDURES

### II. Initiating the Report

- A. The report is initiated by a telephone report to the appropriate agency.
- B. Call 9-1-1 for immediate emergencies.
- C. If the suspected child abuse has taken place within the family, call the Santa Clara County Department of Family and Children's Services' (DFCS) Child Abuse and Neglect Center (CANC) at:
  - **Central County** (408) 299-2071
  - **South County** (408) 683-0601
  - **North County** (650) 493-1186
- D. Content of call.
  1. Name, address and age of child involved.
  2. Clear description of suspected abuse or neglect.
  3. Note the name of the screening social worker who took the call and any instructions given.

### III. Written Report

- A. A written report must follow the phone call within 36 hours.
- B. Complete a Suspected Child Abuse Report (SCAR) form (SS 8572) available:
  1. in the Principal's office;
  2. online at [http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf);
  3. in the SCCOE Human Resources, call (408) 453-6574; or
  4. contact DFCS at (408) 299-2071 for a form.
- C. Mail or fax the report to DFCS at 373 West Julian, San Jose, CA 95110, fax (408) 975-5561. For questions, call (408) 501-6300.
- D. Keep a copy of the SS 8572 for your records

### IV. Internal Reporting

- A. Employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Santa Clara County Superintendent of Schools or designee.
- B. If an employee has knowledge of or reasonably suspects that another County Office employee or an individual who works with or has contact with students on campus has or is engaged in conduct that may be an indication of suspected child abuse or neglect, they must take the following actions:

1. File a Suspected Child Abuse Report by telephone to DCFS;
2. Submit a Suspected Child Abuse Report form (SS 8572) within 36 hours;
3. Immediately notify their supervisor of the alleged inappropriate conduct;
4. If the allegation involved the site administrator, the employee is to contact the program director.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is not discharged by report to supervisors or administrators.

## WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to your Principal or Teacher-in-Charge.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. If applicable and appropriate, call the student's probation officer, social worker or case manager. Keep a log of your calls.
3. Talk privately to the student about your concerns.
4. Discuss concerns and possible interventions for the student with teachers and navigators at the Student Success Team meetings.
5. Behavior concerns: Look for patterns of behavior that may warrant school intervention and document incidents in Aeries. Serious infractions (fighting, threats, etc.) do result in students being sent home and parents of minors notified. In addition, students may be cited by law enforcement.
6. Academic Concerns: Consult transcript of student, work production logs, any previous IEPs or 504s and any formative or summative assessments, including California state tests and school unit or benchmark exams. You may want to ask the grade level administrator to schedule a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist.

## ASSAULT

Penal Code  
PC 245.5 00245.005

Assaults against school employees; punishment

- (a) Every person who commits an assault with a deadly weapon or instrument, other than a firearm, or by any means likely to produce great bodily injury upon the person of a school employee, and who knows or reasonably should know that the victim is a school employee engaged in the performance of his or her duties, when that school employee is engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for three, four, or five years, or in a county jail not exceeding one year.
- (b) Every person who commits an assault with a firearm upon the person of a school employee, and who knows or reasonably should know that the victim is a school employee engaged in the performance of his or her duties, when the school employee is engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for four, six, or eight years, or in a county jail for not less than six months and not exceeding one year.
- (c) Every person who commits an assault upon the person of a school employee with a stun gun or Taser, and who knows or reasonably should know that the person is a school employee engaged in the performance of his or her duties, when the school employee is engaged in the performance of his or her duties, shall be punished by imprisonment in a county jail for a term no exceeding one year or by imprisonment in the state prison for two, three, or four years.

This subdivision shall not be construed to preclude or in any way limit the applicability of Section 245 in any criminal prosecution.

- (d) As used in the section, "school employee" means any person employed as a permanent or probationary certificated or classified employee of a school district on a part-time or full-time basis, including a substitute teacher. "School employee," as used in this section, also includes a student teacher, or a school board member. "School," as used in this section, has the same meaning as that term is defined in Section 626.

(Amended by Stats. 1992, Ch. 334, Sec.1.)

## ATTENDANCE

The Santa Clara County Office of Education believes that regular attendance plays an important role in student achievement. SCCOE also recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of students 16 to 18 are obligated to send their students to school unless otherwise provided by law. SCCOE shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law.

## BEHAVIOR

The Governing Board and County Superintendent believe that all students have the right to be educated in a positive learning environment free from disruptions. On school grounds and at school activities, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program.

Behavior is considered appropriate when students are diligent in study, careful with school property, courteous and respectful towards their teachers, staff, students and volunteers.

While in the classroom, students will be expected to conduct themselves as if they were on a job.

Prohibited student conduct includes but is not limited to:

1. Behavior that disrupts the orderly classroom or school environment
2. Behavior that endangers teachers, staff, parents, volunteers and/or students
3. Harassment of students or staff, including bullying, intimidation, hazing, or any other verbal, written or physical conduct that causes or threatens to cause bodily harm or emotional suffering
4. Damage, loss or theft of property belonging to the SCCOE, teachers, staff, parents, volunteers and/or students
5. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose, including employment
6. Profane, vulgar or abusive language
7. Plagiarism or dishonesty in school work or on tests
8. Inappropriate dress
9. Tardiness and unexcused absences from school
10. Failure to remain on school premises in accordance with school rules
11. Failure to follow safety procedures

## BULLYING

The Santa Clara County Office of Education believes that all students have a right to a safe and healthy school environment. The schools and community have an obligation to promote mutual respect, tolerance, and acceptance.

SCCOE will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions. Such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling and social isolation or manipulation.

Students and/or staff are expected to immediately report incidents of bullying to the principal or designee. Staff are to immediately intervene when they see a bullying incident occur. Each complaint of bullying should be promptly investigated.

To ensure safety for all students on all SCCOE campuses teachers should discuss bullying with their students. Students who bully are in violation and are subject to disciplinary action up to and including expulsion.

Students are expected to immediately report incidents of bullying to the principal or designee.

## BULLYING PREVENTION

The following prevention tips are used by the schools within the Santa Clara County Office of Education.

Students:

1. If bullied, bring it to the attention of an adult.
2. Tell a teacher, counselor, principal or have parents talk to the school.
3. Do not retaliate or get angry.
4. Respond evenly and firmly or say nothing and walk away.
5. Act confident.
6. Avoid unsupervised areas of school.

Parents:

1. Encourage your child to share problems with you.
2. Maintain contact with the school. Keep a detailed record of bullying episodes and communication with the school.
3. Encourage your child to participate in activities to improve self-esteem.

Schools:

1. Establish and enforce classroom and school rules against bullying.
2. If necessary, establish a bullying prevention committee to create a long-term anti-bullying plan and raise school awareness. Involve parents in planning, discussions and action plans.



## CAMPUS VISITORS

All school visitors are required to check in at the classroom site as soon as they arrive.

Parents who have a complaint are to request an appointment with the Principal or designee. No disruption of school activities or verbal/physical assaults will be tolerated by visitors on campus. (*E.C.44810 and 44811*) Administration has the authority to direct non-students to leave campus. (*Penal Code Section 626.6*)

Administration may also direct persons to leave campus whose presence interferes with school activities, unless such person is a parent of a child attending that school, is a student of the school, or has prior written permission of school administration. (*Penal Code Section 626.8*)

## CODE OF SAFETY AND CONDUCT

The Santa Clara County Office of Education recognizes the importance of providing a safe school environment that is conducive to learning and helps ensure student safety and the prevention of student injury. Appropriate practices have been implemented to minimize the risk of harm to students, including, but not limited to, practices relative to school facilities and equipment, the outdoor environment, educational programs, and school-sponsored activities.

Staff is responsible for the proper supervision of students during school hours and school-sponsored activities.

The Santa Clara County Office of Education shall ensure that students receive appropriate instruction on topics related to safety, as well as injury and disease prevention where applicable.

## COMMUNICATIONS HOME/SCHOOL

The Santa Clara County Office of Education recognizes that notifications are very important to effectively communicate between the school and the home. The Superintendent or designee shall send students and parents/guardians all notifications required by law, including notifications about their legal rights, and any other notifications he/she believes will promote parental understanding and involvement.

Communication is available in English and Spanish, as well as other languages when necessary or appropriate for effective communication.

## COMMUNICATIONS PARENT/SCHOOL

The Santa Clara County Office of Education recognizes that parent communication between the parent and the school is important. Parents are invited to telephone their student's school for information regarding their child. Parents are invited to participate in OYA's School Site committee and ELAC committees.

Communication is available in English and Spanish, as well as other languages when necessary or appropriate for effective communication.

## CONFLICT RESOLUTION

To promote student safety and contribute to the maintenance of a positive school climate, the Santa Clara County Board of Education encourages the development of school-based conflict resolution programs designed to help students learn constructive ways of handling conflict. SCCOE believes that programs can reduce violence and promote communication, personal responsibility and problem-solving skills among students.

## CLASSROOM DISRUPTION/INSUBORDINATION

If The Santa Clara County Superintendent of Schools or the Principal of a school in which a student is enrolled determines that a student has disrupted school activities or otherwise willfully defined the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, the student may be sent home, the behavior documented and the parent notified. In addition, the student may be placed on a behavior contract and required to participate in other interventions and supports.

## GUIDANCE

The Santa Clara County Office of Education shall ensure that students are provided with academic counseling. This will help students establish immediate and long-range educational plans, achieve academic standards, and complete the required curriculum in accordance with their individual needs, abilities, and interests. Parents/guardians shall be included when making educational plans as much as possible.

The guidance counselor will assist students to plan for the future and become aware of their career potential.

Counseling staff shall identify and work with students whose personal problems may prevent them from reaching their potential. As appropriate, students shall be informed about agencies that offer qualified professional assistance with substance abuse, physical or emotional problems, or other personal problems.

SCCOE also recognizes the needs for a prompt and effective response when students are confronted with a traumatic incident. Early identification and intervention shall be developed to help identify those students who may be at risk for violence so that support may be provided before the student engages in violent or disruptive behavior.

## SAFE INGRESS TO AND EGRESS FROM SCHOOL

All students arrive by independent means to the classroom site. Non-SCCOE site staff supervise students when entering and exiting the facility. For sites with direct access to the outside, OYA staff supervises students as they enter and exit through the classroom door.



## FOOD/DRINKS ON CAMPUS

Opportunity Youth Academy students spend, on average, between one and four hours a day engaged in independent study at OYA sites. OYA provides free snacks to students on an as-needed basis. OYA does not participate in a school lunch program.

## SCHOOL HEALTH COUNCIL/COMMITTEE

The Superintendent or designee may appoint a school health council or other committee consisting of representatives of the following groups: parents/guardians, students, school food service professionals, school administrators, County Office representatives, and members of the public. The council or committee may also include SCCOE administrators, health professionals, school nurses, health educators, physical education teachers, counselors, and/or others interested in school health issues.

The school health council or committee shall assist with policy development and advise SCCOE on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the council's charges may include planning and implementing activities to promote health within the school or community. (42 USC 1751)

## CRIME REPORTING

### Education Code 48902

- (a) The principal of a school or the principal's designee shall, prior to the suspension or expulsion of any student, notify the appropriate law enforcement authorities of the county or city in which the school is situated, of any acts of the student that may violate Section 245 of the Penal Code.
- (b) The principal of a school or the principal's designee shall, within one school day after suspension or expulsion of any student, notify, by telephone or any other appropriate method chosen by the school, the appropriate law enforcement authority of the county or the school district in which the school is situated of any acts of the students that may violate subdivision (c) or (d) or Section 48900.
- (c) Notwithstanding subdivision (b), the principal of a school or the principal's designee shall notify the appropriate law enforcement authorities of the county or city in which the school is located of any acts of a student that may involve the possession or sale of narcotics or of a controlled substance or a violation of Section 626.9 or 626.10 of the Penal Code.
- (d) A principal, the principal's designee, or any other person reporting a known or suspected act described in subdivision (a) or (b) is not civilly or criminally liable as a result of a making any report authorized by this article unless it can be proven that a false report was made and that the person knew the report was false or the report was made with reckless disregard for the truth or falsity of the report.
- (e) The willful failure to make any report required by this section is an infraction punishable by a fine to be paid by the principal or principal's designee who is responsible for the failure of not more than five hundred dollars (\$500).
- (f) The principal of a school or the principal's designee reporting a crime act committed by a school age individual with exceptional needs, as defined in Section 56026, shall ensure that copies of the special education and disciplinary records of the pupil are transmitted, as described in paragraph (9) of subsection (k) of Section 1415 of Title 20 of the United States Code, for consideration by the appropriate authorities to whom he or she reports the criminal act. Any copies of the student's special education and disciplinary records may be transmitted only to the extent permissible under the federal Family Education Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g et seq.).
- (g) The principal of a school or the principal's designee shall, notify the appropriate law enforcement authorities of the county or city in which the school is located of any acts of a student that may involve the possession or sale of narcotics or of a controlled substance or a violation of Section 626.9 or 626.10 of the Penal Code.

## ZERO TOLERANCE

Although the term “zero tolerance” does not appear in law, the federal Gun-Free Schools Act (20 USC 7151) requires that a student who brings a firearm to school be expelled for one year. Education Code 48915(c) also requires the mandatory suspension and recommendation for expulsion of students who possess, sell or furnish, brandish a knife\*, sell a controlled substance, commit or attempt to commit a sexual assault or sexual battery, or possess an explosive.

The Santa Clara County Office of Education supports a zero tolerance approach to serious offenses. This enables the removal of potentially dangerous students from the classroom to a top priority and ensures the standardized treatment of all studen

*\*Per California Education Code 4815(g) a knife is defined as: Any dirk, dagger, or other weapon with a fixed sharpened blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.*

# EMERGENCY PROCEDURES

## INITIAL RESPONSE TO EMERGENCIES

When an emergency situation occurs, school personnel must quickly determine what initial response actions are required. Determining the appropriate actions to take is a three-step process: 1) identify the type of emergency; 2) identify the level of emergency; and 3) determine immediate action(s) that may be required. Each of these steps is discussed below.

### IDENTIFY TYPE OF EMERGENCY

The first step in responding to an emergency is to determine the *type* of emergency that has occurred. Emergency procedures for the 18 different types of emergencies are listed below:

- Aircraft Crash
- Animal Disturbance
- Armed Assault on Campus
- Biological or Chemical Release
- Bomb Threat
- Disorderly Conduct
- Earthquake
- Earthquake During Non-School Hours
- Explosion/Risk of Explosion
- Fire in Surrounding Area
- Fire on School Grounds
- Flooding
- Loss or Failure of Utilities
- Motor Vehicle Crash
- Psychological Trauma
- Suspected Contamination of Food or Water
- Threat of Violence
- Unlawful Demonstration/Walkout

## IDENTIFY LEVEL OF EMERGENCY

The second step in responding to an emergency is to determine the *level* of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, a three- tiered rating system is described below.

**Level 1 Emergency:** A *minor emergency* that is handled by school personnel without assistance from outside agencies, such as a temporary power outage, a minor earthquake, or a minor injury on campus.

**Level 2 Emergency:** A *moderate* emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving the dispersion of a potentially hazardous material, e.g., “unknown white powder”.

**Level 3 Emergency:** A major emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

## DETERMINE IMMEDIATE RESPONSE ACTIONS

Once the type and extent of an emergency has been identified, school personnel can determine if an *immediate response action* is required. The most common immediate response actions initiated during school emergencies are:

- Drop, Cover, and Hold
- Shelter- In-Place
- Lock Down
- Evacuate Building
- Off-Site Evacuation
- All Clear

Procedures for each of these are below.



## DROP, COVER, AND HOLD

This action is taken to protect students and staff from flying or falling debris.

Description of Action:

1. The teacher(s) will make the following announcement to students. The teacher(s) should be calm, convey reassuring comments that the situation is under control and give clear directions.

*“Some seismic activity. For everyone’s protection, all students should follow staff drop, cover, and hold procedures, which mean you should DROP where you are, onto your hands and knees, and crawl to shelter nearby. Find a sturdy table or desk and crawl underneath if for shelter. COVER you head and neck with one arm and hand. HOLD on until shaking stops.”*

2. Teacher(s) and students should move away from windows.
3. Teacher(s) should notified site administration once shaking ends.
4. Teacher(s) should notified parents of minors.

## SHELTER-IN-PLACE

This action is taken to place and/or keep students indoors in order to provide a greater level of protection from airborne contaminants in outside air. Shelter-in-Place is implemented when there is a need to isolate students and staff from the outdoor environment, and includes the shutdown of classroom and/or building HVAC systems. During Shelter-in-Place, no one should be exposed to the outside air.

The difference between Shelter-in-Place and Lock Down is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building. However, classes in bungalows and buildings with exterior passageways will have to remain in the classroom.

### Description of Action:

1. The Teacher will make the following announcement to students. The Teacher should be calm, convey reassuring comments that the situation is under control and give clear directions.

*“Your attention please. Because we have received information regarding a hazard in the community, we are instituting shelter-in-place procedures. Remember, this means students and staff are to remain inside the building away from outside air with windows and doors securely closed and air conditioning units turned off. All students and staff that are outside are to immediately move to the protection of an inside room. As soon as we have further information, we will share it with you.”*

2. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (such as auditorium, library, cafeteria, or gymnasium). Teachers should consider the location and proximity of the identified hazard and, if necessary, proceed to an alternative indoor location.
3. Teachers are responsible to secure individual classrooms whereas the Security/Utilities Team will assist in completing the procedures as needed: shut down the classroom/building(s) HVAC system; turn off local fans in the area; close and lock doors and windows; seal gaps under doors and windows with wet towels or duct tape; seal vents with aluminum foil or plastic wrap, if available; and turn off sources of ignition, such as pilot lights.

## LOCK DOWN

This action is taken when the threat of violence or gunfire is identified or directed by law enforcement and it is necessary to prevent the perpetrator(s) from entering occupied areas. During Lock Down, students are to remain in the classrooms or designated locations at all time.

The difference between Shelter-in-Place and Lock Down is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building whereas during Lock Down, students are to remain in the classrooms or designated locations at all time.

### Description of Action:

1. The Teacher will make the following announcement to students. The Teacher should be calm, convey reassuring comments that the situation is under control and give clear directions.

*“Your attention please. We have an emergency situation and need to implement lock down procedures. Teachers are to lock classroom doors and keep all students inside the classroom until further notice. Do not open the door until notified by an administrator or law enforcement. If outside, students and staff are to proceed inside the nearest building or classroom.”*

2. If inside, teachers will instruct students to lie on the floor, lock the doors, and close any shades or blinds if it appears safe to do so.
3. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (such as the auditorium, library, cafeteria, or gymnasium).
4. Teachers and students will remain in the classroom or secured area until further instructions are given by school administration or law enforcement.
5. The front entrance is to be locked and no visitors other than appropriate law enforcement or emergency personnel will be allowed on campus.

## EVACUATE BUILDING

This action is taken after the decision is made that it is unsafe to remain in the building.

Description of Action:

1. The Teacher will make the following announcement to students. The Teacher should be calm, convey reassuring comments that the situation is under control and give clear directions.

*“Your attention please. We need to institute an evacuation of all buildings. Teachers are to take their students to the Assembly Area and report to their designated area. Students are to remain with their teacher. Teachers need to take their student roster and lock the classroom when all students have exited the classroom.”*

2. The Teacher or site administration will initiate a fire alarm.
3. Teachers will instruct students to evacuate the building using designated routes and assemble in their assigned Assembly Area.
4. Teachers will take the student roster when exiting the building and take attendance once the class is assembled in a safe location.
5. Once assembled, teachers and students will stay in place until further instructions are given.

## OFF-SITE EVACUATION

This action is taken after a decision is made that it is unsafe to remain on the campus, and evacuation to an off-site Assembly Area is required.

### Description of Action:

1. The Teacher will make the following announcement to students. The Teacher should be calm, convey reassuring comments that the situation is under control and give clear directions.

*“Your attention please. We need to institute an off-site evacuation. Teachers are to take their students to the off- site Assembly Area and report to their designated area. Students are to remain with their teacher. Teachers need to take their student roster and lock the classroom when all students have exited the classroom.”*

2. The Teacher or site administration will determine the safest method for evacuating the campus.
3. Teachers will secure the student roster when leaving the building and take attendance once the class is assembled in a pre-designated safe location.
4. Once assembled off-site, teachers and students will stay in place until further instructions are given.
5. In the event clearance is received from appropriate agencies, the Teacher may authorize students and staff to return to the classrooms.

## ALL CLEAR

This action is taken to notify staff that normal school operations can resume.

### Description of Action:

1. The Teacher will make the following announcement to students. The Teacher will use other means of communication, i.e., sending messengers to deliver instructions.

*“Your attention please. It is now ok to return to your classroom and resume normal operations. I would like to thank you and commend students and staff for their cooperation.”*

2. This action signifies the emergency is over.
3. If appropriate, teachers should immediately begin discussions and activities to address students’ fears, anxieties, and other concerns.

It is important to note that school administrators are responsible for the health and safety of students and staff during an emergency. Although the following procedures refer to specific actions, school administrators must exercise discretion in implementing standardized procedures, and should consider modifications as necessary to assure the health and safety of all personnel during an emergency.

In the following procedures, the Principal or designee will be referred to as “School Administrator”.

## AIRCRAFT CRASH

This procedure addresses situations involving an Aircraft Crash on or in proximity to school property. If a crash results in a fuel or chemical spill on school property, refer to Biological or Chemical Release. If a crash results in a utility interruption, refer to Loss or Failure of Utilities.

Procedure:

1. The School Administrator will initiate appropriate Immediate Response Actions, which may include DUCK AND COVER, SHELTER-IN-PLACE, EVACUATE BUILDING, or OFF-SITE EVACUATION.
2. If the School Administrator issues the EVACUATE BUILDING action, staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.

The School Administrator will call 911 and Santa Clara County Sheriff's Department (408-293-2311) and will provide the exact location (e.g., building or area) and nature of emergency.

4. If on school property, the Security/Utilities Team will secure the crash area to prevent unauthorized access. If a crash results in a fuel or chemical spill on school property, refer to Biological or Chemical Release. If a crash results in a utility interruption, refer to Loss or Failure of Utilities.
5. The School Administrator will direct the Fire Suppression and HazMat Team to organize fire suppression activities until the Fire Department arrives.
6. The First Aid/Medical Team will check injuries to provide appropriate first aid.
7. The School Administrator will call the Chief Schools Officer.
  - a. Member of this group will call the Media & Communications Department with information on this situation as appropriate.
8. Any affected areas will not be reopened until the Santa Clara County HazMat or appropriate agency provides clearance and the School Administrator issues authorization to do so.
9. The Psychological First Aid Team will convene onsite and begin the process of counseling and recovery as appropriate.
10. If it is unsafe to remain on campus, the School Administrator will initiate an OFF-SITE EVACUATION, if warranted by changes in conditions.

## ANIMAL DISTURBANCE

This procedure should be implemented when the presence of a dog, coyote, mountain lion or any other wild animal threatens the safety of students and staff.

Procedure:

1. The School Administrator will initiate appropriate Immediate Response Actions, may include LOCK DOWN or EVACUATE BUILDING.
2. Upon discovery of an animal, staff members will attempt to isolate the animal from students, if it is safe to do so. If the animal is outside, students will be kept inside. If the animal is inside, students will remain outside in an area away from the animal. It is suggested closing doors or locking gates as means to isolate the animal.
3. If additional outside assistance is needed, the School Administrator will call 911, Local Police or Santa Clara County Sheriff's Department, Department of Animal Regulation (408-465-2920) and provide the location of the animal and nature of emergency.
4. If a staff member or student is injured, the parent, and SCCOE Risk Manager will be notified.
5. The School Administrator will initiate of OFF-SITE EVACUATION, if warranted by changes in conditions at the school.



## ARMED ASSAULT ON CAMPUS

An Armed Assault on Campus involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Such an incident may involve individuals who possess a gun, a knife or other harmful device.

Procedure:

1. Upon first indication of an armed assault, personnel should immediately notify the School Administrator.
2. The School Administrator will initiate the appropriate Immediate Response Action(s), which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION.
3. The School Administrator will call 911 and provide the exact location and nature of the incident. The School Administrator should designate a person to remain online with the 911 operator if safe to do so.
4. Staff should take steps to calm and control students, and if safe to do so, attempt to maintain separation between students and the perpetrator.
5. Staff should maintain order in all areas of assembly or shelter, and should await the arrival of law enforcement.
6. After the perpetrator(s) has been neutralized, the School Administrator will conduct a headcount of students and staff, and will notify law enforcement of any missing persons.
7. The First Aid/Medical Team will work with local authorities to ensure injured students and staff receives medical attention.
8. The Security/Utilities Team will control all points of entry to the school.
9. The School Administrator will prepare a verified list of casualties, and the locations to which they were transported. The School Administrator will confer with the Psychological First Aid Team to ensure the notification of parents and family members.
10. All media inquiries will be referred to the designated SCCOE Communications Chief.
11. The School Administrator will debrief staff.

## BIOLOGICAL OR CHEMICAL RELEASE

A Biological or Chemical Release is an incident involving the discharge of a biological or chemical substance in a solid, liquid or gaseous state. Such incidents may also include the release of radioactive materials. Common chemical threats within or adjacent to schools include the discharge of acid in a school laboratory, an overturned truck of hazardous materials in proximity of the school, or an explosion at a nearby oil refinery or other chemical plant.

The following indicators may suggest the release of a biological or chemical substance: multiple victims suffering from watery eyes, twitching, choking or loss of coordination, or having trouble breathing. Other indicators may include the presence of distressed animals or dead birds.

This procedure deals with three possible scenarios involving the release of biochemical substances: Scenario 1 - Substance released inside a room or a building; Scenario 2 - Substance released outdoors and localized; and Scenario 3 - Substance released in surrounding community. It is necessary to first determine which scenario applies and then implement the appropriate response procedures listed below.

#### **Scenario 1: Substance Released Inside a Room or Building**

1. The School Administrator will initiate the EVACUATE BUILDING action as described. Staff will use designated routes or other alternative safe routes to an assigned Assembly Area, located upwind of the affected room or building.
2. The School Administrator will call 911 and will provide the exact location (e.g., building, room, area) and nature of emergency.
3. The School Administrator will notify the Chief Schools Officer of the situation.
4. The School Administrator will instruct the Security/Utilities Team to isolate and restrict access to potentially contaminated areas.
5. The Security/Utilities Team will turn off local fans in the area of the release, close the windows and doors, and shut down the building's air handling system.
6. Persons who have come into direct contact with hazardous substances should have affected areas washed with soap and water. Immediately remove and contain contaminated clothes. Do not use bleach or other disinfectants on potentially exposed skin. Individuals who have been contaminated "topically" by a liquid should be segregated from unaffected individuals (isolation does not apply to widespread airborne releases). A member of the First Aid/Medical team should assess the need for medical attention.
7. The Assembly Area Team will prepare a list of all people in the affected room or contaminated area, specifying those who may have had actual contact with the substance. The Assembly Area Team will provide the list to the School Administrator and the emergency response personnel.

8. The Psychological First Aid Team will convene onsite and begin the process of counseling and recovery.
9. Any affected areas will not be reopened until the Santa Clara County Hazardous Materials or appropriate agency provides clearance and the School Administrator gives authorization to do so.

## **Scenario 2: Substance Released Outdoors and Localized**

1. The School Administrator will immediately direct staff to remove students from the affected areas to an area upwind from the release. The School Administrator will, if necessary, initiate the EVACUATE BUILDING action.
2. The Security/Utilities Team will establish a safe perimeter around the affected area and ensure personnel do not reenter the area.
3. The School Administrator will call 911” and will provide the exact location and nature of emergency.
4. The School Administrator will notify the Chief Schools Officer.
5. The Security/Utilities Team will turn off local fans in the area of the release, close the windows and doors and shut down the air handling systems of affected buildings.
6. Persons who have come into direct contact with hazardous substances should have affected areas washed with soap and water. Immediately remove and contain contaminated clothes. Do not use bleach or other disinfectants on potentially exposed skin. Individuals that have been contaminated “topically” by a liquid should be segregated from unaffected individuals (isolation does not apply to widespread airborne releases). A member of the First Aid/Medical Team should assess the need for medical attention.
7. The Assembly Area Team will prepare a list of all people in areas of contamination, especially those who may have had actual contact with the substance. The Assembly Area Team will provide the list to the School Administrator and the emergency response personnel.
8. The Psychological First Aid Team will convene onsite and begin the process of counseling and recovery.
9. Any affected areas will not be reopened until the appropriate agency provides clearance and the School Administrator gives authorization to do so.

## **Scenario 3: Substance Released in Surrounding Community**

1. If the School Administrator or local authorities determine a potentially toxic substance has been released to the atmosphere, the School Administrator will initiate SHELTER-IN-PLACE.
2. Upon receiving the SHELTER-IN-PLACE notification, the Security/Utilities Team will turn off local fans in the area; close and lock doors and windows; shut down all buildings’ air handling systems; seal gaps under doors and windows with wet towels or duct tape;

seal vents with aluminum foil or plastic wrap, if available; and turn off sources of ignition, such as pilot lights.

3. Staff and students located outdoors will be directed to proceed immediately to nearby classrooms or buildings (e.g., auditorium, library, cafeteria, and gymnasium). Teachers should communicate their locations to the School Administrator, using the PA system or other means without leaving the building.
4. The School Administrator will call 911 and will provide the exact location and nature of emergency.
5. The School Administrator will notify the Chief Schools Officer of the situation.
6. The School Administrator will turn on a radio or television station to monitor information concerning the incident.
7. The school will remain in a SHELTER-IN-PLACE condition until appropriate agency provides clearance, or staff is otherwise notified by the School Administrator.

## BOMB THREAT

Response to a Bomb Threat is initiated upon the discovery of a suspicious package on campus grounds or receipt of a threatening phone call that may present a risk of an explosion.

Procedure:

1. If the threat is received by telephone, the person receiving the call should attempt to keep the caller on the telephone as long as possible and alert someone else to call 911, telling the operator, "This is [state your name] from [school]. We are receiving a bomb threat on another line. The number of that line is [state phone number]."
2. The person answering the threat call should ask the following questions, record the answers and then immediately notify the School Administrator:
  - When is the bomb going to explode?
  - Where is it?
  - What will cause it to explode?
  - What kind of bomb is it?
  - Who are you?
  - Why are you doing this?
  - What can we do for you to avoid the bomb from exploding?
  - How can you be contacted?
3. The School Administrator will direct the Search and Rescue Team(s) to search for suspicious packages, boxes or foreign objects. While conducting the search, all cell phones, beepers and hand-held radios should be turned off since many modern day explosive devices can be triggered by radio frequencies.
4. If a suspicious object is identified, one member of the Search and Rescue Team will report the discovery to the School Administrator while the remaining team members attempt to secure the immediate area.
5. No attempt should be made to investigate or examine the object.
6. After the search, the School Administrator will determine the appropriate Immediate Response Action(s) to announce, which may include DUCK AND COVER, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION.
7. If a suspicious object or bomb is found, the School Administrator shall issue the EVACUATE BUILDING action. Staff and students will evacuate the building using prescribed routes or other safe routes to the Assembly Area.
8. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.

9. The School Administrator will notify 911, if not previously notified, and will provide the exact location (e.g., building, room, area) of the potential bomb, if known.
10. The School Administrator will notify the Chief Schools Officer of the situation.
11. The Psychological First Aid Team will convene onsite and begin the process of counseling and recovery.
12. Do not resume school activities until the affected buildings have been inspected by proper authorities and determined to be safe. The School Administrator will give the ALL CLEAR signal.
13. The School Administrator will initiate an OFF-SITE EVACUATION, if warranted by changes in conditions.
14. After the incident is over, the School Administrator will complete a bomb threat report.

## EARTHQUAKE

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation and the following procedures should be implemented in response to all earthquakes regardless of magnitude.

Procedure:

*Note: Keep calm and remain where you are. Assess the situation, and then act. Remember, most injuries or deaths are the direct cause of falling or flying debris.*

1. Upon the first indication of an earthquake, teachers should direct students to DUCK AND COVER.
2. Move away from windows and overhead hazards to avoid glass and falling objects.
3. When the shaking stops, the School Administrator will initiate the EVACUATE BUILDING. Staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.
4. In the event of an evacuation, teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
5. The School Administrator will direct the Security/Utilities Team to post guard a safe distance away from building entrances to prevent access.
6. The Security/Utilities Team will notify school personnel of fallen electrical wires and instruct them to avoid touching the fallen wires
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. The School Administrator will direct the Security/Utilities Team to notify the appropriate utility company of damages (e.g., gas, power, water, or sewer).
9. If the area appears safe, the Search and Rescue Team will make an initial inspection of school buildings to identify any injured or trapped students or staff.
10. The School Administrator will contact the Chief Schools Officer to determine additional actions that may be necessary. In turn, the actions will be communicated to SCCOE's Media & Communications Department.



11. The School Administrator will contact the SCCOE Facilities Director to ensure buildings are safe for occupancy. When safe to do so, the Fire Suppression and Hazardous Materials Team will conduct an inspection of school buildings. The Fire Suppression and Hazardous Materials Team will maintain a log of their findings, by building, and provide a periodic report to the School Administrator.
12. Any affected areas will not be reopened until the SCCOE Facilities Director provides clearance and the School Administrator gives authorization to do so.

## EARTHQUAKE DURING NON-SCHOOL HOURS

*In the event an earthquake occurs during non- school hours:*

1. The School Administrator and the Facilities Director will assess damages to determine any necessary corrective actions. The School Administrator may direct the Fire Suppression and Hazardous Materials Team to participate in the assessment.
2. The School Administrator should confer with the Chief Schools Officer on identified damages to determine if the school should be closed.

## EXPLOSION/RISK OF EXPLOSION

This section addresses four possible scenarios involving an Explosion/Risk of Explosion: Scenario 1 - Explosion on school property; Scenario 2 – Risk of explosion on school property; Scenario 3 - Explosion or risk of explosion in a surrounding area, and Scenario 4 – Nuclear blast or explosion involving radioactive materials. *[A nuclear blast is characterized by a sequence of intense light and heat, air pressure wave, expanding fireball, and subsequent radioactive fallout.]* It is necessary to first determine which scenario applies and then implement the appropriate response procedures including the procedures for Bomb Threat.

### **Scenario 1: Explosion on School Property**

1. In the event of an explosion, all persons should initiate DUCK AND COVER.
2. The School Administrator will consider the possibility of another imminent explosion and take appropriate action.
3. After the explosion, the School Administrator will initiate appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, EVACUATE BUILDING or OFF-SITE EVACUATION as described previously. Evacuation may be warranted in some buildings and other buildings may be used as shelter.
4. In the event of an evacuation, staff and students will use prescribed routes or other safe routes and proceed to the Assembly Area.
5. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
6. The School Administrator will call 911, Local Police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and will provide the exact location (e.g., building, room, area) and nature of emergency.
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. Staff should attempt to suppress fires with extinguishers. Note: Ensure the use of proper type of extinguishers, i.e. Class A, B or C for ordinary combustibles; Class B or C for fires involving flammable liquids; or Class C only for fires involving electrical equipment.
9. The Security/Utilities Team Leader will notify the appropriate utility company of any damages to water lines, sewers, power lines and other utilities.

10. The School Administrator will notify the Chief Schools Officer of the situation and will call the SCCOE Media & Communications Department with information on the situation.
11. The Security/Utilities Team Leader will post guards a safe distance away from the building entrance to prevent persons entering the school buildings.
12. When it is determined safe to enter affected areas, the School Administrator will advise the Search and Rescue Team to initiate search and rescue activities.
13. The School Administrator will contact the Facilities Director to ensure buildings are safe for occupancy. When safe to do so, the Fire Suppression and Hazardous Materials Team will conduct an inspection of school buildings. The Fire Suppression and Hazardous Materials Team will maintain a log of their findings, by building, and provide a periodic report to the School Administrator.
14. Any areas affected by the explosion will not be reopened until appropriate agency provides clearance and the School Administrator gives authorization to do so.
15. The School Administrator will initiate an OFF-SITE EVACUATION.

### **Scenario 2: Risk of Explosion on School Property**

1. The School Administrator will initiate appropriate Immediate Response Actions, which may include DUCK AND COVER, SHELTER-IN-PLACE, EVACUATE BUILDING, or OFF-SITE EVACUATION.
2. If the School Administrator issues EVACUATE BUILDING action, staff and students will evacuate the building using prescribed routes or other staff routes to the Assembly Area.
3. In the event of an evacuation, teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call 911, Local Police and/or Santa Clara County Sheriff's Dept. (408-293-2311) Santa and will provide the exact location (e.g. building, room, area) and nature of emergency.
5. Staff should attempt to suppress fires with extinguishers. Note: Ensure the use of proper type of extinguishers, i.e. Class A, B, or C for ordinary combustible.

### **Scenario 3: Explosion or Risk of Explosion in Surrounding Area**

1. The School Administrator will initiate the SHELTER-IN-PLACE.

2. The School Administrator will notify 911, local police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and will provide the exact location (e.g., building, area) and nature of emergency.
3. The School Administrator will take further actions as needed.
4. The school will remain in a SHELTER-IN-PLACE condition until the appropriate agency provides clearance and the School Administrator issues further instructions.

#### **Scenario 4: Nuclear Blast or Explosion Involving Radioactive Materials**

1. The School Administrator will initiate the SHELTER-IN-PLACE response action as described.
2. When sheltering, personnel should try to establish adequate barriers or shielding (e.g. concrete walls, metal doors) between themselves and the source of the blast or explosion, and should avoid sheltering near exterior windows.
3. The School Administrator will notify 911, local police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and provide details on the area and personnel affected at the school.
4. After the initial blast, school staff will remove students from rooms with broken windows, extinguish fires, provide first aid, and relocate students from upper floors if possible.
5. The Security/Utilities team will turn off the school's main gas supply, local fans in the area; close and lock doors and windows; shut down all buildings' air handling systems; seal gaps under doors and windows with wet towels or duct tape; seal vents with aluminum foil or plastic wrap, if available; and turn off sources of ignition, such as pilot lights.
6. The School Administrator will monitor radio or television announcements and initiate further actions as appropriate.
7. At the School Administrator's discretion, and only if safe to do so, designated personnel should attempt to distribute emergency supplies including food and water.
8. The school will remain in a SHELTER-IN-PLACE condition until the appropriate agency provides clearance and the School Administrator issues further instructions.

## FIRE IN SURROUNDING AREA

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school.

Procedure:

1. The School Administrator will initiate the appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION.
2. The School Administrator will notify 911, local police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and will provide the location and nature of emergency.
3. The School Administrator will instruct the Security/Utilities Team to prevent students from approaching the fire and keep routes open for emergency vehicles.
4. The School Administrator will contact the local fire department and will work with the fire department to determine if school grounds are threatened by the fire, smoke, or other hazardous conditions.
5. If the School Administrator issues the EVACUATE BUILDING action, staff and student will evacuate the affected building(s) using prescribed routes or other safe routes to the Assembly Area.
6. In the event of an evacuation, teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
7. The School Administrator will keep a battery-powered radio tuned to a local radio station for emergency information.
8. The School Administrator will notify the Chief Schools Officer of the emergency situation and will call the Office of the Communication with information of this situation.
9. If needed, the School Administrator will notify Transportation to request busses for staff and student evacuation.
10. The School Administrator will initiate an OFF-SITE EVACUATION, if warranted by changes in conditions.

## FIRE ON SCHOOL GROUNDS

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage.

Procedure:

1. Upon discovery of a fire, teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the School Administrator.
2. The School Administrator will immediately initiate the EVACUATE BUILDING. Staff and students will evacuate buildings using the prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call 911, local police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and will provide the exact location (e.g., building, room, area) of the fire.
5. The Fire Suppression and Hazardous Materials Team will suppress fires and initiate rescue procedures until the local fire department arrives.
6. The Security/Utilities Team will secure the area to prevent unauthorized entry and keep access roads clear for emergency vehicles.
7. The School Administrator will direct the fire department to the fire and brief fire department official on the situation.
8. The Security/Utilities Team will notify the appropriate utility company of damages.
9. The School Administrator will notify the Chief Schools Officer of the fire and will call the Media & Communications Department with information of the situation.
10. If needed, the School Administrator will notify the SCCOE Transportation Department to request busses for staff and student evacuation.
11. Any affected areas will not be reopened until the Santa Clara County Fire Department or appropriate agency provides clearance and the School Administrator issues authorization to do so.
12. For fires during non-school hours, the School Administrator, the Chief Schools Officer and the Santa Clara County Superintendent of Schools will determine if the school will open the following day.

13. All fires, regardless of their size, which are extinguished by school personnel, require a call to the Fire Department to indicate "fire is out."



## FLOODING

This procedure applies whenever storm water or other sources of water inundate or threaten to inundate school grounds or buildings. Flooding may occur as a result of prolonged periods of rainfall, where the school would have sufficient time to prepare. Alternatively, flooding may occur without warning, as a result of damage to water distribution systems, or a failure of a nearby man-made dam.

Procedure:

1. The School Administrator will initiate appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, EVACUATE BUILDING, or OFF-SITE EVACUATION.
2. The School Administrator will notify 911, local police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and will describe the nature and extent of the flooding.
3. The School Administrator will keep a battery-powered radio tuned to a local radio station for information.
4. If the School Administrator issues the EVACUATE BUILDING or OFF-SITE EVACUATION action, staff and students will evacuate affected buildings using prescribed routes or other safe routes to the Assembly Area.
5. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
6. The School Administrator will notify the Chief Schools Officer of the emergency situation and will call the Media & Communications Department with information on this situation.
7. The School Administrator will initiate an OFF-SITE EVACUATION, as if warranted by changes in conditions.

## LOSS OR FAILURE OF UTILITIES

This procedure addresses situations involving a loss of water, power or other utility on school grounds. This procedure should also be used in the event of the discovery of a gas leak, an exposed electrical line, or a break in sewer lines.

Procedure:

1. If water or an electrical line is broken, an effort should be made to turn off water or power to the affected area and to notify the School Administrator immediately.
2. Upon notice of loss of utilities, the School Administrator will initiate appropriate Immediate Response Actions, which may include SHELTER- IN- PLACE, or EVACUATE BUILDING.
3. The School Administrator will notify the SCCOE Facilities & Maintenance Dept. or contact the appropriate utility department and provide the location and nature of emergency.
4. Local Maintenance Area personnel, working with school administration, will contact the affected utility company to determine whether their assistance is required and the potential length of time service will be interrupted.
5. The School Administrator will notify the Chief Schools Officer of the loss of utility service.
6. As needed, school emergency supplies will be utilized to compensate for the loss of a utility.
7. In the event of a loss of telephone services administration will use their cell phones to notify the Superintendent's office of the loss of communication.
8. If the loss of utilities may generate a risk of explosion, such as a gas leak, refer to Explosion/Risk of Explosion.
9. In addition to the procedures listed above, the School Administrator will implement the plan below in the event utilities are disrupted.

**Plan for a Loss of Power, Water and/or Gas:**

Loss of power, water and/or gas does not constitute an emergency and classes should continue using temporary utilities and supplies unless otherwise directed by the office of the Superintendent. Report all power, water and/or gas losses immediately to the office of the Superintendent. The office of the Superintendent will notify the Facilities Department and all other appropriate resources as needed to respond to the utility interruption. If possible, the site should call the utility company to get information regarding the severity of the outage.

A leak of water and/or gas may constitute an emergency. Contact the office of the Superintendent for advice on how to respond immediately after evacuating students and staff from the affected areas. The office of the Superintendent will notify the Facilities & Maintenance Department and all other appropriate resources as needed to respond to the utility leak. If possible, the site should call the utility company for advice regarding the incident, request assistance if necessary, and request a follow-up inspection after repair. Only if there is a threat to person or property should the utilities be shut off by the site.

Toilets: A temporary toilet may be created in each classroom by using a trash receptacle, plastic bags, and where privacy is afforded.

Ventilation: Staff will prop open classroom and office doors to ensure proper ventilation.

Emergency Light: If needed, staff will be provided with additional lighting such as flash lights.

## MOTOR VEHICLE CRASH

This procedure addresses situations involving a Motor Vehicle Crash on or immediately adjacent to school property. If a crash results in a fuel or chemical spill on school property, refer to Biological or Chemical Release. If a crash results in a utility interruption, refer to Loss or Failure of Utilities.

Procedure:

1. The School Administrator will initiate appropriate Immediate Response Actions, which may include DUCK AND COVER, SHELTER-IN-PLACE, EVACUATE BUILDING, or OFF-SITE EVACUATION.
2. If the School Administrator issues the EVACUATE BUILDING action, staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call 911, local police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and will provide the exact location (e.g., building, area) and nature of emergency.
5. The School Administrator will notify the Office of the Superintendent of the situation and will call the Media & Communications Department with information on this situation.
6. The Security/Utilities Team will secure the crash area to prevent unauthorized access. If the crash results in a utility interruption, refer to Loss or Failure of Utilities.
7. The School Administrator will direct the Fire Suppression and HazMat Team to organize fire suppression activities until the Fire Department arrives.
8. The First Aid/Medical Team will check for injuries to provide appropriate first aid.
9. Any affected areas will not be reopened until the agency provides clearance and the School Administrator issues authorization to do so.
10. The School Administrator will initiate an OFF-SITE EVACUATION if warranted by changes in conditions.

## PSYCHOLOGICAL TRAUMA

Crisis management specifies actions during and subsequent to any emergency that may have a psychological impact on students and staff, such as an act of violence; the death of a student or staff member; an earthquake or other natural disaster; a serious environmental problem; or ethnic and racial tensions. Emergencies like those described above usually produce one or more of the following conditions:

- Temporary disruption of regular school functions and routines;
- Significant interference with the ability of students and staff to focus on learning;
- Physical and/or psychological injury to students and staff;
- Concentrated attention from the community and news media.

As a result of such emergencies, students and staff may exhibit a variety of psychological reactions. As soon as the physical safety of those involved has been insured, attention must turn to meeting the emotional and psychological needs of students and staff.

1. The School Administrator will establish a Psychological First Aid Team, which has primary responsibility for providing necessary assistance after all types of crises.
2. The Psychological First Aid Team will assess the range of crisis intervention services needed during and following an emergency.
3. The Psychological First Aid Team will provide direct intervention services.
4. If there is a need for additional assistance, the School Administrator will notify the Chief Schools Officer.
5. The Psychological First Aid Team will advise and assist the School Administrator to restore regular school functions as efficiently and as quickly as possible.
6. In performing their duties, the Psychological First Aid Team members will limit exposure to scenes of trauma, injury and death.
7. The Psychological First Aid Team will provide ongoing assessment of needs and follow-ups services as required.

## SUSPECTED CONTAMINATION OF FOOD OR WATER

This procedure should be followed if site personnel report suspected contamination of food or water. This procedure applies where there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies, or if notified of possible food/water contamination by SCCOE staff or local agencies. Indicators of contamination may include unusual odor, color, taste, or multiple employees with unexplained nausea, vomiting, or other illnesses.

### Procedure:

1. The School Administrator will isolate the suspected contaminated food/water to prevent consumption, and will restrict access to the area.
2. The School Administrator will notify 911 and Santa Clara County Department of Environmental Health Services (408-918-3400).
3. The School Administrator will make a list of all potentially affected students and staff, and will provide the list to responding authorities.
4. The First Aid/Medical Team will assess the need for medical attention and provide first aid as appropriate.
5. The School Administrator will maintain a log of affected students and staff and their symptoms, the food/water suspected to be contaminated, the quantity and character of products consumed, and other pertinent information.
6. School police will notify the Chief Schools Officer who will conduct an onsite review to determine necessary follow-up actions including the need to notify other potentially affected SCCOE facilities.
7. The School Administrator and the Chief Schools Officer will confer with the Santa Clara County Department of Health Services before the resumption of normal operations.
8. The School Administrator will notify parents of the incident, as appropriate.

## THREAT OF VIOLENCE

This procedure should be followed if site personnel receive a threat that may target an individual, a particular group or the entire school community. Such threats may be received by written note, e-mail communication or phone call.

Procedure:

1. The School Administrator will identify the type of threat and attempt to determine the individual(s) making the threat.
2. The School Administrator will call 911, local police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and will provide the exact location (e.g., building, area) and nature of emergency.
3. The School Administrator shall assemble a School Threat Assessment Team that includes a local police officer.
4. The School Threat Assessment Team will assess the warning signs, risk factors, stabilizing factors and potential precipitating events to arrive at a categorical description of the risk for a particular point in time. There are five categories of risk as described by the Santa Clara County Sheriff's Dept.
  - Category 1: High violence potential; qualifies for arrest or hospitalization.
  - Category 2: High violence potential; does not qualify for arrest or hospitalization.
  - Category 3: Insufficient evidence for violence potential; sufficient evidence for the repetitive/intentional infliction of emotional distress upon others.
  - Category 4: Insufficient evidence for violence potential; sufficient evidence for the unintentional infliction of emotional distress upon others.
  - Category 5: Insufficient evidence for violence potential; insufficient evidence for emotional distress upon others.
5. In categorizing the risk, the School Threat Assessment Team will attempt to answer two questions: (1) is the individual moving on a path towards violent action? (2) Is there evidence to suggest movement from thought to action?
6. The School Threat Assessment Team will assess the warning signs by evaluating the associated oral, written or electronic threatening communications.
7. The School Threat Assessment Team will recommend appropriate action to the School Administrator.

8. As soon as the physical safety of those involved has been insured, attention will turn to meeting the emotional and psychological needs of students and staff. Crisis intervention may be necessary and appropriate.



## UNLAWFUL DEMONSTRATION/WALKOUT

An Unlawful Demonstration/Walkout is any unauthorized assemblage on or off campus by staff or students for the purpose of protest or demonstration.

### Procedure

1. Upon indication that an unlawful demonstration or walkout is about to begin, personnel should immediately notify the School Administrator.
2. The School Administrator will initiate appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE.
3. The School Administrator will notify the Local Police and/or Santa Clara County Sheriff's Dept. (408-293-2311) and the Chief Schools Officer.
4. Students not participating in the demonstration or walkout should be kept within their classroom until further notice by the School Administrator. Teachers will close and lock classroom door. Students and staff should be protected from flying glass in the event windows are broken, by closing drapes and venetian blinds in rooms so equipped.
5. The School Administrator shall designate a staff member to document and keep accurate records of the events, conversations and actions.
6. All media inquiries will be referred to the Santa Clara County Office of Education Media & Communications Department (408-453-6514).
7. The School Administrator should proceed in good judgment on basis of police or other legal advice, in taking action to control and resolve the situation.
8. The School Administrator will notify parents of the incident, as appropriate.

## EMERGENCY PHONE NUMBERS

Director/Principal	Phil Morales	408.573-3261
Administrative Assistant	Blanca Morales	408.453.3262
OYA The Hub	Annie Kretowicz Mike Dempsey	408.573.8842  408.573.3230
OYA South County Annex	Cid Azevedo	408.847.8856
OYA Washington	Kevin Jacks Anne Le Louis Smith	408.573.3240  408.573.3241 408.537.3244
OYA Sobrato	Raj Pawar	408.573.3234
OYA ConXion	Mary Sanchez Tara Guerrero	408.573.3227 408.573.3226
OYA Snell	Bobby Welch	408.573.3263
School Safety & Security Administrator	Michael J. Vallez	408.453.6925
SCCOE Facilities Director	Craig Wilde	408.453.4310
SCCOE Student Services & Support	Steve Olmos	408.453.6560
Transportation Services	Denise Elliott	408.453.6864
Public Affairs	Robin Hall	408.453.6824
Office of Emergency Services		916.845.8510
Office of Environmental Health and Safety		408.918.3400
Fire And Medical Emergencies		911 (dial 9 first for an outside line)
Bay Area Air Quality Management District		415.771.6000
California Highway Patrol		800.935.5247

County Department of Health Services		408.792.5050
Gas Company	Pacific Gas and Electric	800.743.5000
Electric Company	Southern California Edison Co.	800.655.4555
Local Fire Station		408.277.8950
San Jose Police		408.277.8900
Local Sheriff Dept.	Santa Clara County Sheriff	408.293.2311
Santa Clara OES/ Homeland Security		408.808.7800
American Red Cross	Disaster Services	877.727.6771
Water Company	Santa Clara Valley Water District	408.265.2600
Poison Control		800.222.1222
Suicide Prevention	English	800.273.8255
Suicide Prevention	Spanish	888.628.9454

## FIRE/EMERGENCY DRILLS

### Evacuation:

1. All buildings and areas will be evacuated according to the site plan if:
  - a) The regular site fire alarm is activated. (Intermittent short bells for 10 seconds followed by 5 seconds of silence; sequence repeated for at least 1 minute).
  - b) The alternate alarm is activated. (To be defined by the site administrator).
2. Fire, Rescue and Security team will make certain that all rooms and areas are evacuated.
3. Portable communication equipment is made available for emergency use.
4. Determine possibility and location of fire. (Fire, Rescue and Security Team responsibility).
5. Give all-clear signal (one long bell) if there is no fire.
6. Reset alarm system within a reasonable length of time (5 minutes).

### Fire within a Building

In the event a fire is detected within a building, the following actions will be taken:

1. Sound the fire alarm. This will automatically implement LEAVE BUILDING.\*
2. Assemble staff and students at a safe distance from the fire and away from the fire-fighting equipment.
3. Protect school's vital records.
4. Render First Aid as necessary.
5. Notify the Fire Department and specify exact meeting place and designate a person to meet the responding engine companies.
6. Notify the local Police or Sheriff's office.
7. If it is possible for adults to fight small fires without endangering life, do so. Remember, the first responsibility is to protect and supervise students/staff. It is better to let the fire burn rather than leave students unattended.
8. Keep access roads and gates open for emergency vehicles.

## INSTRUCTIONS FOR USE OF FIRE EXTINGUISHERS

NAMEPLATE SYMBOL	TYPES OF FIRES
A	For wood, paper, cloth, trash and other ordinary combustibles
B	For gasoline, grease, oil, paints, and other flammable liquids
C	For live electrical equipment

The nameplate on your extinguisher shows the symbols designating the types of fires on which it should be used. Read it carefully.

Your fire extinguisher is basically a storage container for a special fire extinguisher agent. When the extinguisher is operated, the agent is expelled by a continuous stream of pressure stored in the container.

**DO NOT INCINERATE BY THROWING INTO A FIRE. IT MAY EXPLODE.**

Operating instructions and cautions for each extinguisher are printed on the nameplate. Read and understand these instructions BEFORE A FIRE OCCURS.

### **Additional Emergency Procedures**

If the area or building is being evacuated, close all doors on your way out, if it is safe to do so. Leave lights on.

**DO NOT USE ELEVATORS.** If you are in an elevator, leave it at the nearest floor and exit by the stairs. If the elevator stops at a floor where there is visible smoke, the elevator's electric eye may sense the smoke as an elevator passenger and prevent closure of the elevator doors. In this case, depress and keep depressed the red button at the left of the elevator door which reads "TO BE USED IN CASE OF FIRE ONLY". This button will deactivate the electric eye and allow the elevator to descend to the ground floor.

Meet Fire Department personnel at the entrance of the building to guide them to the fire.

## COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

Education Code § 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or miss-assignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested?  Yes  No

Contact Information:

Name \_\_\_\_\_

Address \_\_\_\_\_

Day Phone Number \_\_\_\_\_

Evening Phone Number \_\_\_\_\_

E-mail address \_\_\_\_\_

Site Location of the problem that is the subject of this complaint:

Course title/grade level and teacher name:

Date problem was observed:

**Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.**

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
  - A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
  - Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or miss-assignment: (Education Code 35186; 5 CCR 4681)
  - A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
  - A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
  
3. Facility conditions: (Education Code § 35186, 35292.5; 5 CCR 4683)
  - A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition.
  - A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
  - The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

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Please file this complaint at the following location:

Steve Olmos, Ed.D., Assistant Superintendent  

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*(Principal or title of designee of the Superintendent)*

1290 Ridder Park Drive, San Jose, CA 95131  

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*(Address)*

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

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(Signature)

(Date)



# BOARD POLICIES & ADMINISTRATIVE REGULATIONS

# Santa Clara County Office of Education

## Students

### SP 4141.4 - Child and Dependent Adult Abuse Prevention and Reporting

The Santa Clara County Superintendent (County Superintendent) is committed to supporting the safety and well-being of students and desires to facilitate the prevention of and response to child abuse and neglect. The County Superintendent or designee shall develop and implement regulations and strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect. The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

### Child Abuse Prevention and Reporting

The County Superintendent recognizes that child abuse has severe consequences and that the Santa Clara County Office of Education (SCCOE) has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The County Superintendent or designee shall establish procedures for the prevention, identification, and reporting of known and suspected child abuse and neglect in accordance with law to the extent feasible and appropriate.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5145.7 - Sexual Harassment)

Procedures for reporting child abuse shall be included in the SCCOE comprehensive safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

Employees who are mandated reporters, as defined by Penal Code, Welfare and Institutions Code, and administrative regulation, are obligated to report all known or suspected incidents of abuse and neglect. Adult Protective Services must be notified of suspected abuse toward SCCOE students with disabilities (dependent adults) who are 18-22 years of age.

Before beginning employment, all employees who are mandated reporters as defined above shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and the SCCOE's procedures and will comply with those provisions. The signed statement shall be retained in the employees personnel file. (Penal Code 11166.5)

Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

The County Superintendent or designee shall provide annual training within the first six (6) weeks of school or within six (6) weeks of employment regarding the reporting duties of mandated reporters.

Teachers applying to the Commission on Teacher Credential for a new credential or a renewal of their credential must read and sign a statement that they understand the duties imposed on them as mandated reporters pursuant to Penal Code 11164-11174.3.

SCCOE employees who fail to report such abuse or neglect may be subject to criminal or civil penalties as well as disciplinary action by SCCOE, including dismissal. SCCOE employees who unlawfully disclose information from abuse/neglect reports may be subject to fines and/or imprisonment. (Education Code 44691, 48987; Penal Code 11164 et seq.; Welfare and Institutions Code 15600 et seq.)

#### Legal Reference:

##### EDUCATION CODE

32280-32288 Comprehensive school safety plans

33195 Heritage schools, mandated reporters

33308.1 Guidelines on procedure for filing child abuse complaints

44252 Teacher credentialing

44690-44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

51900.6 Sexual abuse and sexual assault awareness and prevention

##### PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

288 Definition of lewd or lascivious act requiring reporting

11164-11174.4 Child Abuse and Neglect Reporting Act

##### WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

##### CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

##### COURT DECISIONS

Camreta v. Greene (2011) 131 S.Ct. 2020

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Form:

[http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf) California Department of Education, Safe Schools:  
<http://www.cde.ca.gov/ls/ss/ap>

California Department of Social Services, Children and Family Services Division:  
<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, Child Welfare Information Gateway:  
<https://www.childwelfare.gov/can>

Approved by SCCOE Cabinet on **December 1, 2015**

Policy **SANTA CLARA COUNTY OFFICE OF EDUCATION**

adopted: October 20, 2010      San Jose, California

revised: December 1, 2015

# **Santa Clara County Office of Education**

## **Students**

**AR 4141.4 - Child and Dependent Adult Abuse Prevention and Reporting**

## Definitions

*Child abuse or neglect* includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5145.7 - Sexual Harassment)

*Child abuse or neglect* does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

(cf. 6142.7 - Physical Education and Activity)

6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

*A dependent adult* means any person between the ages of 18 and 64 years who resides in this state and who has physical or mental limitations that restrict his or her ability to carry out normal activities or to

protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age.

*Dependent adult abuse or neglect* is defined as follows: (Welfare and Institutions Code 15610.05-15610.07)

Physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering.

*Mandated reporters* include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; administrators and employees of a licensed child day care facility; Head Start teachers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Before beginning employment, all employees who are mandated reporters as defined by the law shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166, Welfare and Institutions Code 15630, and the SCCOE's procedures will comply with those provisions. The signed statement shall be retained in the employees personnel file. (Penal Code 11166.5)

The SCCOE will defend employees who file suspected child abuse or dependent adult abuse reports in the course and scope of their employment consistent with Board policy, administrative regulations, and the law against any actions or claims that may be a result of such report.

*Reasonable suspicion* means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

### **Reportable Offenses**

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child or dependent adult whom the mandated reporter knows or reasonably suspects has been the victim of abuse or neglect. (Penal Code 11166 and Welfare and Institutions Code 15630)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any person shall notify a law enforcement agency if he/she reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress,

menace, or fear of immediate and unlawful bodily injury, where the victim is a child under age 14.  
(Penal Code 152.3, 288)

### **Responsibility for Reporting**

The reporting duties of mandated reporters are individual and cannot be delegated to another person.  
(Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect or abuse or neglect of a dependent adult, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166 and Welfare and Institutions Code 15630)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report.  
(Penal Code 11166 and Welfare and Institutions Code 15630)

Any person not identified as a mandated reporter by law who has knowledge of or observes a child or dependent adult whom he/she knows or reasonably suspects has been a victim of abuse or neglect may report the known or suspected instance of abuse or neglect to the appropriate agency.  
(Penal Code 11166 and Welfare and Institutions Code 15631)

(cf. 1240 - Volunteer Assistance)

### **Reporting Procedures for Incidents Involving Students Under the Age of 18**

#### **1. Initial Telephone Report**

Mandated reporters shall call 9-1-1 for immediate emergencies.

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter as defined by law shall make an initial report by telephone. When the initial telephone report is made, the mandated reporter shall note the name, address, and age of child involved, provide a clear description of suspected child abuse or neglect, and note the name of the screening social worker who took the call and any instructions given. (Penal Code 11165.9, 11166)

Where the situation is not an emergency needing the police, reports should be made to the Santa Clara County Department of Family and Children's Services (DFCS) Child Abuse and Neglect Center (CANC) Hotline in the following areas:

- San Jose Area (Central County): (408) 299-2071
- Gilroy/Morgan Hill Area (South County): (408) 683-0601
- Palo Alto Area (North County): (650) 493-1186

## 2. Written Report

After making the initial phone call and within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form, Suspected Child Abuse Report (SCAR) (SS 8572). (Penal Code 11166, 11168)

The Department of Justice forms are available:

1. In the office of the principal, site administrator, or designee;
2. Online at [http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf);
3. In the SCCOE Human Resources office, call (408) 453-6574; or
4. Contact DFCS at (408) 299-2071.

Forms shall be mailed or faxed to DFCS at:

373 West Julian 2<sup>nd</sup> Floor  
San Jose, CA 95110  
Fax: (408) 975-5851  
Phone: (408) 501-6300

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

Information relevant to the incident of child abuse or neglect also may be given to an investigator from an agency that is investigating the case. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or



to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

Employees shall keep a copy of the complete written report that is filed.

### **Reporting Procedures for Incidents Involving Dependent Adults 18-22 Years of Age**

#### **1. Initial Telephone Report**

Mandated reporters shall call 9-1-1 for immediate emergencies.

Immediately or as soon as practicably possible after the known or suspected abuse, a mandated reporter as defined by this administrative regulations shall make an initial report by telephone to the Santa Clara County Adult Protective Services (APS). (Welfare and Institutions Code 15630)

Adult Protective Services:  
(408) 975-4900 or 1-800-414-2002

If the suspected abuse results in serious bodily injury, a telephone report shall be made to the local law enforcement agency immediately, but also no later than within two hours of the mandated reporter observing, obtaining knowledge of, or suspecting physical abuse. If the suspected abuse does not result in serious bodily injury, a telephone report shall be made to the local law enforcement agency within 24 hours of the mandated reporter observing, obtaining knowledge of, or suspecting physical abuse. (Welfare and Institutions Code 15630)

#### **2. Written Report**

If the suspected abuse does not result in serious bodily injury, within two working days of the mandated reporter observing, obtaining knowledge of, or suspecting physical abuse, a written report shall be made to Adult Protective Services.

Mandated Reporters and all other reporters use this form:  
Report of Suspected Dependent Adult/Elder Abuse: [SOC 341](#)(also available in Human Resources)

Mail the written report to:

Santa Clara County Adult Protective Services  
333 West Julian Street – Fourth Floor  
San Jose, CA 95110

Reports of suspected abuse or neglect shall include, if known: (Welfare and Institutions Code 15630)

- a. The name of the person making the report and the capacity that makes the person a mandated reporter

- b. The name and age of the dependent adult
- c. The present location of the dependent adult
- d. The names and addresses of family members or any other adult responsible for the dependent adult's care
- e. The nature and extent of the dependent adult's condition
- f. The date of the incident, and any other information, including information that led that person to suspect dependent adult abuse, as requested by the agency receiving the report.

Employees shall keep a copy of the complete written report that is filed.

#### **Internal Reporting for Incidents Involving Students 0-17 and Dependent Adults 18-22**

The mandated reporter shall not be required to disclose his/her identity to the employer, supervisor, school principal, school counselor, co-worker, or other person. (Penal Code 11166)

However, employees reporting abuse or neglect to an appropriate agency are encouraged, but not required, to notify their employer, supervisor, school principal, school counselor, co-worker, or other person as soon as possible after the initial telephone report to the appropriate agency. When so notified, the employer, supervisor, school principal, school counselor, co-worker, or other person shall inform the County Superintendent or designee and shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the employer, supervisor, principal, school counselor, co-worker, or other person may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

#### **Internal Action for Incidents Involving SCCOE Employees and Those with Contact of SCCOE Students**

If an employee has knowledge of or reasonably suspects that another SCCOE employee, volunteer, or contractor and other campus visitors who work with or has contact with students on campus has or is engaged in conduct that may be an indication of suspected abuse or neglect, they must take the following actions:

Call 9-1-1- for immediate emergencies

1. File a Suspected Child Abuse Report by telephone to the police or Adult Protective Services depending on the age of the student (see above reporting procedures)

2. Depending on the age of the student, submit a Suspected Child Abuse Report form (SCAR-SS 8572) within 36 hours or Report of Suspected Dependent Adult/Elder Abuse: SOC 341 within 2 hours or two working days (see above reporting procedures)
3. Immediately notify their supervisor of the alleged inappropriate conduct and complete an SCCOE confidential student/staff incident report (for incidents involving SCCOE employee, volunteer, or contractor and other campus visitors who work with or has contact with students on campus)
4. If the allegation involves the site administrator, the employee shall contact the program director

The County Superintendent or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation.

After completion of the appropriate written follow-up report, and after providing that form to the appropriate agency, the mandated reporter shall provide that form to the principal, site administrator, or designee. The mandated reporter shall not be required to disclose his/her identity to the principal, site administrator, or designee and may remove his/her name from the form. (Penal Code 11166)

The County Superintendent or designee shall maintain a record of all reported cases of suspected student abuse regarding employees or others. All complaints and allegations of student abuse shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.

No student shall be required or asked to meet with the employee, volunteer, or contractor who has allegedly abused that student. If the employee, volunteer, or contractor suspected of sexual misconduct is a district employee, volunteer, or contractor, then during the course of the investigation, he/she shall discontinue contact with students.

### **Discipline**

Any SCCOE employee, volunteer, or contractor who is determined, after an investigation, to have engaged in any activity in violation of this policy/administrative regulation, including, but not limited to failure to report known or reasonably suspected child abuse and neglect, will be subject to disciplinary action up to and including discharge.

The SCCOE will discipline any individual who retaliates against any person who reports suspected child abuse and/or neglect or who retaliates against any person who testifies, assists, or participates in an investigation, a proceeding, or a hearing relating to a child abuse and/or neglect complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

### **Cautionary Note:**

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office or Adult Protective Services.
3. The reporting responsibility is an individual one which is not discharged by report to supervisors or administrators.

Employees shall keep a copy of the complete written report that is filed.

### **Reporting to a Licensing Agency**

When the SCCOE receives a report that contains either of the following, it shall, make a report to the Department of Social Services (DSS) by telephone or fax within the DSS's next working day and during its normal business hours:

1. A report of abuse alleged to have occurred in facilities licensed to care for children by the State Department of Social Services.
2. A report of the death of a child who was, at the time of death, living at, enrolled in, or regularly attending a facility licensed to care for children by the State Department of Social Services, unless the circumstances of the child's death are clearly unrelated to the child's care at the facility.

In addition, a written report containing the following information shall be submitted to DSS within seven (7) days following the occurrence of such event:

1. Child's name, age, sex, and date of admission
2. Date and nature of event
3. Attending physician's name, findings, and treatment, if any
4. Disposition of the case

The SCCOE shall send the licensing agency a copy of its investigation and any other pertinent materials. (Penal Code 11166.1)

Employees shall keep a copy of the complete written report that is filed.

### **Failure to Report**

Any person mandated by Penal Code who fails to report any instance of child abuse or neglect that he/she know or reasonably suspects to exist may incur criminal, civil, and/or professional liability. Failure to report is a misdemeanor and punishable by confinement in county jail for a term not to exceed six months or by a fine of not more than one thousand dollars (\$1,000) or by both. However, if "death or great bodily injury" happens to the child as a result of the abuse, the mandated reporter is guilty of a misdemeanor punishable by not more than one year in a county jail, by a fine of not to exceed five thousand dollars (\$5,000) or by both. (Penal Code 11166)

### **Training**

Within the first six weeks of each school year, the County Superintendent or designee shall provide training on mandated reporting requirements to SCCOE employees and persons working on their behalf who are mandated reporters as defined by law. Any school personnel hired during the school year shall receive training within the first six weeks of employment. (Education Code 44691; Penal Code 11165.7) Training may also be provided to SCCOE employees not defined as mandated reporters by law. SCCOE employees not defined as mandated reporters by law are not required to attend training and there are no legally mandated timelines to participate in such training; however, new employees as of January 1, 2015 are required to participate in training as part of the new employee orientation.

(cf. 4131/4231/4331 – Staff Development)

Training of mandated reporters shall include, but not necessarily be limited to, training in identification and mandated reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

The County Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

Unless otherwise specifically provided, the absence of training shall not excuse a mandated reporter from the duties imposed under the Penal Code.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4131/4231/4331 - Staff Development)

(cf. 5145.7 - Sexual Harassment)

#### **Victim Interviews by Social Services**

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises,. The County Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

#### **Release of Child to Law Enforcement Officer**

When a child is released to a law enforcement officer and taken into custody as a victim of suspected child abuse or neglect, the County Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

### **Parent/Guardian Complaints**

Upon request, the County Superintendent or designee shall provide parents/guardians with a copy of this administrative regulation which contain procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

(cf. 5145.6 - Parental Notifications)

To file a complaint against a SCCOE employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

(cf. 1312.3 - Uniform Complaint Procedures)

### **Notifications**

The County Superintendent or designee shall provide to all new employees who are mandated reporters as defined by Penal Code, Welfare and Institutions Code, and this administrative regulation a statement that informs them of their status as mandated reporters, of their reporting obligations under Penal Code 11166, and of their confidentiality rights under Penal Code 11167. The SCCOE also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, employees shall sign a statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the County Superintendent or designee. (Penal Code 11166.5)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

The County Superintendent or designee also shall notify all employees that:

1. A mandated reporter as defined by the Penal Code who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter as defined by the Penal Code fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the SCCOE for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166)

### **Confidentiality**

Reports of suspected child abuse or neglect and information contained therein are confidential and may be disclosed only as follows:

- a. The identity of the reporting person(s) shall be disclosed only between child protective agencies; to counsel representing a child protective agency; to the district attorney in a criminal prosecution or in an action initiated under the Welfare and Institutions Code section 602 arising from alleged child abuse or neglect; to counsel appointed pursuant to subdivision (c) of the Welfare and Institutions Code section 317; to the county counsel or district attorney in an action initiated under Welfare and Institutions Code section 300 (dependent children); to a licensing agency when abuse or neglect in out-of-home care is suspected; by court order; in a criminal or civil proceeding; or when the person who reports waives confidentiality.
- b. The contents of the report shall only be disclosed to persons or agencies permitted under Section D.5.a. and Penal Code 11167(d) and 11675.5 which require that the identity of all person who report child abuse or neglect remain confidential

Approved by SCCOE Cabinet on **December 1, 2015**

By \_\_\_\_\_  
Jon R. Gundry  
County Superintendent of Schools

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Regulation **SANTA CLARA COUNTY OFFICE OF EDUCATION**

approved: October 20, 2010 San Jose, California

revised: December 1, 2015

# Santa Clara County Office of Education

## Board Policy

### Discipline

#### BP 5144 – Discipline

##### Students

The Santa Clara County Board of Education (County Board) desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The County Board believes that high expectations for student behavior, effective classroom management, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as means for correcting student misbehavior. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Santa Clara County Office of Education (SCCOE) has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated it may be necessary to remove a student from SCCOE programs.

The County Superintendent of Schools (County Superintendent) or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at SCCOE schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of SCCOE discipline policies and practices.

In addition, the County Superintendent or designee's strategies shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)



(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 6159.4 - Behavioral Interventions for Special Education Students)  
(cf. 6164.5 - Student Success Teams)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be those specified in law and/or administrative regulation.

The SCCOE shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The County Superintendent or designee shall comply with procedures for notices and appeals as specified in law and/or administrative regulation. (Education Code 48911, 48915, 48915.5)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each site may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and SCCOE regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the SCCOE's comprehensive safety plan. (Education Code 35291.5, 32282)

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the SCCOE's nondiscrimination policies.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)

SCCOE goals for improving school climate shall be included in the SCCOE's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)  
(cf. 3100 - Budget)

Legal Reference:

CIVIL CODE

1714.1 Parental liability for child's misconduct

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

48900-48926 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CDE PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CDE: <http://www.cde.ca.gov>

USDOE, Office of Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

CSBA: <http://www.csba.org>

Public Counsel: <http://www.fixschooldiscipline.org>

Policy

adopted: October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION

San Jose, California

revised: February 4, 2015

# Santa Clara COE

## Administrative Regulation

### Suspension and Expulsion/Due Process (Students with Disabilities)

#### AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)

##### Students

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds for suspension and expulsion which apply to students without disabilities.

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

##### Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been officially identified as a student with a disability pursuant to IDEA and who has engaged in behavior that violated the Santa Clara County Office of Education code of student conduct may assert any of the protections under IDEA only if the SCCOE had knowledge that the student is disabled before the behavior that precipitated the disciplinary action occurred. (20 USC 1415(k) (5); 34 CFR 300.534)

The SCCOE shall be deemed to have knowledge that the student has a disability if one of the following conditions exists: (20 USC 1415(k) (5); 34 CFR 300.534)

1. The parent/guardian has expressed concern to SCCOE supervisory or administrative personnel in writing, or to a teacher of the student, that the student is in need of special education or related services.
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 34 CFR 300.300-300.311.

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

3. The teacher of the student or other SCCOE personnel has expressed specific concerns directly to the SCCOE director of special education or to other supervisory SCCOE personnel about a pattern of behavior demonstrated by the student.

The SCCOE would be deemed to not have knowledge that a student is disabled if the parent/guardian has not allowed the student to be evaluated for special education services or has refused services. In addition, the SCCOE would be deemed to not have knowledge if the

SCCOE conducted an evaluation pursuant to 34 CFR 300.300-300.311 and determined that the student was not an individual with a disability. When the SCCOE is deemed to not have knowledge of the disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k) (5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k) (5); 34 CFR 300.534)

### **Suspension**

The Santa Clara County Superintendent of Schools or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (34 CFR 300.530; Education Code 48903)

The principal or designee shall monitor the number of days, including portions of days, in which a student with a valid individualized education program (IEP) has been suspended during the school year.

*(cf. 6159 - Individualized Education Program)*

The SCCOE shall determine, on a case-by-case basis, whether a pattern of removals of a student from his/her current educational placement for disciplinary reasons constitutes a change of placement. A change of placement shall be deemed to have occurred under any of the following circumstances: (34 CFR 300.536)

1. The removal is for more than 10 consecutive school days.
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
  - a) The series of removals total more than 10 school days in a school year.
  - b) The student's behavior is substantially similar to his/her behavior in previous incidents that resulted in the series of removals.
  - c) Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another, indicate a change of placement.

If the removal has been determined to be a change of placement as specified in items #1-2 above, the student's IEP team shall determine the appropriate educational services. (34 CFR 300.530)

### **Services during Suspension**

Any student suspended for more than 10 school days in the same school year shall continue to receive services during the term of the suspension. School personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed as provided in 34 CFR 300.101(a), so as to enable the student to continue to participate in the general education curriculum in another setting and to progress toward meeting the goals as set out in his/her IEP. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If a student with a disability is excluded from school bus transportation, the student shall be provided with an alternative form of transportation at no cost to the student or his/her parent/guardian, provided that transportation is specified in his/her IEP. (Education Code 48915.5)

*(cf. 3541.2 - Transportation for Students with Disabilities)*

### **Interim Alternative Educational Placement Due to Dangerous Behavior**

The SCCOE may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k) (1) (G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k) (1) (G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the parents/guardians of the student shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k) (1) (H); 34 CFR 300.530)

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k) (1) (D); 34 CFR 300.530)

### **Manifestation Determination**

The following procedural safeguards shall apply when a student with a disability is suspended for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the SCCOE code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the parents/guardians of the student shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*

2. Manifestation Determination Review: Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k) (1)(E); 34 CFR 300.530)

At the manifestation determination review, the SCCOE, the student's parent/guardian, and relevant members of the IEP team (as determined by the SCCOE and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k) (1) (E); 34 CFR 300.530)

- a) Caused by or had a direct and substantial relationship to the student's disability
- b) A direct result of the SCCOE failure to implement the student's IEP, in which case the SCCOE shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that a condition in either #a or #b above was met, the conduct shall then be determined to be a manifestation of the student's disability. (20 USC 1415(k) (1) (E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the conduct has been determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, unless a functional behavioral assessment had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k) (1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and SCCOE agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k) (1)(F); 34 CFR 300.530)

*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*

4. Determination that Behavior is Not a Manifestation of the Student's Disability: If the manifestation determination review team determines that the student's behavior was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

The student shall receive services to the extent necessary to participate in the general education curriculum in another setting and to allow him/her to progress toward meeting the goals set out in his/her IEP. As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

*(cf. 6158 - Independent Study)*

*(cf. 6185 - Community Day School)*

### **Due Process Appeals**

If the parent/guardian disagrees with any SCCOE decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances) or 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), he/she may appeal the decision by requesting a hearing. The SCCOE may request a hearing if the SCCOE believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k) (3); 34 CFR 300.532)



Whenever a hearing is requested as specified above, the parent/guardian or the SCCOE shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the SCCOE has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and SCCOE agree otherwise. (20 USC 1415(k) (4); 34 CFR 300.533)

### **Readmission**

Readmission procedures for students with disabilities shall be the same as those used for all students. Upon readmission, an IEP team meeting shall be convened.

### **Suspension of Expulsion**

Santa Clara County Board of Education's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

### **Notification to Law Enforcement Authorities**

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in AR 5144.1 - Suspension and Expulsion/Due Process.

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

### **Report to County Superintendent of Schools**

The Chief Student Officer or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

Legal Reference:

*EDUCATION CODE*

*35146 Closed sessions re: suspensions*

*35291 Rules of governing board*

*48203 Reports of severance of attendance of disabled students*

*48900-48925 Suspension and expulsion*

*56000 Special education; legislative findings and declarations*

*56320 Educational needs; requirements*

*56321 Development or revision of individualized education program*

*56329 Independent educational assessment*

*56340-56347 Individualized education program teams*

56505 State hearing

PENAL CODE

245 Assault with deadly weapon

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act

626.10 Dirks, daggers, knives, razors, or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons

1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812 Controlled substances

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.530-300.537 Discipline procedures

COURT DECISIONS

*Schaffer v. Weast*, (2005) 546 U.S. 549

*Parents of Student W. v. Puyallup School District*, (1994 9th Cir.) 31 F.3d 1489

*M.P. v. Governing Board of Grossmont Union High School District*, (1994) 858 F.Supp. 1044

*Honig v. Doe*, (1988) 484 U.S. 305

Management Resources:

FEDERAL REGISTER

*Rules and Regulations*, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osep>

Regulation approved:

October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California

# Santa Clara COE

## Board Policy

### Nondiscrimination/Harassment

#### BP 5145.3 - Nondiscrimination/Harassment

##### Students

The Santa Clara County Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The County Board prohibits, at any SCCOE school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

*(cf. 5146 - Married/Pregnant/Parenting Students)*

*(cf. 6164.6 - Identification and Education Under Section 504)*

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

This policy applies to all acts related to school activity or school attendance within a school under the jurisdiction of the SCCOE superintendent.

The County Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

The Santa Clara County Superintendent of Schools or designee shall provide age-appropriate training and information to students, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the

SCCOE's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

In providing instruction, guidance, supervision, or other services to SCCOE students, employees and volunteers shall carefully guard against segregating or stereotyping students.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 6145 - Extracurricular and Curricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6164.2 - Guidance/Counseling Services)*

The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 5145.2 - Freedom of Speech/Expression)*

### **Grievance Procedures**

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the SCCOE's nondiscrimination policies:

Executive Director - Human Resources or Designee  
1290 Ridder Park Drive  
San Jose, CA 95131  
(408) 453-6843

*(cf. 1312.1 - Complaints Concerning District Employees)*

(cf. 1312.3 - Uniform Complaint Procedures)

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator, the principal, or any other staff member. In addition, any student who observes any such incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall report the incident to the Coordinator or principal, whether or not the victim files a complaint.

In addition, the employee shall take immediate steps to intervene when safe to do so and when he or she witnesses an act of discrimination, harassment, intimidation or bullying. (Education Code § 234.1)

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the SCCOE's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

The Superintendent or designee shall ensure that the student handbook clearly describes the SCCOE's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The SCCOE's policy shall also be posted on the SCCOE web site or any other location that is easily accessible to students.

*(cf. 1113 - SCCOE and School Web Sites)*

*(cf. 1114 - SCCOE -Sponsored Social Media)*

*(cf. 6163.4 - Student Use of Technology)*

When required pursuant to Education Code 48985, complaint forms shall be translated into the student's primary language.

Legal Reference:

*EDUCATION CODE*

*200-262.4 Prohibition of discrimination*

*48900.3 Suspension or expulsion for act of hate violence*

*48900.4 Suspension or expulsion for threats or harassment*

*48904 Liability of parent/guardian for willful student misconduct*

*48907 Student exercise of free expression*

*51500 Prohibited instruction or activity*

*51501 Prohibited means of instruction*

*60044 Prohibited instructional materials*

*48950 Freedom of speech*

*49020-49023 Athletic programs*

*CIVIL CODE*

1714.1 *Liability of parents/guardians for willful misconduct of minor*  
PENAL CODE  
422.55 *Definition of hate crime*  
422.6 *Crimes, harassment*  
CODE OF REGULATIONS, TITLE 5  
4600-4687 *Uniform Complaint Procedures*  
4900-4965 *Nondiscrimination in elementary and secondary education programs*  
UNITED STATES CODE, TITLE 20  
1681-1688 *Title IX of the Education Amendments of 1972*  
UNITED STATES CODE, TITLE 42  
2000d-2000e-17 *Title VI and Title VII Civil Rights Act of 1964, as amended*  
2000h-2-2000h-6 *Title IX of the Civil Rights Act of 1964*  
CODE OF FEDERAL REGULATIONS, TITLE 34  
100.3 *Prohibition of discrimination on basis of race, color or national origin*  
104.7 *Designation of responsible employee for Section 504*  
106.8 *Designation of responsible employee for Title IX*  
106.9 *Notification of nondiscrimination on basis of sex*  
COURT DECISIONS  
*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567*  
*Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130*

Management Resources:

CSBA PUBLICATIONS  
*Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010*  
CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES  
*California Student Safety and Violence Prevention - Laws and Regulations, April 2004*  
FIRST AMENDMENT CENTER PUBLICATIONS  
*Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006*  
NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS  
*Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004*  
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
*Notice of Non-Discrimination, January 1999*  
WEB SITES  
CSBA: <http://www.csba.org>  
California Safe Schools Coalition: <http://www.casafeschools.org>  
California Department of Education: <http://www.cde.ca.gov>  
First Amendment Center: <http://www.firstamendment.org>  
National School Boards Association: <http://www.nsba.org>  
U.S. Department of Education, Office for Civil Rights:  
<http://www.ed.gov/about/offices/list/ocr>

Policy adopted:

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

October 20, 2010

Revised: January 15, 2014

San Jose, California

# Santa Clara COE

## Board Policy

### Sexual Harassment

#### BP 5145.7 - Sexual Harassment

##### Students

The Santa Clara County Board of Education is committed to maintaining an educational environment that is free from harassment and discrimination. The County Board prohibits sexual harassment of students by other students, employees, or other persons, at school or at school-sponsored or school-related activities. The County Board also prohibits retaliatory behavior or action against persons who complain, testify, assist, or otherwise participate in the Santa Clara County Office of Education complaint processes.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

##### Instruction/Information

The Santa Clara County Superintendent of Schools or designee shall ensure that all SCCOE students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the SCCOE procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

*(cf. 5131.5 - Vandalism and Graffiti)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*



## **Complaint Process**

Any student who feels that he/she is being or has been sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-related activity (e.g., a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

The County Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the County Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

## **Disciplinary Actions**

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

*(cf. 5131 - Conduct)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

## **Confidentiality and Record-Keeping**

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5125 - Student Records)*

The County Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the SCCOE to monitor, address, and prevent repetitive harassing behavior in the schools.

*Legal Reference:*

*EDUCATION CODE*

*200-262.4 Prohibition of discrimination on the basis of sex*

*48900 Grounds for suspension or expulsion*

48900.2 *Additional grounds for suspension or expulsion; sexual harassment*

48904 *Liability of parent/guardian for willful student misconduct*

48980 *Notice at beginning of term*

**CIVIL CODE**

51.9 *Liability for sexual harassment; business, service and professional relationships*

1714.1 *Liability of parents/guardians for willful misconduct of minor*

**GOVERNMENT CODE**

12950.1 *Sexual harassment training*

**CODE OF REGULATIONS, TITLE 5**

4600-4687 *Uniform Complaint Procedures*

4900-4965 *Nondiscrimination in elementary and secondary education programs*

**UNITED STATES CODE, TITLE 20**

1681-1688 *Title IX, discrimination*

**UNITED STATES CODE, TITLE 42**

1983 *Civil action for deprivation of rights*

2000d-2000d-7 *Title VI, Civil Rights Act of 1964*

2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*

**CODE OF FEDERAL REGULATIONS, TITLE 34**

106.1-106.71 *Nondiscrimination on the basis of sex in education programs*

**COURT DECISIONS**

*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567*

*Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130*

*Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736*

*Davis v. Monroe County Board of Education, (1999) 526 U.S. 629*

*Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274*

*Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473*

*Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447*

**Management Resources:**

**OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

*Sexual Harassment: It's Not Academic, September 2008*

*Revised Sexual Harassment Guidance, January 2001*

**WEB SITES**

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

Policy adopted:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California

# Santa Clara COE

## Administrative Regulation

### Sexual Harassment

## AR 5145.7 - Sexual Harassment

### Students

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any Santa Clara County Office of Education program or activity

Examples of types of conduct which are prohibited and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors

6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects

#### School-Level Complaint Process/Grievance Procedure

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to a SCCOE Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Principal, whether or not the victim files a complaint.

In any case of sexual harassment involving the Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Santa Clara County Superintendent of Schools or designee.

2. Initiation of Investigation: The Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The SCCOE shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, and an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall consider the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment in determining whether it is reasonable to pursue an investigation.

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Principal shall describe the grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information,

provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the SCCOE ability to investigate.

4. Investigation Process: The Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Principal also may discuss the complaint with the County Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and legal counsel or SCCOE risk manager.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

5. Interim Measures: The Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. Optional Mediation: In cases of student-to-student harassment, when the student who complained and the alleged harasser so agree, the Principal may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. Factors in Reaching a Determination: In reaching a decision about the complaint, the Principal may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Principal may take into consideration:

- a. How the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
  - d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
  - e. The size of the school, location of the incidents, and context in which they occurred
  - f. Other incidents at the school involving different students
8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If sexual harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the County Superintendent or designee.

In addition, the Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Principal shall also make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

### **Enforcement of SCCOE Policy**

The County Superintendent or designee shall take appropriate actions to reinforce the sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

*(cf. 5131.5 - Vandalism and Graffiti)*

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

3. Disseminating and/or summarizing the SCCOE policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 5125 - Student Records)*

5. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

#### Notifications

A copy of the SCCOE sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

*(cf. 5145.6 - Parental Notifications)*

2. Be displayed in a prominent location in the main administrative building or other area where notices of rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school publication that sets forth the school's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

Regulation approved:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California



# Santa Clara COE

## Board Policy

### Sexual Harassment

#### BP 4119.11 - Sexual Harassment

##### Personnel

The Santa Clara County Superintendent of Schools prohibits sexual harassment of Santa Clara County Office of Education employees and job applicants. The County Superintendent also prohibits retaliatory behavior or action against SCCOE employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation.

*(cf. 0410 - Nondiscrimination in SCCOE Programs and Activities)*

*(cf. 4030 - Nondiscrimination in Employment)*

The County Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the SCCOE's sexual harassment policy to staff

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR 4964)

Any SCCOE employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, SCCOE administrator or County Superintendent.

A supervisor, principal or other SCCOE administrator who receives a harassment complaint shall promptly notify the County Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

Any SCCOE employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a SCCOE employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

*(cf. 4117.4 - Dismissal)*

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

Legal Reference:

*EDUCATION CODE*

*200-262.4 Prohibition of discrimination on the basis of sex*

*GOVERNMENT CODE*

*12900-12996 Fair Employment and Housing Act, especially:*

*12940 Prohibited discrimination*

*12950.1 Sexual harassment training*

*LABOR CODE*

*1101 Political activities of employees*

*1102.1 Discrimination: sexual orientation*

*CODE OF REGULATIONS, TITLE 2*

*7287.8 Retaliation*

*7288.0 Sexual harassment training and education*

*CODE OF REGULATIONS, TITLE 5*

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*UNITED STATES CODE, TITLE 42*

*2000d-2000d-7 Title VI, Civil Rights Act of 1964*

*2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended*

*2000h-2-2000h-6 Title IX, 1972 Education Act Amendments*

*CODE OF FEDERAL REGULATIONS, TITLE 34*

*106.9 Dissemination of policy*

*COURT DECISIONS*

*Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026*

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*Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989*

*Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998*

*Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57*

Policy adopted:  
April 30, 2012

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

All Personnel

AR 4119.11(a) 4219.11 4319.11

## SEXUAL HARASSMENT

### Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the Santa Clara County Office of Education.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects

3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the SCCOE's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

### **Training**

Every two years, the Santa Clara County Superintendent of Schools or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code 12950.1)

The SCCOE's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1; 2 CCR 7288.0)

In addition, the County Superintendent or designee shall ensure that all employees receive periodic training regarding the SCCOE's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the SCCOE's complaint procedures.

### **Notifications**

A copy of the SCCOE policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, SCCOE office, or other area of the office/school where notices of SCCOE rules, regulations, procedures, and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

3. Appear in any school or SCCOE publication that sets forth the school's or SCCOE's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of SCCOE information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The SCCOE's complaint process available to the employee.

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission. (EEOC)
6. Directions on how to contact DFEH and the EEOC.
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC.

In addition, the SCCOE shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

Regulation approved:  
April 30, 2012

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Board Policy

### Sexual Harassment

#### BP 4219.11 - Sexual Harassment - Personnel

##### Personnel

The Santa Clara County Superintendent of Schools prohibits sexual harassment of Santa Clara County Office of Education employees and job applicants. The County Superintendent also prohibits retaliatory behavior or action against SCCOE employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation.

*(cf. 0410 - Nondiscrimination in SCCOE Programs and Activities)*

*(cf. 4030 - Nondiscrimination in Employment)*

The County Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the SCCOE's sexual harassment policy to staff

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR 4964)

Any SCCOE employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, SCCOE administrator or County Superintendent.

A supervisor, principal or other SCCOE administrator who receives a harassment complaint shall promptly notify the County Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

Any SCCOE employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a SCCOE employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

*(cf. 4117.4 - Dismissal)*

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

Legal Reference:

*EDUCATION CODE*

*200-262.4 Prohibition of discrimination on the basis of sex*

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*1102.1 Discrimination: sexual orientation*

*CODE OF REGULATIONS, TITLE 2*

*7287.8 Retaliation*

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*106.9 Dissemination of policy*

*COURT DECISIONS*

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Policy adopted:

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

*April 30, 2012*

San Jose, California

*All Personnel*

*AR 4119.11(a) 4219.11*

**SEXUAL HARASSMENT**

**4319.11**

**Definitions**

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the Santa Clara County Office of Education.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or

brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the SCCOE's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

### **Training**

Every two years, the Santa Clara County Superintendent of Schools or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code 12950.1)

The SCCOE's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1; 2 CCR 7288.0)

In addition, the County Superintendent or designee shall ensure that all employees receive periodic training regarding the SCCOE's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the SCCOE's complaint procedures.

### **Notifications**

A copy of the SCCOE policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, SCCOE office, or other area of the office/school where notices of SCCOE rules, regulations, procedures, and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

3. Appear in any school or SCCOE publication that sets forth the school's or SCCOE's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of SCCOE information sheets that contain, at a minimum, components on: (Government Code 12950)

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*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission. (EEOC)
6. Directions on how to contact DFEH and the EEOC.
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC.

In addition, the SCCOE shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

Regulation approved:  
April 30, 2012

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Board Policy

### Sexual Harassment

#### BP 4319.11 - Sexual Harassment

##### Personnel

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*(cf. 0410 - Nondiscrimination in SCCOE Programs and Activities)*

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The County Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the SCCOE's sexual harassment policy to staff

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR 4964)

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*(cf. 4117.4 - Dismissal)*

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## Definitions

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In addition, the County Superintendent or designee shall ensure that all employees receive periodic training regarding the SCCOE's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the SCCOE's complaint procedures.

### **Notifications**

A copy of the SCCOE policy and this administrative regulation shall: (Education Code 231.5)

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2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

3. Appear in any school or SCCOE publication that sets forth the school's or SCCOE's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of SCCOE information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The SCCOE's complaint process available to the employee.

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission. (EEOC)
6. Directions on how to contact DFEH and the EEOC.
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC.

In addition, the SCCOE shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

Regulation approved:  
April 30, 2012

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California



# Santa Clara COE

## Board Policy

### Hate-Motivated Behavior

#### BP 5145.9 - Hate-Motivated Behavior

##### Students

In order to create a safe learning environment for all students, the Santa Clara County Board of Education desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The Santa Clara County Office of Education prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

*(cf. 5131.5 - Vandalism and Graffiti)*

*(cf. 5136 - Gangs)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5141.52 - Suicide Prevention)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5147 - Dropout Prevention)*

*(cf. 5149 - At-Risk Students)*

The Santa Clara County Superintendent of Schools or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of SCCOE and community resources.

*(cf. 1020 - Youth Services)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 1700 - Relations Between Private Industry and the Schools)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

*(cf. 6020 - Parent Involvement)*

The SCCOE shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 6142.3 - Civic Education)*  
*(cf. 6142.4 - Service Learning/Community Service Classes)*  
*(cf. 6141.94 - History-Social Science Instruction)*

The County Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

#### Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Principal. Upon receiving such a complaint, the Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 5131- Conduct)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 5145.7 - Sexual Harassment)*

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Principal, County Superintendent or designee, and/or law enforcement, as appropriate.

*(cf. 3515.3 - District Police/Security Department)*  
*(cf. 4158/4258/4358 - Employee Security)*

As necessary, the SCCOE shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

*(cf. 6164.2 - Guidance/Counseling Services)*

#### Legal Reference:

*EDUCATION CODE*  
*200-262.4 Prohibition of discrimination*

32282 *School safety plans*  
48900.3 *Suspension for hate violence*  
48900.4 *Suspension or expulsion for threats or harassment*  
PENAL CODE  
422.55 *Definition of hate crime*  
422.6 *Crimes, harassment*  
CODE OF REGULATIONS, TITLE 5  
4600-4687 *Uniform Complaint Procedures*  
4900-4965 *Nondiscrimination in elementary and secondary education programs*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES  
*California Student Safety and Violence Prevention - Laws and Regulations, April 2004*  
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL  
ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS  
*Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999*  
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS  
*Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997*  
WEB SITES  
CSBA: <http://www.csba.org>  
California Association of Human Relations Organizations: <http://www.cahro.org>  
California Department of Education: <http://www.cde.ca.gov>  
National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>  
U.S. Department of Education, Office for Civil Rights:  
<http://www.ed.gov/about/offices/list/ocr>  
U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

Policy adopted:  
2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION** October 20,  
San Jose, California

# Santa Clara COE

## Board Policy

### Dress and Grooming

#### BP 5132 - Dress and Grooming

##### Students

The Santa Clara County Board of Education believes that appropriate dress and grooming contribute to a productive learning environment. The County Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

*(cf. 4119.22 - Dress and Grooming)*  
*(cf. 5145.2 - Freedom of Speech/Expression)*

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

*(cf. 5144 - Discipline)*

##### Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the County Board for approval. The County Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 5136 - Gangs)*

##### Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the County Board for approval. The County Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If a school's plan to require uniforms is adopted, the Santa Clara County Superintendent of Schools or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The County Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Legal Reference:

*EDUCATION CODE*

*32281 School safety plans*

*35183 School dress codes; uniforms*

*35183.5 Sun-protective clothing*

*48907 Student exercise of free expression*

*49066 Grades; effect of physical education class apparel*

*CODE OF REGULATIONS, TITLE 5*

*302 Pupils to be neat and clean on entering school*

*COURT DECISIONS*

*Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993)*

*827 F.Supp. 1459*

*Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251*

*Hartzell v. Connell, (1984) 35 Cal. 3d 899*

Policy adopted  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATIO**  
San Jose, California

# Santa Clara COE

## Administrative Regulation

### Dress and Grooming

## AR 5132 - Dress and Grooming

### Students

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board policy and administrative regulations. These school dress codes shall be regularly reviewed.

*(cf. 0420 - School Plans/Site Councils)*

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

In addition, the following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
3. Hats, caps and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
5. Gym shorts may not be worn in classes other than physical education.
6. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

*(cf. 3260 - Fees and Charges)*

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

### **Gang-Related Apparel**

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

### **Uniforms**

In schools where a school wide uniform is required, the principal, staff and parents/guardians of the individual school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The principal or designee shall also repeat this notification at the end of the school year so that parents/guardians are reminded before school clothes are likely to be purchased.

The Santa Clara County Superintendent of Schools or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

The County Superintendent or designee shall establish a method for recycling or exchanging uniforms as students grow out of them.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting.  
(Education Code 35183)

Regulation approved: **SANTA CLARA COUNTY OFFICE OF EDUCATION**

October 20, 2010

San Jose, California



# Santa Clara COE

## Board Policy

### Infectious Diseases

#### BP 5141.22 - Infectious Diseases

##### Students

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

##### Infectious Disease Prevention

The Santa Clara County Superintendent of Schools or designee shall collaborate with parents/guardians and local health agencies and organizations to develop a comprehensive approach to disease prevention that promotes preventative measures and education of students and staff.

*(cf. 1020 - Youth Services)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

*(cf. 5141.26 - Tuberculosis Testing)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.31 - Immunizations)*

*(cf. 5141.32 - Health Screening for School Entry)*

*(cf. 5141.6 - School Health Services)*

The County Superintendent or designee shall regularly review resources available from health experts to ensure that Santa Clara County Office of Education programs are based on the most up-to-date information.

The County Superintendent or designee shall ensure that the SCCOE comprehensive health education program provides information about the prevention of infectious diseases, including the nature of bloodborne pathogens and their transmission, as well as information to help prevent the spread of contagious diseases, such as a pandemic influenza. He/she shall also ensure that each school has sufficient infection prevention supplies that are easily accessible to staff.

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6142.8 - Comprehensive Health Education)*

## **Universal Precautions**

Students and staff shall observe universal precautions in order to prevent exposure to bloodborne pathogens and to prevent the spread of infectious diseases.

*(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*

The County Superintendent or designee shall inform students of the precautions to be used in cases of exposure to blood or other body fluids through injury, accident, or classroom instruction.

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 6145.2 - Athletic Competition)*

## **Students with Infectious Diseases**

The County Superintendent or designee shall exclude students only in accordance with law, Board policy, and administrative regulation. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV) are not casually transmitted, the presence of infectious conditions of this type is not, by itself, sufficient reason to exclude students from attending school.

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 6164.6 - Identification and Education Under Section 504)*

Parents/guardians are encouraged to inform the County Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The County Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law.

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5022 - Student and Family Privacy Rights)*

*(cf. 5125 - Student Records)*

### **Legal Reference:**

#### **EDUCATION CODE**

*48210-48216 Persons excluded*

*49073-49079 Privacy of pupil records*

*49403 Cooperation in control of communicable disease and immunization of pupils*

*49405 Smallpox control*

*49406 Examination for tuberculosis (employees)*

*49408 Information of use in emergencies*

*49602 Confidentiality of student information*

51202 *Instruction in personal and public health and safety*  
CALIFORNIA CONSTITUTION  
Article 1, Section 1 *Right to Privacy*  
CIVIL CODE  
56-56.37 *Confidentiality of Medical Information Act*  
1798-1798.76 *Information Practices Act*  
HEALTH AND SAFETY CODE  
120230 *Exclusion for communicable disease*  
120325-120380 *Immunization against communicable diseases*  
120875-120895 *AIDS information*  
120975-121022 *Mandated blood testing and confidentiality to protect public health*  
121475-121520 *Tuberculosis tests for pupils*  
CODE OF REGULATIONS, TITLE 8  
5193 *California bloodborne pathogens standard*  
CODE OF REGULATIONS, TITLE 17  
2500-2511 *Communicable disease reporting requirements*  
UNITED STATES CODE, TITLE 20  
1232g *Family Educational and Privacy Rights Act*  
1400-1482 *Individuals with Disabilities Education Act*  
UNITED STATES CODE, TITLE 29  
794 *Section 504 of the Rehabilitation Act of 1973*  
CODE OF FEDERAL REGULATIONS, TITLE 45  
164.500-164.534 *Health Insurance Portability and Accountability Act (HIPAA)*  
COURT DECISIONS  
*Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 376*

*Management Resources:*

CSBA PUBLICATIONS

*Saving Lives: AIDS Issues for California Schools 1994, rev. 2006*

*Avian Influenza, Governance and Policy Services Fact Sheet, April 2006*

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Contra Costa County Office of Education, *Pandemic Flu Resources:*

[http://www.cccoe.k12.ca.us/about/flu/resources\\_flu\\_action\\_kit](http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit)

U.S. Government *Pandemic Flu Information:* <http://www.pandemicflu.gov>

Policy adopted:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Administrative Regulation

### Infectious Diseases

#### AR 5141.22 - Infectious Diseases

##### Students

The Santa Clara County Superintendent of Schools or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

##### Universal Precautions in the Classroom

Before students work with blood, blood products, or other body fluids, the teacher shall explain the potentially hazardous nature of blood and body fluids in the transmission of various agents from one person to another and the specific procedures and safety precautions to be used in the lesson.

The following precautions shall be used when students are working with blood or other body fluids:

1. Before and after exposure to blood or other body fluids, students shall wash their hands with soap and water and cover any existing cut, wound, or open sore with a sterile dressing.
2. Students shall wear gloves or other personal protective equipment as appropriate.

*(cf. 5142 - Safety)*

3. Blood typing or similar experiments may be conducted by teacher demonstrations. When being performed individually, students shall work with their own blood or use prepackaged ABO/Rh blood cell kits that have vials of blood previously tested for transmissible agents.
  - a. Students shall use individual sterile lancets for finger punctures and shall not reuse them.
  - b. Before the finger is punctured, it shall be wiped with a piece of cotton that has been immersed in alcohol.
  - c. If bleeding persists after the finger is punctured, the student shall apply a sterile bandage using moderate pressure.

4. Lancets and any other materials contaminated with blood or body fluids shall be discarded into a sharps container.
  
5. At the end of the class, surfaces shall be wiped with alcohol or a solution of one part bleach to 10 parts water.

*(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6142.93 - Science Instruction)*

Regulation approved:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California

# Santa Clara COE

## Board Policy

### Parental Notifications

#### BP 5145.6 - Parental Notifications

##### Students

The Santa Clara County Board of Education recognizes that notifications are essential to effective communication between the school and the home. The Santa Clara County Superintendent of Schools or designee shall send students and parents/guardians all notifications required by law, including notifications about their legal rights, and any other notifications he/she believes will promote parental understanding and involvement.

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 5022 - Student and Family Privacy Rights)*

*(cf. 6020 - Parent Involvement)*

The County Superintendent or designee shall ensure that notifications which must be sent at the beginning of each academic year include a request that the parent/guardian sign the notice and return it to the school. (Education Code 48981, 48982)

Notifications to parents/guardians shall be written both in English and in the family's primary language when so required by law. Whenever an employee learns that a student's parent/guardian is for any reason unable to understand the Santa Clara County Office of Education printed notifications, the principal or designee shall work with the parent/guardian to establish other appropriate means of communication.

*(cf. 6174 - Education for English Language Learners)*

##### Legal Reference:

###### *EDUCATION CODE*

*221.5 Prohibited sex discrimination*

*231.5 Sexual harassment policy*

*262.3 Appeals; information re: availability of civil remedies*

*310 Structured English Immersion Program*

*17288 Pupils: school buildings*

*17612 Notification of pesticide use*

*32255-32255.6 Right to refuse harmful or destructive use of animals*

*32390 Fingerprint program; contracts; funding; consent of parent/guardian*

*35178.4 Notice of accreditation status*

*35183 School dress codes; uniforms*

*35186 Complaints concerning deficiencies in instructional materials and facilities*

35256 *School accountability report card*  
35291 *Rules*  
37616 *Consultation*  
39831.5 *School bus rider rules and information*  
44808.5 *Permission to leave school grounds*  
46010.1 *Notice re: excuse to obtain confidential medical services*  
46014 *Regulations regarding absences for religious purposes*  
46600-46611 *Interdistrict attendance agreements especially:*  
46601 *Failure to approve interdistrict attendance*  
48000 *Minimum age of admission*  
48070.5 *Promotion or retention of students*  
48205 *Absence for personal reasons*  
48206.3 *Pupils with temporary disabilities; individual instruction; definitions*  
48207 *Pupils with temporary disabilities in hospitals outside of school district*  
48208 *Students with temporary disabilities in qualifying hospitals*  
48216 *Immunization*  
48260.5 *Notice to parent re truancy*  
48263 *Referral to SARB or probation department*  
48432.5 *Involuntary transfers of pupils*  
48904 *Liability of parent/guardian for willful pupil misconduct*  
48904.3 *Withholding grades, diplomas, or transcripts*  
48906 *Notification of release of pupil to peace officer*  
48911 *Notification in case of suspension*  
48912 *Closed sessions; consideration of suspension*  
48915.1 *Expelled individuals: enrollment in another district*  
48916 *Readmission procedures*  
48918 *Rules governing expulsion procedures*  
48980 *Required notification at beginning of term*  
48980.3 *Notification of pesticide use*  
48981 *Time and means of notification*  
48982 *Signature; return to school; effect of signature*  
48983 *Contents of notice*  
48984 *Activities prohibited unless notice given*  
48985 *Notices to parents in language other than English*  
48987 *Child abuse information*  
49063 *Notification of parents of their rights*  
49067 *Regulations regarding pupil's achievement*  
49068 *Transfer of permanent enrollment and scholarship record*  
49069 *Absolute right to access*  
49070 *Challenging content of records*  
49073 *Release of directory information*  
49076 *Access to student records*  
49077 *Access to information concerning a student in compliance with court order*  
49091.14 *Prospectus*  
49302 *Parental consent*

49332 Notifications of retention of object by school personnel; release  
 49403 Cooperation in control of communicable disease and immunization  
 49423 Administration of prescribed medication for pupil  
 49451 Physical examinations: parent's refusal to consent  
 49452.5 Screening for scoliosis  
 49452.7 Information on type 2 diabetes  
 49456 Report to parent  
 49472 Medical and hospital services for pupils  
 49480 Continuing medication regimen for nonepisodic conditions  
 49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970  
 51229 Course of study for grades 7-12  
 51513 Personal beliefs  
 51938 Right of parent/guardian notice HIV/AIDS and sexual health instruction  
 52164.1 Census-taking methods; determination of primary language; assessment of language skills  
 52164.3 Notice of reassessment of language skills  
 52173 Consultation with parents or guardians; notice to parents or guardians; withdrawal of pupil  
 52244 Advanced Placement Program  
 54444.2 Migrant education programs; parent involvement  
 56301 Child-find system; policies re: written notification rights  
 56321 Special education: proposed assessment plan  
 56321.5-56321.6 Notice of parent rights pertaining to special education  
 56329 Written notice of right to findings; independent assessment  
 56341 Individualized education program team  
 56341.1 Development of individualized education program; right to audio record meeting  
 56341.5 Individualized education program team meetings  
 56343.5 IEP meetings  
 56346 Parental notice and consent to special education program  
 58501 Alternative schools: notice required prior to establishment  
 60641 Standardized Testing and Reporting Program  
 60850 High School Exit Examination  
 66204 Certification of high school courses as meeting university admission criteria  
 HEALTH AND SAFETY CODE  
 1596.857 Right to enter child care facility  
 120365 Immunizations  
 120370 Immunizations  
 120375 Immunizations  
 120440 Sharing immunization information  
 124085 Certificate of receipt; health screening and evaluation services; waiver by parent/guardian  
 124100 School districts and private schools; information to parents  
 PENAL CODE  
 627.5 Hearing request following denial or revocation of registration  
 WELFARE AND INSTITUTIONS CODE



18976.5 Parental notice; right of refusal to participate  
 CODE OF REGULATIONS, TITLE 5  
 863 Standardized Testing and Reporting Program  
 3052 Behavioral intervention  
 3831 General standards (Gifted and Talented Program)  
 4622 Notice requirements and recipients  
 4631 Responsibilities of the local agency  
 11303 Reclassification of English language learners  
 11309 Parental exception waivers  
 11523 Notice of proficiency examinations  
 18066 Policies and procedures absences for child care  
 UNITED STATES CODE, TITLE 20  
 1232g Family Educational and Privacy Rights Act  
 1415 Procedural safeguards  
 1681-1688 Title IX, discrimination based on sex or blindness  
 6311 State plans  
 6312 Local education agency plans  
 6316 Academic assessment and local education agency school improvement  
 6318 Parental involvement  
 7908 Armed forces recruiter access to students  
 UNITED STATES CODE, TITLE 42  
 2000d -2000d-7, Title VI, Civil Rights Act of 1964  
 CODE OF FEDERAL REGULATIONS, TITLE 34  
 99.7 Student records, annual notification  
 99.34 Student records, disclosure to other educational agencies  
 104.36 Procedural safeguards  
 106.9 Dissemination of policy, nondiscrimination on basis of sex  
 300.345 Parent participation  
 300.502 Independent educational evaluation  
 300.503 Prior written notice  
 300.505 Parental consent  
 300.507 Parent notice due process hearing  
 300.523 Manifestation determination review  
 CODE OF FEDERAL REGULATIONS, TITLE 40  
 763.84 Asbestos inspections, response actions and post-response actions  
 763.93 Asbestos management plans

Policy adopted:  
 October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
 San Jose, California

# Santa Clara COE

## Exhibit

### Parental Notifications

## E 5145.6 - Exhibit – Parental Notifications

### Students

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants COEs flexibility in "Tier 3" categorical programs. The Santa Clara County Office of Education accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the COE may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

\*\*\* Note: The following exhibit lists those notices which the law requires be provided to parents/guardians. Unless otherwise indicated, code numbers below refer to Education Code sections. \*\*\*

#### I. Annually

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 231.5, 48980  
Board Policy/Administrative Regulation #: See AR 5145.7  
Subject: Sexual harassment policy as related to students

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 17612, 48980.3  
Board Policy/Administrative Regulation #: See AR 3514.2  
Subject: Use of pesticide product, active ingredients, Internet address to access information

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 32255-32255.6, 48980  
Board Policy/Administrative Regulation #: See AR 5145.8  
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 35160.2, 48204, 46600-46611, 48980  
Board Policy/Administrative Regulation #: See AR 5111.1, See AR 5116.1, See AR 5117  
Subject: All statutory attendance options, available local attendance options, options for meeting residency

When to Notify: Annually by February 1  
Education or Other Legal Code: Education Code 35256  
Board Policy/Administrative Regulation #: See BP 0510  
Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 35291, 48980  
Board Policy/Administrative Regulation #: See BP 5144, See AR 5144.1  
Subject: District and site discipline rules

When to Notify: Beginning of each school year if high school open campus  
Education or Other Legal Code: Education Code 44808.5, 48980  
Board Policy/Administrative Regulation #: See AR 5112.5  
Subject: Open campus

When to Notify: Beginning of each school year if Board has adopted resolution allowing such absence  
Education or Other Legal Code: Education Code 46014, 48980  
Board Policy/Administrative Regulation #: See BP 5113, See AR 5113  
Subject: Absence for religious purposes

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48205, 48980  
Board Policy/Administrative Regulation #: See BP 5113, See AR 5113  
Subject: Absence for justifiable personal reasons

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48205, 48980  
Board Policy/Administrative Regulation #: See AR 6154  
Subject: Grade/credit cannot be reduced due to excused absence if work or test has been completed

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48206.3, 48207, 48208, 48980  
Board Policy/Administrative Regulation #: See AR 6183  
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48980, 52244  
Board Policy/Administrative Regulation #: See AR 6141.5  
Subject: Availability of state funds to cover costs of advanced placement exam fees

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48980  
Board Policy/Administrative Regulation #: See BP 6111  
Subject: Schedule of minimum days

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49063, 49068, 49069, 20 USC 1232g, 34 CFR 99.7  
Board Policy/Administrative Regulation #: See AR 5125  
Subject: Student records: Inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine school official legitimate educational interest

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49063, 49070  
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3  
Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49063, 49073  
Board Policy/Administrative Regulation #: See AR 5125.1  
Subject: Release of directory information

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49063, 49091.14  
Board Policy/Administrative Regulation #: See AR 5020, See AR 5125  
Subject: Availability of course prospectus

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49403, 48980  
Board Policy/Administrative Regulation #: See BP 5141.31  
Subject: Consent to school immunization program

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49423, 49480, 48980  
Board Policy/Administrative Regulation #: See AR 5141.21  
Subject: Administration of prescribed medication

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49451, 48980; 20 USC 1232h  
Board Policy/Administrative Regulation #: See AR 5141.3  
Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49472, 48980  
Board Policy/Administrative Regulation #: See BP 5143  
Subject: Availability of insurance

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 49510-49520, 48980; 42 USC 1758; 7 CFR 245.5  
Board Policy/Administrative Regulation #: See AR 3553  
Subject: Free and reduced price meals

When to Notify: Annually  
Education or Other Legal Code: Education Code 56301  
Board Policy/Administrative Regulation #: See BP 6164.4  
Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 58501  
Board Policy/Administrative Regulation #: See AR 6181  
Subject: Alternative schools

When to Notify: Beginning of each school year  
Education or Other Legal Code: 20 USC 1681-1688, 42 USC 2000d-2000d-7, 34 CFR 106.9  
Board Policy/Administrative Regulation #: See BP 0410, See BP 6178  
Subject: Nondiscrimination on basis of sex, disability, ethnicity or lack of English skills

When to Notify: Annually  
Education or Other Legal Code: 5 CCR 4622  
Board Policy/Administrative Regulation #: See AR 1312.3  
Subject: Uniform complaint procedures, available a[peals, civil law remedies, and identity of coordinator

When to Notify: Beginning of each school year  
Education or Other Legal Code: 20 USC 1232h  
Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8  
Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities

When to Notify: For districts receiving Title I funds, beginning of each school year  
Education or Other Legal Code: 20 USC 6311  
Board Policy/Administrative Regulation #: See AR 4112.24, See AR 4222  
Subject: Right to request information re: professional qualifications of their child's teacher and paraprofessional

When to Notify: Annually to parent, teacher and employee organizations or, in their absence, individuals  
Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93  
Board Policy/Administrative Regulation #: See AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

## II. At Specific Times During the Student's Academic Career

When to Notify: At least once before counseling in grades 7 through 12

Education or Other Legal Code: Education Code 221.5, 48980

Board Policy/Administrative Regulation #: See BP 6164.2

Subject: Course selection and career counseling

When to Notify: At beginning of each school year if student has been placed in structured English immersion program

Education or Other Legal Code: Education Code 310, 5 CCR 11309

Board Policy/Administrative Regulation #: See AR 6174

Subject: Placement of child in program and opportunity to apply for parental exception waiver

When to Notify: Before high school student attends specialized secondary program on a university campus

Education or Other Legal Code: Education Code 17288

Board Policy/Administrative Regulation #: None

Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: To members of athletic teams

Education or Other Legal Code: Education Code 32221.5

Board Policy/Administrative Regulation #: See AR 5143

Subject: Offer of insurance, no-cost and low-cost program options

When to Notify: Before presenting a course using live or dead animals or animal parts

Education or Other Legal Code: Education Code 32255-32255.6

Board Policy/Administrative Regulation #: See AR 5145.8

Subject: Right to refrain from harmful or destructive use of animals

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program

Education or Other Legal Code: Education Code 32390, 48980

Board Policy/Administrative Regulation #: See AR 5142.1

Subject: Fingerprinting program

When to Notify: Beginning of each term for students who have not passed the exit exam by the end of grade 12

Education or Other Legal Code: Education Code 37254

Board Policy/Administrative Regulation #: See AR 6179

Subject: Availability of intensive instruction and services for two consecutive academic years and right to file complaint

When to Notify: Upon registration, if K-6 students have not previously been transported  
Education or Other Legal Code: Education Code 39831.5  
Board Policy/Administrative Regulation #: See AR 3543  
Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning of each school year in grades 7-12  
Education or Other Legal Code: Education Code 46010.1  
Board Policy/Administrative Regulation #: See BP 5113  
Subject: Absence for confidential medical services  
When to Notify: Before early entry to kindergarten, if offered  
Education or Other Legal Code: Education Code 48000  
Board Policy/Administrative Regulation #: See AR 5111  
Subject: Effects, advantages and disadvantages of early entry

When to Notify: Beginning each school year in grades 9-12 and when high school student transfers into the district  
Education Code 48980, 60850  
Board Policy/Administrative Regulation #: See AR 6162.52  
Subject: Requirement to pass the high school exit exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation

When to Notify: When students entering grade 7  
Education or Other Legal Code: Education Code 49452.7  
Board Policy/Administrative Regulation #: See AR 5141.3  
Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten or 1st grade if not previously enrolled in public school  
Education or Other Legal Code: Education Code 49452.8  
Board Policy/Administrative Regulation #: See AR 5141.32  
Subject: Requirement for oral health assessment, explanation of law, importance of teeth health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12  
Education or Other Legal Code: Education Code 51229, 48980  
Board Policy/Administrative Regulation #: See BP 6143  
Subject: College admission requirements, UC and CSU web sites that list certified courses, description of career technical education and CDE Internet address, how students may meet with counselors

When to Notify: Beginning of each school year for students in grades 7-12  
Education or Other Legal Code: Education Code 51938, 48980  
Board Policy/Administrative Regulation #: See AR 6142.1  
Subject: Explanation of sex and HIV/AIDS instruction; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse

When to Notify: Upon assessment and reassessment of English proficiency and enrollment in program of education for English language learners  
Education or Other Legal Code: Education Code 52164.1, 52164.3, 52173, 5 CCR 11303  
Board Policy/Administrative Regulation #: See AR 6174  
Subject: Program of education for English language learners

When to Notify: Within 20 working days of receiving results of standardized achievement tests  
Education or Other Legal Code: Education Code 60641, 5 CCR 863  
Board Policy/Administrative Regulation #: See AR 6162.51  
Subject: Results of tests; test purpose, individual score and intended use

When to Notify: Annually to each high school student  
Education or Other Legal Code: Education Code 66204  
Board Policy/Administrative Regulation #: See BP 6143  
Subject: Copy of list of courses offered Student that are certified by UC as meeting admission criteria

When to Notify: When child is enrolled in kindergarten  
Education or Other Legal Code: Health and Safety Code 124100  
Board Policy/Administrative Regulation #: See BP 5141.32  
Subject: Health screening examination

When to Notify: Prior student participation in gifted and talented program  
Education or Other Legal Code: 5 CCR 3831  
Board Policy/Administrative Regulation #: See AR 6172  
Subject: Gifted and talented student program

When to Notify: Within 30 calendar days of receipt of CELDT results  
Education or Other Legal Code: 5 CCR 11511.5  
Board Policy/Administrative Regulation #: See AR 6174  
Subject: CELDT test results

When to Notify: To students in grades 11 and 12, early enough to enable registration for current fall test  
Education or Other Legal Code: 5 CCR 11523  
Board Policy/Administrative Regulation #: See AR 6146.2  
Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents of English learners  
Education or Other Legal Code: 20 USC 6312  
Board Policy/Administrative Regulation #: See AR 6174



Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

### III. When Special Circumstances Occur

When to Notify: Upon receipt of a complaint alleging discrimination

Education or Other Legal Code: Education Code 262.3  
Board Policy/Administrative Regulation #: See AR 1312.3  
Subject: Civil law remedies available to complaints

When to Notify: At least 72 hours before use of pesticide product not included in annual list  
Education or Other Legal Code: Education Code 17612  
Board Policy/Administrative Regulation #: See AR 3514.2  
Subject: Intended use of pesticide product

When to Notify: If school has lost its WASC accreditation status  
Education or Other Legal Code: Education Code 35178.4  
Board Policy/Administrative Regulation #: See BP 6190  
Subject: Loss of status, potential consequences

When to Notify: At least six months before implementing a schoolwide uniform policy  
Education or Other Legal Code: Education Code 35183  
Board Policy/Administrative Regulation #: See AR 5132  
Subject: Dress code policy requiring schoolwide uniform

When to Notify: Before implementing a year-round schedule  
Education or Other Legal Code: Education Code 37616  
Board Policy/Administrative Regulation #: See BP 6117  
Subject: Year-round schedule

When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days  
Education or Other Legal Code: Education Code 46601  
Board Policy/Administrative Regulation #: See AR 5117  
Subject: Appeal process

When to Notify: When student identified as being at risk of retention  
Education or Other Legal Code: Education Code 48070.5  
Board Policy/Administrative Regulation #: See AR 5123  
Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health

Education or Other Legal Code: Education Code 48213

Board Policy/Administrative Regulation #: See AR 5112.2, See BP 5141.33

Subject: Student has been excluded from school

When to Notify: Before student is excluded for lack of immunization

Education or Other Legal Code: Education Code 48216

Board Policy/Administrative Regulation #: See AR 5141.31

Subject: Two weeks to submit evidence of immunization or exemption; referral to medical care

When to Notify: When a student is classified a truant

Education or Other Legal Code: Education Code 48260.5, 48262

Board Policy/Administrative Regulation #: See AR 5113.1

Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department

Education or Other Legal Code: Education Code 48263

Board Policy/Administrative Regulation #: See AR 5113.1

Subject: Name and address of SARB or probation department and reason for referral

When to Notify: When a school is identified on the state's Open Enrollment Lost

Education or Other Legal Code: Education Code 48354; 5 CCR 4702

Board Policy/Administrative Regulation #: See AR 5118

Subject: Student's opinion to transfer to another school

When to Notify: Within 60 days of receiving application for transfer out of open enrollment school

Education or Other Legal Code: Education Code 48357; 5 CCR 4702

Board Policy/Administrative Regulation #: See AR 5118

Subject: Whether student's transfer application is accepted or rejected; reasons for rejection

When to Notify: Prior to involuntary transfer to continuation school

Education or Other Legal Code: Education Code 48432.5

Board Policy/Administrative Regulation #: See AR 6184

Subject: Right to require meeting prior to involuntary transfer to continuation school

When to Notify: Prior to withholding grades, diplomas, or transcripts

Education or Other Legal Code: Education Code 48904

Board Policy/Administrative Regulation #: See AR 5125.2

Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student

Education or Other Legal Code: Education Code 48904.3

Board Policy/Administrative Regulation #: See AR 5125.2

Subject: Next school will continue withholding grades, diplomas or transcripts

When to Notify: When student is released to peace officer  
Education or Other Legal Code: Education Code 48906  
Board Policy/Administrative Regulation #: See BP 5145.11  
Subject: Release of student to peace officer

When to Notify: At time of suspension  
Education or Other Legal Code: Education Code 48911  
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1  
Subject: Notice of suspension

When to Notify: When original period of suspension is extended  
Education or Other Legal Code: Education Code 48911  
Board Policy/Administrative Regulation #: See AR 5144.1  
Subject: Extension of suspension

When to Notify: Before holding a closes session re: suspension  
Education or Other Legal Code: Education Code 48912  
Board Policy/Administrative Regulation #: See AR 5144.1  
Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission  
Education or Other Legal Code: Education Code 48915.1, 48918  
Board Policy/Administrative Regulation #: See AR 5119  
Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied  
Education or Other Legal Code: Education Code 48916  
Board Policy/Administrative Regulation #: See AR 5144.1  
Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs  
Education or Other Legal Code: Education Code 48916  
Board Policy/Administrative Regulation #: See AR 5144.1  
Subject: Description of readmission procedures

When to Notify: 10 calendar days before expulsion hearing  
Education or Other Legal Code: Education Code 48918  
Board Policy/Administrative Regulation #: See AR 5144.1  
Subject: Notice of expulsion hearing

When to Notify: When expulsion or suspension of expulsion occurs  
Education or Other Legal Code: Education Code 48918  
Board Policy/Administrative Regulation #: See AR 5144.1  
Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: One month before the scheduled minimum day  
Education or Other Legal Code: Education Code 48980  
Board Policy/Administrative Regulation #: See BP 6111  
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents request guidelines for filing complaint of child abuse at a school site  
Education or Other Legal Code: Education Code 48987  
Board Policy/Administrative Regulation #: See AR 5141.4  
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course  
Education or Other Legal Code: Education Code 49067  
Board Policy/Administrative Regulation #: See AR 5121  
Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school  
Education or Other Legal Code: Education Code 49068  
Board Policy/Administrative Regulation #: See AR 5125  
Subject: Right to receive copy of student's record and to challenge its content

When to Notify: Within 24 hours of release of information to a judge or probation officer  
Education or Other Legal Code: Education Code 49076  
Board Policy/Administrative Regulation #: See AR 5125  
Subject: Release of student record information to a judge or probation officer for conducting a truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena  
Education or Other Legal Code: Education Code 49077  
Board Policy/Administrative Regulation #: See AR 5125  
Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis  
Education or Other Legal Code: Education Code 49452.5  
Board Policy/Administrative Regulation #: See AR 5141.3  
Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects  
Education or Other Legal Code: Education Code 49456  
Board Policy/Administrative Regulation #: See AR 5141.3  
Subject: Vision or hearing test

When to Notify: Before any test questioning personal beliefs  
Education or Other Legal Code: Education Code 51513  
Board Policy/Administrative Regulation #: See AR 5022  
Subject: Permission for test, survey questioning personal beliefs

When to Notify: Within 14 days of instruction if arrangement made for guest speaker after beginning of school year  
Education or Other Legal Code: Education Code 51938  
Board Policy/Administrative Regulation #: See AR 6142.1  
Subject: Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12  
Education or Other Legal Code: Education Code 51938  
Board Policy/Administrative Regulation #: See AR 5022  
Subject: Notice that the survey will be administered

When to Notify: When migrant education program is established  
Education or Other Legal Code: Education Code 54444.2  
Board Policy/Administrative Regulation #: See BP 6175, See AR 6175  
Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program  
Education or Other Legal Code: Health and Safety Code 1596.857  
Board Policy/Administrative Regulation #: See AR 5148  
Subject: Parent right to enter facility

When to Notify: When sharing student immunization information with an immunization system  
Education or Other Legal Code: Health and Safety Code 120440  
Board Policy/Administrative Regulation #: See AR 5125  
Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When to Notify: When hearing is requested by person asked to leave school premises  
Education or Other Legal Code: Penal Code 627.5  
Board Policy/Administrative Regulation #: See AR 3515.2  
Subject: Notice of hearing

When to Notify: When providing written decision in response to a complaint re: discrimination, special education, or noncompliance with laws regulating educational programs

Education or Other Legal Code: 5 CCR 4631

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Appeal rights and procedures

When to Notify: When child participates in licensed child care and development program

Education or Other Legal Code: 5 CCR 18066

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: unexcused absences

When to Notify: When district substantively changes policy on student privacy rights

Education or Other Legal Code: 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5022

Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been taught for four or more consecutive weeks by a teacher who is not "highly qualified"

Education or Other Legal Code: 20 USC 6311

Board Policy/Administrative Regulation #: See AR 4112.24

Subject: Timely notice to parent of child's assignment

When to Notify: When school identified for program improvement or corrective action, within 30 days of failure to make annual yearly progress

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 0520.2

Subject: Notice of failure to parents of English language learners

When to Notify: When school identified for program improvement or corrective action

Education or Other Legal Code: 20 USC 6316

Board Policy/Administrative Regulation #: See AR 0520.2, See AR 5116.1

Subject Explanation of identification, reasons, how problem will be addressed, how parents can become involved, transfer option, availability of supplemental services

When to Notify: For districts with schools that have been identified for program improvement or corrective action, annually

Education or Other Legal Code: 20 USC 6316

Board Policy/Administrative Regulation #: See AR 0520.2

Subject: Availability of supplemental educational services, identity of providers, description of services, qualifications, effectiveness of providers

When to Notify: When district identified for program improvement

Education or Other Legal Code: 20 USC 6316

Board Policy/Administrative Regulation #: See AR 0520.3

Subject: Explanation of status, reasons for identification, how parents can participate in upgrading district

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy

Education or Other Legal Code: 20 USC 6318

Board Policy/Administrative Regulation #: See AR 6020

Subject: Notice of policy

When to Notify: For districts with secondary students receiving Title I funds

Education or Other Legal Code: 20 USC 7908

Board Policy/Administrative Regulation #: See AR 5125.1

Subject: Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent

When to Notify: When household is selected for verification of eligibility for free or reduced price meals

Education or Other Legal Code: 42 USC 1758; 7 CFR 246.6a

Board Policy/Administrative Regulation #: See AR 3553

Subject: Notice of need to submit verification information; any subsequent change in benefits; right to appeal

When to Notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30

Education or Other Legal Code: 34 CFR 99.34

Board Policy/Administrative Regulation #: See AR 5125

Subject: Right to review records

#### IV. Special Education Notices

When to Notify: Prior to conducting initial evaluation

Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329, 34 CFR 300.502

Board Policy/Administrative Regulation #: See AR 6164.4

Subject: Proposed evaluation plan, related parental rights, prior written notice

When to Notify: 24 hours before IEP when district intending to record

Education or Other Legal Code: Education Code 56341.1

Board Policy/Administrative Regulation #: See AR 6159

Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting

Education or Other Legal Code: Education Code 56341.5 34 CFR 300.322

Board Policy/Administrative Regulation #: See AR 6159

Subject: Time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate

When to Notify: When parent orally requests review of IEP  
Education or Other Legal Code: Education Code 56343.5  
Board Policy/Administrative Regulation #: See AR 6159  
Subject: Need for written request

When to Notify: For student receiving exit exam waiver, prior to receipt of diploma  
Education or Other Legal Code: Education Code 60852.4  
Board Policy/Administrative Regulation #: See AR 6162.52  
Subject: Right to FAPE

When to Notify: Before functional behavioral assessment begins  
Education or Other Legal Code: 5 CCR 3052  
Board Policy/Administrative Regulation #: See AR 6159.4  
Subject: Notification and consent

When to Notify: Before modification of behavioral intervention plan  
Education or Other Legal Code: 5 CCR 3052  
Board Policy/Administrative Regulation #: See AR 6159.4  
Subject: Need for modification, right to question modification

When to Notify: Within one school day of emergency intervention or serious property damage  
Education or Other Legal Code: 5 CCR 3052  
Board Policy/Administrative Regulation #: See AR 6159.4  
Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification, evaluation or placement, or FAPE, including when parent/guardian revokes consent for services  
Education or Other Legal Code: 20 USC 1415(c), 34 CFR 300.300, 300.503  
Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1  
Subject: Prior written notice

When to Notify: Initial referral for evaluation  
Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.503  
Board Policy/Administrative Regulation #: See AR 6159.1  
Subject: Prior written notice and procedural safeguards notice

When to Notify: Registration of complaint  
Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.504  
Board Policy/Administrative Regulation #: See AR 615901  
Subject: Procedural safeguards notice



When to Notify: Disciplinary action taken for dangerous behavior  
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.530  
Board Policy/Administrative Regulation #: See AR 5144.2  
Subject: Decision and procedural safeguards notice

When to Notify: Suspension or change of placement for more than 10 days  
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.530  
Board Policy/Administrative Regulation #: See AR 5144.2  
Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing  
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.508  
Board Policy/Administrative Regulation #: See AR 6159.1  
Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504  
Education or Other Legal Code: 34 CFR 104.32, 104.36  
Board Policy/Administrative Regulation #: See AR 6164.6  
Subject: Procedural safeguards, district responsibilities

#### V. Classroom Notices

When to Notify: In each classroom in each school  
Education or Other Legal Code: Education Code 35186  
Board Policy/Administrative Regulation #: See AR 1312.4, See E 1312.4  
Subject: Complaint rights re: sufficiency instructional materials, teacher vacancy and misassignment, maintenance of facilities, and, for classrooms with grades 10-12, right of students who did not pass the exit exam to receive intensive instruction after completion of grade 12

Exhibit version:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Board Policy

### Alcohol and Other Drugs

#### BP 5131.6 - Alcohol and Other Drugs

##### Students

The Santa Clara County Board of Education believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The County Board desires to keep Santa Clara County Office of Education schools free of alcohol and other drugs in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning.

The Santa Clara County Superintendent of Schools or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. The SCCOE program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It shall include primary prevention activities such as decision-making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 1020 - Youth Services)*

*(cf. 4020 - Drug and Alcohol-Free Workplace)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 6020 - Parent Involvement)*

The County Board and County Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the SCCOE program in reducing drug and alcohol use. The County Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among SCCOE students, including discipline problems, and the prevalence of risk factors.

The County Superintendent or designee shall consult with principals, teachers, other school personnel, students and parents/guardians when developing the SCCOE program.

The County Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the SCCOE policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about

program needs and goals shall be widely distributed in the community.

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.

*(cf. 5137 - Positive School Climate)*

The County Board encourages the establishment of site-level advisory groups to assist in promoting alcohol- and drug-free schools.

*(cf. 1220 - Citizen Advisory Committees)*

The SCCOE drug education program shall augment county drug education services, if any. SCCOE staff shall take every opportunity to cooperate with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.

*(cf. 1020 - Youth Services)*

*(cf. 1400 - Relations between Other Governmental Agencies and the Schools)*

### **Instruction**

The SCCOE shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use of drugs or alcohol when such use is illegal. (20 USC 7114, 7162; Health and Safety Code 11999.2)

The SCCOE shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

*(cf. 4131 - Staff Development)*

## **Intervention, Referral and Student Assistance Programs**

School staff, students and parents/guardians shall be informed about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral and other student assistance programs.

The County Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

## **Enforcement/Discipline**

The County Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds or at school-sponsored activities.

*(cf. 5131 - Conduct)*

*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*

*(cf. 5145.12 - Search and Seizure)*

Students possessing, using or selling alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures including suspension or expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulation. In addition, such students may be referred to an appropriate counseling program, transferred to an alternative placement, and/or be restricted from extracurricular activities, including athletics.

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 6145 - Extracurricular and Curricular Activities)*

Legal Reference:

### *EDUCATION CODE*

*44049 Known or suspected alcohol or drug abuse by student*

*44645 In-service training anabolic steroids*

*48900 Suspension or expulsion (grounds)*

*48900.5 Suspension, limitation on imposition; exception*

*48901 Smoking or use of tobacco prohibited*

*48901.5 Prohibition of electronic signaling devices*

*48902 Notification of law enforcement authorities; civil or criminal immunity*

*48909 Narcotics or other hallucinogenic drugs*

*48915 Expulsion; particular circumstances*

*49602 Confidentiality of pupil information*

*51202 Instruction in personal and public health and safety*

51203 *Instruction on alcohol, narcotics and restricted dangerous drugs*  
51210 *Areas of study*  
51220 *Areas of study, grades 7 to 12*  
51260-51269 *Drug education*  
60041 *Instructional materials*  
60110-60115 *Instructional materials on alcohol and drug education*

**BUSINESS AND PROFESSIONS CODE**

25608 *Alcohol on school property; use in connection with instruction*

**HEALTH AND SAFETY CODE**

11032 *Narcotics, restricted dangerous drugs and marijuana*  
11053-11058 *Standards and schedules*  
11353.6 *Juvenile Drug Trafficking and Schoolyard Act*  
11357 *Unauthorized possession of marijuana; possession in school or on school grounds*  
11361.5 *Destruction of arrest or conviction records*  
11372.7 *Drug program fund; uses*  
11802 *Joint school-community alcohol abuse primary education and prevention program*  
11998-11998.3 *Drug and Alcohol Abuse Master Plans*  
11999-11999.3 *Alcohol and drug program funding; no unlawful use*  
124175-124200 *Adolescent family life program*

**PENAL CODE**

13860-13864 *Suppression of drug abuse in schools*

**VEHICLE CODE**

13202.5 *Drug and alcohol related offenses by person under age of 21, but aged 13 or over;*

**WELFARE AND INSTITUTIONS CODE**

828 *Disclosure of information re minors*  
828.1 *Disclosure of criminal records; protection of vulnerable staff & students*

**UNITED STATES CODE, TITLE 20**

5812 *National education goals*  
7101-7184 *Safe and Drug-Free Schools and Communities Act*

**Management Resources:**

**WEB SITES**

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

<http://www.cde.ca.gov/ls/he/at>

California Healthy Kids: <http://www.californiahealthykids.org>

U.S. Department of Education, Office of Safe and Drug Free Schools:

<http://www.ed.gov/about/offices/list/osdfs/index.html>

Policy adopted:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Administrative Regulation

### Alcohol and Other Drugs

#### AR 5131.6 - Alcohol and Other Drugs

##### Students

##### Instruction

The curriculum of all elementary and secondary schools shall include instruction on the effects upon the human body, as determined by science, of tobacco, alcohol, narcotics, dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances. Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. (Education Code 51203, 51260)

*(cf. 5131.62 - Tobacco)*

In grades 1-6, instruction in drug education should be given in health courses required by Education Code 51210. (Education Code 51260)

In grades 7-12, instruction in drug education shall be conducted in health courses and in any other appropriate area of study required by Education Code 51220. (Education Code 51260)

*(cf. 6142.8 - Comprehensive Health Education)*

Secondary school instruction shall also include a study of the effects of alcohol and other drugs upon prenatal development. (Education Code 51203)

*(cf. 6143 - Courses of Study)*

Instruction shall be provided by appropriately trained instructors who have demonstrated competencies, as determined by the principal or designee, in the following areas: (Education Code 51260)

1. The ability to interact with students in a positive way
2. Knowledge of the properties and effects of tobacco, alcohol, narcotics, dangerous drugs, and shared drug apparatus
3. Effective teaching skills and competency in helping students to express opinions responsibly and to become aware of their values as they affect drug-use decisions

## **Intervention**

Santa Clara County Office of Education staff shall intervene whenever students use alcohol or other illegal drugs while on school property or under school jurisdiction. Staff members who have a reasonable suspicion that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee.

If the principal or designee, in his/her professional capacity or in the course of his/her employment, knows, observes or suspects that a student may be under the influence of alcohol or drugs, he/she may notify the parent/guardian. (Education Code 44049)

School staff shall not disclose confidential information provided during counseling by a student 12 years of age or older. A school counselor may report such information to the principal or parent/guardian only when he/she believes that disclosure is necessary to avert a clear and present danger to the health, safety or welfare of the student or other persons living in the school community. The school counselor shall not disclose such information to the parent/guardian if he/she believes that the disclosure would result in a clear and present danger to the student's health, safety or welfare. (Education Code 44049, 49602)

*(cf. 5022 - Student and Family Privacy Rights)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 6164.2 - Guidance/Counseling Services)*

Regulation approved: **SANTA CLARA COUNTY OFFICE OF EDUCATION** October 20, 2010  
San Jose, California

# Santa Clara COE

## Board Policy

### Tobacco

#### BP 5131.62 - Tobacco

##### Students

The Santa Clara County Board of Education recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Santa Clara County Superintendent of Schools or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco-use prevention education, and intervention and cessation activities and/or referrals.

##### Prohibition against Tobacco Use

Students shall not smoke or use tobacco, or any product containing tobacco or nicotine including nicotine delivery devices such as e-cigarettes, while on campus, while attending school-sponsored activities, or while under the supervision and control of Santa Clara County Office of Education employees. This prohibition does not include students' possession or use of their own prescription products. (Education Code 48900, 48901)

*(cf. 3513.3 - Tobacco-Free Schools) (cf. 5131 - Conduct)*

*(cf. 5144 -  
Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

##### Intervention/Cessation Services

The SCCOE may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use.

*(cf. 1020 - Youth Services)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Service)* Legal Reference:

##### EDUCATION CODE

*48900 Suspension or expulsion (grounds)*

*48900.5 Suspension, limitation on imposition; exception*

*48901 Smoking or use of tobacco prohibited*

*51202 Instruction in personal and public health and safety*



60041 Instructional materials, portrayal of effects of tobacco use  
HEALTH AND SAFETY CODE  
104350-104495 Tobacco-use prevention education  
PENAL CODE  
308 Minimum age for tobacco possession  
CODE OF REGULATIONS, TITLE 17  
6800 Definition, health assessment  
6844-6847 Child Health and Disability Prevention program; health assessments  
UNITED STATES CODE, TITLE 20  
7111-7117 Safe and Drug-Free Schools and Communities Act  
ATTORNEY GENERAL OPINIONS  
88 Ops.Cal.Atty.Gen. 8 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008  
Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003  
Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000  
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS  
Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994  
WEST ED PUBLICATIONS  
Guidebook for the California Healthy Kids Survey: 2008-2009 Edition, 2008  
WEB SITES  
CSBA: <http://www.csba.org>  
California Department of Education, Tobacco-Use Prevention Education: <http://www.cde.ca.gov/ls/he/at/tupe.asp>  
California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco>  
California Healthy Kids Resource Center: <http://www.californiahealthykids.org>  
California Healthy Kids Survey: <http://www.wested.org/hks>  
Centers for Disease Control and Prevention, Smoking and Tobacco Use: <http://www.cdc.gov/tobacco>  
Safe and Healthy Kids Annual Report: <http://hk.duerrevaluation.com>  
U.S. Department of Education: <http://www.ed.gov>  
U.S. Surgeon General: <http://www.surgeongeneral.gov>

Policy adopted:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California Revised: April 9, 2014

# Santa Clara COE

## Board Policy

### Anti-Bullying Policy

#### No. 5131.2 (a) - Anti-Bullying Policy

##### Students

The Governing Board is committed to creating a safe learning and working environment for all students and employees and to protect all students and employees from all forms of bullying, harassment, hazing, discrimination, or intimidation of any type for any reason. The County Office of Education prohibits any form of bullying, harassment, hazing, discrimination, or intimidation; any such behavior shall be just cause for disciplinary action.

The purpose of this policy is to provide a definition of bullying in order to prevent such conduct and to establish positive, collaborative school and work environments with clear rules for student and employee conduct. As needed, employees shall receive professional development in the appropriate use of these resources.

*(cf 4131- Staff Development)*  
*(cf 4231- Staff Development) (cf*  
*4331- Staff Development)*  
*(cf 5137- Positive School Climate) (cf*  
*5131 - Student Conduct)*  
*(cf 6163.4- Student Use of Technology)*

##### Definitions

###### Bullying/harassment

Bullying or harassment of students or staff includes, but is not limited to: cyberbullying, intimidation, hazing or initiating activity, extortion, or any other verbal, written, or physical conduct that causes, is perceived to cause, threatens, or is perceived to threaten violence, bodily harm, or substantial disruption in accordance with the following section.

*Bullying* is defined as any severe, systematic, or pervasive physical or verbal act or conduct that causes pain or psychological distress on one or more students or employees. Bullying includes unwanted written, verbal, nonverbal, or physical behavior including, but not limited to, any threatening, insulting, or dehumanizing gesture by an

student or adult that causes any reasonable person to experience a detrimental effect on his or her physical or mental health and that has the potential to create a negative educational or workplace environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or workplace performance or participation, is carried out repeatedly and is often characterized by an imbalance of power.

Bullying may involve, but is not limited to:

- A. Unwanted teasing
- B. Threatening
- C. Intimidating
- D. Stalking
- E. Cyberstalking
- F. Cyberbullying
- G. Physical violence
- H. Theft
- I. Hate violence
- J. Sexual (including sexual orientation), religious, or racial harassment
- K. Public humiliation
- L. Harassment
- M. Destruction of school or personal property
- N. Social exclusion, including, incitement and/or coercion or rumor or spreading of falsehoods

*Cyberbullying* is sometimes referred to as Internet bullying or electronic bullying. It is an act of bullying committed through the transmission of a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, or through digital technologies, including, but not limited to, email, blogs, texting, social websites (e.g. Facebook, MySpace, Twitter, etc.), chat rooms, "sexting", instant messaging, or video voyeurism. Cyberbullying can be a carryover of verbal or physical bullying that occurs in the school or workplace environments.

*Cyberstalking* means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

*Harassment* means any threatening, insulting, or dehumanizing gesture, use of technology, computer software, or written, verbal or physical conduct directed against a student or school employee that:

- Places a student or employee in reasonable fear of harm to his or her person or damage to his or her property;

- Has the effect of substantially interfering with a student's educational performance, or employee's work performance, or either's opportunities, or benefits;
- Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or
- Has the effect of substantially disrupting the orderly operation of a school and/or school district work environment.

*Sexual Harassment* as defined by the U. S. Equal Employment Opportunity Commission means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Sexual harassment exists when submission to such conduct is made, explicitly or implicitly, a condition of employment; when submission to or rejection of such conduct is used in employment decisions affecting an individual; or when such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

*Bullying Cyberbullying and/or Harassment also encompass:*

- Retaliation against a student or employee by another student or employee for asserting or alleging an act of bullying, harassment, or discrimination.
- Reporting a baseless act of bullying, harassment, or discrimination that is not made in good faith.
- Perpetuation of conduct listed in the definition of bullying, harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or employee by incitement or coercion; accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the school or COE system; or acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination.

*Bullying, Cyberbullying, Harassment, Discrimination* also encompass, but are not limited to, unwanted harm towards a student or employee in regard to their real or perceived sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio- economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student or employee by any Board member, employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or organization or outside the school or organization at school or organization sponsored events, on school buses, and at training facilities or training programs sponsored by the organization.

*(cf. 5131 – Student Conduct)*

*(cf. 5145.3 -Nondiscrimination/Harassment)*

*(cf. 5145.7 -Sexual Harassment)*

*(cf. 5145.9 -Hate-Motivated Behavior)*

*(cf. 6163.4- Student Use of Technology)*

### **Expectations of Conduct**

The Governing Board expects students and employees to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds or SCCOE property, while going to or coming from school or work, while at school activities, and while on public transportation.

The SCCOE prohibits the bullying of any student or school employee:

1. During any educational program or activity conducted by the SCCOE;
2. During any SCCOE-related or SCCOE-sponsored program or activity or on a SCCOE school bus;
3. Through the use of any electronic device or data while on SCCOE school grounds or on a SCCOE school bus, computer software that is accessed through a computer, computer system, or computer network of the SCCOE. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section;
4. Through threats using the above to be carried out on SCCOE grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school-sponsored program or activity or on a SCCOE school bus.

5. While the SCCOE does not assume any liability for incidences that occur at a bus stop or en route to and from school, a student or witness may file a complaint following the same procedures for bullying against a student and the SCCOE will investigate and/or provide assistance and intervention as the principal/designee deems appropriate
6. Though an incident of alleged bullying as defined within this policy may occur off campus and may not entail threats of acts to occur during school hours, if a student's ability to receive an education or a school's ability to provide an education is significantly impaired, as determined by the school administrators, disciplinary sanctions may be issued.

*(cf 5131 – Student Conduct) (cf  
5131.1 – Bus Conduct)  
(cf 6145.2 – Athletic Competition)*

### **Enforcement of Standards**

The Santa Clara County Superintendent of Schools or designee shall ensure that each school site develops standards of conduct and discipline consistent with SCCOE policies and administrative regulations. Students and parents/guardians shall be notified of SCCOE and school rules related to conduct.

*(cf 5131 - Student Conduct) (cf  
5131.1 - Bus Conduct)*

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Any student who engages in bullying as described within this policy while on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline in accordance with SCCOE policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the County Superintendent or designee also may file a complaint with the Internet site or service to have the material removed. Discipline Students who violate SCCOE or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of the privilege of participation in extracurricular or co-curricular activities in accordance with Board policy and administrative regulation.

The County Superintendent or designee shall notify local law enforcement as appropriate.

When conducting hearings related to discipline, attendance and other student matters, The County Office shall afford students their due process rights in accordance with law.

*(cf 5000-Concepts and Roles) (cf  
5125- Student Records)  
(cf 5144- Discipline)  
(cf 5144.1- Suspension and Expulsion/Due Process)  
(cf 5145.6- Parental Notifications) (cf  
9000 - Role of District)*

## **Reporting**

The Santa Clara County Superintendent of Schools or designee shall establish and publicize to students, staff, volunteers, and parents how to report bullying and actions that may be taken.

The process for receiving and investigating instances of bullying of any kind, as defined within this policy, includes complaints of discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics.

School and COE personnel who witness such acts of bullying as defined within this policy shall take immediate steps to intervene when safe to do so. Complaints of bullying shall be investigated and resolved in accordance with site- level grievance procedures specified in AR 5145.7- Sexual Harassment.

Reporting any act of bullying:

1. At each school or SCCOE location, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as well as any infractions of the Student Conduct policy.
2. Students may report complaints of bullying to any school or SCCOE employee. Any such reports of bullying allegations must be made, in writing, to the principal/designee or other appropriate administrator/designee.
3. Any member of the school community who may have credible information about an act of bullying that may have taken place may file a report of bullying either as a witness or a victim.

4. Any student (or a parent or guardian on behalf of the complainant who is a minor) who believes he/she is a victim of bullying, has witnessed an act of bullying, or has knowledge of any incidents involving acts of bullying are strongly encouraged to report the incidents to a school official.
5. A student, school employee, school volunteer, contractor, parent/guardian, or other persons who promptly reports in good faith an act of bullying to the appropriate school official, and who makes this report in compliance with the procedures set forth in the policy, is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments within the SCCOE.
6. Administrators/principal/designee(s) shall document in writing all complaints regarding bullying to ensure that incidents of bullying, or any other infractions, are appropriately addressed in a timely manner, whether the original report of bullying is made verbally or in writing.
7. Anonymous reports of bullying may be made to the appropriate school official. School officials should develop and publicize a system in which students, employees, volunteers, parents/guardians can make an anonymous report of bullying.

### **Investigation of Complaints**

The investigation of a reported act of bullying of a student, school-based employee, parent/guardian or other persons providing service to the school is deemed to be a school related activity and begins with a report of such an act.

The principal/designee and/or Investigative Designee shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner. This process is to be followed with all anonymous complaints as well. Although this Policy encourages students to use the formal written complaint process, school officials "should investigate all complaints and reports of harassment, whether or not the complaint is in writing," as stated by the Office for Civil Rights in *Protecting Students from Harassment and Hate Crime: A Guide for Schools, Part II (1999)*.

If the complaint is about the principal or a staff member's direct supervisor, then the Superintendent/Designee or appropriate administrator shall be asked to address the complaint.



The trained Investigative Designee(s) will make the determination if a reported act of bullying or harassment falls within the scope of SCCOE policies and regulations.

- A. If it is within the scope of SCCOE policies and regulations, move to Procedures for Investigating Bullying and/or Harassment as outlined below.
- B. If it is outside the scope and determined an alleged criminal act, refer to appropriate law enforcement, provide any applicable interventions, and document according to Policy.
- C. If it is outside the scope and determined not a criminal act, inform parents/guardians of all students involved, provide appropriate interventions and document according to Policy.

**Internal Investigation:**

- A. The procedures for investigating school-based bullying must include the principal/designee and/or the Investigative Designee, in the case of student-to-student bullying. The principal, Investigative Designee and Prevention outlined in this Policy. For incidents at the area or for school-based adult-on-adult bullying, the appropriate administrator will be responsible for the investigation as outlined in this policy and will run concurrently and in addition, to all agreed upon procedures for staff discipline
- B. The investigator may not be the accused or the alleged victim
- C. The principal/designee or appropriate administrator shall begin a thorough investigation with the alleged victim and accused within two (2) school days of receiving a notification of complaint. The school administrators/designees will provide immediate notification to the parents of both the victim and the alleged perpetrator of an act of bullying or harassment.
- D. During the investigation, the principal/designee or appropriate administrator may take any action necessary to protect the complainant, alleged victim, other students or employees consistent with the requirements of applicable regulations and statutes.
  - 1. Documented interviews of the alleged victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
  - 2. At no time during the investigation will the name of the complainant be revealed by the investigator.

3. In general, student complainants and/or alleged victims will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.
  4. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the principal/designee or appropriate administrator also may discuss the complaint with any school district employee, the parent of the alleged victim, the parent of the complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and or child protective agencies responsible for investigating child abuse.
  5. During the investigation where an employee is the accused, the principal/designee or the appropriate administrator may recommend to the Chief Student Officer and/or Executive Director of Human Resources/designee, any action necessary to protect the complainant, the alleged victim, or other students or employees, consistent with the requirements of applicable statutes, Board of Education Policies, and collective bargaining agreements.
- E. Within ten (10) school days of the notification as to the filing of the complaint, there shall be a written decision by the Principal/Designee or appropriate administrator regarding the completion and determination of the investigation. The principal/designee shall make a decision about the validity of the allegations in the complaint and about any corrective action, if applicable, consistent with the School Program Discipline Plan.
  - F. The Principal/Designee or appropriate administrator will inform all relevant parties in writing of the decision and the right to appeal. A copy of the decision will be sent to the originating school and be noted in all relevant data tracking systems.
  - G. If the accused is an employee, discipline may be taken, consistent with any applicable collective bargaining agreement provisions, to resolve a complaint of bullying. The supervisor/designee of the employee shall discuss the detention and any recommended corrective action with the appropriate supervisor and the Executive Director of Human Resources or designee.
  - H. No retaliation of any kind is pennitted in connection with an individual's having made a bullying complaint and if it occurs, it shall be deemed an additional act of bullying as stated herein this Policy.

## **Informal Resolution**

The administrator, along with the alleged victim and the accused/student, may agree to informally resolve the complaint. Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately and are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately, and at no time will the alleged perpetrator and victim be interviewed together. Each party's agreement to Informal Resolution must be in writing.

## **Formal Resolution**

The alleged victim/complainant/student/employee or parent(s), on behalf of the student, may file a written complaint with the principal/designee or appropriate administrator.

Based on the level of infraction, parents will be promptly notified of any actions being taken to protect the victim via written notice, telephone or personal conference; the frequency of notification will depend on the seriousness of the bullying incident.

The resolution, all interviews and interventions that take place and the corresponding dates shall be documented in writing and/or noted in a specified data system.

## **External Investigation**

If the act is outside the scope of the SCCOE, and determined a criminal act, referral to appropriate law enforcement shall be made immediately, the parent will be notified, and the referral documented by the principal/designee in the specified format.

While SCCOE does not assume any liability for incidences that must be referred for external investigation, it encourages the provision of assistance and intervention as the principal/designee deems appropriate, including the use of the School Resource Officer and other personnel. The principal/designee shall log all reports and interventions.

## **Prevention**

The SCCOE shall provide students with instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying as defined in this policy.

*(cf 1220 - Citizen Advisory Committees) (cf 6163.4 - Student Use of Technology)*

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians, students, and community members also may be provided with similar information.

(cf 4131 - Staff Development)  
(cf 4231- Staff Development)  
(cf 4331- Staff Development)  
(cf 5136- Gangs)

Legal Reference:  
EDUCATION CODE

*200-262.4 Prohibition of discrimination*

*32261*

*Bullying*

*32282 Comprehensive School*

*Safety Plans*

*32283 Workshops; Contracts with law enforcement and educator trainers*

*35181 Governing board policy on responsibilities of students*

*35291-35291.5*

*Rules*

*44807 Duty concerning conduct of students*

*48900-48925 Suspension or expulsion, especially:*

*48908 Duties of students*

*48950 Student Free Speech Off School Campus*

*51512 Prohibition against electronic listening or recording device in classroom  
without permission*

*CIVIL CODE*

*1714.1 Liability of parents and guardians for willful misconduct of minor*

*PENAL CODE*

*288.2 Harmful matter with intent to seduce*

*313 Harmful matter*

*417.25-417.27*

*Laserscope*

*647 Use of camera or other instrument to invade person's privacy;  
misdemeanor*

*647.7 Use of camera or other instrument to invade person's privacy; punishment*

*653.2 Electronic communication devices, threats to safety*

*VEHICLE CODE*

*23124 Use of cellular phones provisional license holders*

*CODE OF REGULATIONS, TITLE 5*

*300-307 Duties of pupils*

Policy adopted:  
May 16, 2012

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Board Policy

### Student Use of Technology

#### BP 6163.4 - Student Use of Technology

##### Instruction

The Santa Clara County Board of Education intends that technological resources provided by the Santa Clara County Office of Education be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

*(cf. 0440 - SCCOE Technology Plan)*

*(cf. 1113 - SCCOE Web Sites)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 5131 - Conduct)*

*(cf. 6163.1 - Library Media Centers)*

The Santa Clara County Superintendent of Schools or designee shall notify students and parents/guardians about authorized uses of SCCOE computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with SCCOE regulations and the Acceptable Use Agreement.

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 5145.12 - Search and Seizure)*

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

*(cf. 6162.6 - Use of Copyrighted Materials)*

The County Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the SCCOE

technological resources and to help ensure that SCCOE adapts to changing technologies and circumstances.

#### Use of SCCOE Computers for Online Services/Internet Access

The County Superintendent or designee shall ensure that all SCCOE computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)

To reinforce these measures, the County Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

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

The County Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Student use of SCCOE computers to access social networking sites is prohibited. To the extent possible, the County Superintendent or designee shall block access to such sites on SCCOE computers with Internet access.

#### Legal Reference:

##### *EDUCATION CODE*

*51006 Computer education and resources*

*51007 Programs to strengthen technological skills*

*51870-51874 Education technology*

*60044 Prohibited instructional materials*

##### *PENAL CODE*

*313 Harmful matter*

*502 Computer crimes, remedies*

*632 Eavesdropping on or recording confidential communications*

*653.2 Electronic communication devices, threats to safety*

##### *UNITED STATES CODE, TITLE 15*

*6501-6506 Children's Online Privacy Protection Act*

UNITED STATES CODE, TITLE 20

6751-6777 *Enhancing Education Through Technology Act, Title II, Part D, especially:*

6777 *Internet safety*

UNITED STATES CODE, TITLE 47

254 *Universal service discounts (E-rate)*

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 *Children's Online Privacy Protection Act*

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 *Internet safety policy and technology protection measures, E-rate discounts*

*Management Resources:*

CSBA PUBLICATIONS

*Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007*

FEDERAL TRADE COMMISSION PUBLICATIONS

*How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000*

MY SPACE.COM PUBLICATIONS

*The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues*

WEB SITES

CSBA: <http://www.csba.org>

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

Center for Safe and Responsible Internet Use: <http://csriu.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection:

<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

U.S. Department of Education: <http://www.ed.gov>

Web Wise Kids: <http://www.webwisekids.org>

Policy adopted:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Administrative Regulation

### Student Use of Technology

#### AR 6163.4 - Student Use of Technology

##### Instruction

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. All instructional staff shall receive a copy of this administrative regulation, the accompanying Board policy, and the Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All students using these resources shall receive instruction in their proper and appropriate use.

*(cf. 0440 - District Technology Plan)*  
*(cf. 4040 - Employee Use of Technology)*  
*(cf. 4131- Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

Teachers, administrators, and/or library media specialists shall prescreen technological resources and online sites that will be used for instructional purposes to ensure that they are appropriate for the intended purpose and the age of the students.

*(cf. 6163.1 - Library Media Centers)*

##### Online/Internet Services: User Obligations and Responsibilities

Students are authorized to use Santa Clara County Office of Education equipment to access the Internet or other online services in accordance with Board policy, the user obligations and responsibilities specified below, and SCCOE's Acceptable Use Agreement.

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers and passwords private and shall only use the account to which they have been assigned.
2. Students shall use SCCOE's system safely, responsibly, and primarily for educational purposes.
3. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity,



national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.

*(cf. 5131 - Conduct)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, and appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

4. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students also shall be cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians.

Personal information includes the student's name, address, telephone number, Social Security number, or other personally identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

6. Students shall not use the system to engage in commercial or other for-profit activities.

7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.

8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.

*(cf. 5131.9 - Academic Honesty)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

9. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy SCCOE equipment or materials or manipulate the data of any other user, including so-called "hacking."

*(cf. 5131.5 - Vandalism and Graffiti)*

10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the teacher or principal.

SCCOE reserves the right to monitor use of SCCOE's systems for improper use without advance notice or consent. Students shall be informed that computer files and electronic communications, including email, are not private and may be accessed by SCCOE for the purpose of ensuring proper use.

*(cf. 5145.12 - Search and Seizure)*

Whenever a student is found to have violated Board Policy, administrative regulation, or SCCOE's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of SCCOE's technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

Regulation approved:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Board Policy

### Conduct

#### BP 5131 - Conduct

##### Students

The Santa Clara County Board of Education believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on public transportation.

*(cf. 5131.1 - Bus Conduct)*

*(cf. 6145.2 - Athletic Competition)*

The Santa Clara County Superintendent of Schools or designee shall ensure that each school site develops standards of conduct and discipline consistent with Santa Clara County Office of Education policies and administrative regulations. Students and parents/guardians shall be notified of SCCOE and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5142 - Safety)*

2. Conduct that disrupts the orderly classroom or school environment

*(cf. 5131.4 - Student Disturbances)*

3. Harassment or bullying of students or staff, including, but not limited to, cyberbullying, intimidation, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption, in accordance with the section entitled "Bullying/Cyberbullying" below

Cyberbullying includes the transmission of communications, posting of harassing messages, direct threats, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any

wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

4. Damage to or theft of property belonging to students, staff, or the SCCOE

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

*(cf. 5131.5 - Vandalism and Graffiti)*

5. Possession or use of a laser pointer, unless used for a valid instructional or other school related purpose, including employment (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. Use of profane, vulgar, or abusive language

*(cf. 5145.2 - Freedom of Speech/Expression)*

7. Plagiarism or dishonesty on school work or tests

*(cf. 5131.9 - Academic Honesty)*

*(cf. 6162.54 - Test Integrity/Test Preparation)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

8. Inappropriate attire

*(cf. 5132 - Dress and Grooming)*

9. Tardiness or unexcused absence from school

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Truancy)*

10. Failure to remain on school premises in accordance with school rules

*(cf. 5112.5 - Open/Closed Campus)*

11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs

*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate SCCOE or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of the privilege of participation in extracurricular or curricular activities in accordance with Board policy and administrative regulation. The County Superintendent or designee shall notify local law enforcement as appropriate.

*(cf. 1020 - Youth Services)*  
*(cf. 1400 - Relations between Other Governmental Agencies and the Schools)*  
*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 5127 - Graduation Ceremonies and Activities)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 6020 - Parent Involvement)*  
*(cf. 6145 - Extracurricular and Curricular Activities)*  
*(cf. 6184 - Continuation Education)*  
*(cf. 6185 - Community Day School)*

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or SCCOE property, or substantially disrupts school activities.

### **Possession/Use of Cellular Phones and Other Mobile Communications Devices**

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code 48901.5)

Allow on campus but cannot be used except in an emergency.

The first time a disruption occurs or a student uses any mobile communications device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If the school employee finds it necessary to confiscate the device, he/she shall return it at the end of the class period or school day. The second time the parent picks it up at school, and the third time, there will be a parent conference and the student may not use the cell phone at school.

In accordance with BP/AR 5145.12 - Search and Seizure, a school official may search a student's mobile communications device, including, but not limited to, reviewing messages or viewing pictures.

*(cf. 5145.12 - Search and Seizure)*

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to and from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

### **Bullying/Cyberbullying**

The County Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.

*(cf. 5137 - Positive School Climate)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 6164.2 - Guidance/Counseling Services)*

The SCCOE may provide students with instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 6163.4 - Student Use of Technology)*

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians, students, and community members also may be provided with similar information.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

*(cf. 5136 - Gangs)*

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff, or to threaten SCCOE property, the investigation shall include documentation of the activity, identification of the source, and specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

Students shall be encouraged to save and print any messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Any student who engages in cyberbullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline in accordance with SCCOE policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the County Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Legal Reference:

*EDUCATION CODE*

*200-262.4 Prohibition of discrimination*

*32261 Bullying*

*35181 Governing board policy on responsibilities of students*

*35291-35291.5 Rules*

*44807 Duty concerning conduct of students*

*48900-48925 Suspension or expulsion, especially:*

*48908 Duties of students*

*51512 Prohibition against electronic listening or recording device in classroom without permission*

*CIVIL CODE*

*1714.1 Liability of parents and guardians for willful misconduct of minor*

*PENAL CODE*

*288.2 Harmful matter with intent to seduce*

*313 Harmful matter*

*417.25-417.27 Laser scope*

*647 Use of camera or other instrument to invade person's privacy; misdemeanor*

*647.7 Use of camera or other instrument to invade person's privacy; punishment*

*653.2 Electronic communication devices, threats to safety*

*VEHICLE CODE*

*23124 Use of cellular phones provisional license holders*

*CODE OF REGULATIONS, TITLE 5*

*300-307 Duties of pupils*

*UNITED STATES CODE, TITLE 42*

*2000h-2000h6 Title IX, 1972 Education Act Amendments*

*UNITED STATES CODE, TITLE 47*

254 Universal service discounts (e-rate)

**COURT DECISIONS**

*J.C. v. Beverly Hills Unified School District*, (2010) 711 F.Supp.2d 1094

*LaVine v. Blaine School District*, (2000, 9th Cir.) 257 F.3d 981

*Emmett v. Kent School District No. 415*, (2000) 92 F.Supp. 1088

*Bethel School District No. 403 v. Fraser*, (1986) 478 U.S. 675

*Tinker v. Des Moines Independent Community School District*, (1969) 393 U.S. 50

**Management Resources:**

**CSBA PUBLICATIONS**

*Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Bullying at School, 2003*

**NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

*Digital Discipline: Off-Campus Student Conduct, the First Amendment and Web Sites, School Law in Review, 2001*

**NATIONAL SCHOOL SAFETY CENTER PUBLICATIONS**

*Bullying in School: Fighting the Bullying Battle, 2006*

**WEB SITES**

CSBA: <http://www.csba.org>

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

Policy adopted:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California



# Santa Clara COE

## Board Policy

### Student Wellness

#### BP 5030 - Student Wellness

##### Students

The Santa Clara County Board of Education recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for Santa Clara County Office of Education students. The Santa Clara County Superintendent of Schools or designee shall build a coordinated school health system that supports and reinforces health literacy through health education, physical education, health services, nutrition services, psychological and counseling services, health promotion for staff, a safe and healthy school environment, and parent/guardian and community involvement.

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 3514 - Environmental Safety)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.31 - Immunizations)*

*(cf. 5141.32 - Health Screening for School Entry)*

*(cf. 5141.6 - School Health Services)*

*(cf. 5142 - Safety)*

*(cf. 5146 - Married/Pregnant/Parenting Students)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*

*(cf. 6164.2 - Guidance/Counseling Services)*

To encourage consistent health messages between the home and school environment, the County Superintendent or designee may disseminate health information to parents/guardians through SCCOE or school newsletters, handouts, parent/guardian meetings, the SCCOE or school web trainings site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

*(cf. 1113 - District and School Web Sites)*  
*(cf. 6020 - Parent Involvement)*

### **Nutrition Education and Physical Activity Goals**

The Superintendent shall adopt goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the SCCOE determines appropriate. (42 USC 1751 Note)

*(cf. 0000 - Vision)*  
*(cf. 0200 - Goals for the SCCOE)*

The SCCOE nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

*(cf. 6011 - Academic Standards)*  
*(cf. 6143 - Courses of Study)*

Nutrition education shall be provided as part of the health education program in grades K-12 and, as appropriate, shall be integrated into other academic subjects in the regular educational program. Nutrition education also may be offered through before- and after-school programs.

*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 6142.8 - Comprehensive Health Education)*

All students in grades K-12 shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education, recess, school athletic programs, extracurricular programs, before- and/or after-school programs, and other structured and unstructured activities.

*(cf. 6142.7 - Physical Education and Activity)*  
*(cf. 6145 - Extracurricular and Co-curricular Activities)*  
*(cf. 6145.2 - Athletic Competition)*

SCCOE shall encourage staff to serve as positive role models. He/she shall promote and may provide opportunities for regular physical activity among employees. Professional development may include instructional strategies that assess health knowledge and skills and promote healthy behaviors.

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

SCCOE prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, or other means.  
*(cf. 1325 - Advertising and Promotion)*

### **Nutritional Guidelines for Foods Available at School**

The SCCOE shall adopt nutritional guidelines for all foods available on each campus during the school day, with the objectives of promoting student health and reducing childhood obesity. (42 USC 1751 Note)

SCCOE believes that foods and beverages available to students at SCCOE schools should support the health curriculum and promote optimal health. Nutritional standards adopted by the SCCOE for all foods and beverages sold to students, including foods and beverages provided through the SCCOE food service program, student stores, vending machines, fundraisers, or other venues, shall meet or exceed state and federal nutritional standards.

*(cf. 3312 - Contracts)*  
*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 3554 - Other Food Sales)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 5148.3 - Preschool/Early Childhood Education)*

SCCOE shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

*(cf. 1230 - School-Connected Organizations)*

School staff shall encourage parents/guardians or other volunteers to support the SCCOE nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties and by limiting foods or beverages that do not meet nutritional standards to no more than one such food or beverage per party. Class parties or celebrations shall be held after the lunch period when possible.

### **Guidelines for Reimbursable Meals**

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. (42 USC 1751 Note)

In order to maximize the SCCOE ability to provide nutritious meals and snacks, all SCCOE schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs, to the extent possible.

*(cf. 3553 - Free and Reduced Price Meals)*

### **Program Implementation and Evaluation**

The County Superintendent shall establish a plan for measuring implementation of this policy. The County Superintendent shall designate at least one person within the SCCOE and at each school who is charged with operational responsibility for ensuring that each school site implements this policy. (42 USC 1751 Note)

*(cf. 0500 - Accountability)*

To determine whether the policy is being effectively implemented districtwide and at each SCCOE school, the following indicators shall be used:

1. Descriptions of the SCCOE nutrition education, physical education, and health education curricula
2. Number of minutes of physical education instruction offered at each grade span
3. Number and type of exemptions granted from physical education
4. Results of the state's physical fitness test
5. An analysis of the nutritional content of meals served based on a sample of menus
6. Student participation rates in school meal programs
7. Any sales of non-nutritious foods and beverages in fundraisers or other venues outside of the SCCOE meal programs
8. Feedback from food service personnel, school administrators, the school health council, parents/guardians, students, and other appropriate persons
9. Any other indicators recommended by the County Superintendent and approved by the County Board

The County Superintendent or designee shall report to the County Board at least every two years on the implementation of this policy and any other Board policies related to nutrition and physical activity.

## Posting Requirements

Each school shall post the SCCOE policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

Legal Reference:

### *EDUCATION CODE*

*33350-33354 CDE responsibilities re: physical education*

*49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001*

*49490-49494 School breakfast and lunch programs*

*49500-49505 School meals*

*49510-49520 Nutrition*

*49530-49536 Child Nutrition Act*

*49540-49546 Child care food program*

*49547-49548.3 Comprehensive nutrition services*

*49550-49561 Meals for needy students*

*49565-49565.8 California Fresh Start pilot program*

*49570 National School Lunch Act*

*51210 Course of study, grades 1-6*

*51220 Course of study, grades 7-12*

*51222 Physical education*

*51223 Physical education, elementary schools*

*51795-51796.5 School instructional gardens*

*51880-51921 Comprehensive health education*

### *CODE OF REGULATIONS, TITLE 5*

*15500-15501 Food sales by student organizations*

*15510 Mandatory meals for needy students*

*15530-15535 Nutrition education*

*15550-15565 School lunch and breakfast programs*

### *UNITED STATES CODE, TITLE 42*

*1751-1769 National School Lunch Program, especially:*

*1751 Note Local wellness policy*

*1771-1791 Child Nutrition Act, including:*

*1773 School Breakfast Program*

*1779 Rules and regulations, Child Nutrition Act*

### *CODE OF FEDERAL REGULATIONS, TITLE 7*

*210.1-210.31 National School Lunch Program*

*220.1-220.21 National School Breakfast Program*

### *COURT DECISIONS*

*Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781*

Management Resources:

*CSBA PUBLICATIONS*

*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007*

*Food Safety Requirements, Fact Sheet, October 2007*

*Physical Education and California Schools, Policy Brief, rev. October 2007*

*Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007*

*Promoting Oral Health for California's Students: New Roles, New Opportunities for Schools, Policy Brief, March 2007*

*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*

*School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006*

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*

*Healthy Children Ready to Learn, January 2005*

*Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003*

*Physical Education Framework for California Public Schools, Kindergarten Through Grade 12, 1994*

*CALIFORNIA PROJECT LEAN PUBLICATIONS*

*Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006*

*CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS*

*School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2004*

*Making It Happen: School Nutrition Success Stories, 2005*

*NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS*

*Fit, Healthy and Ready to Learn, 2000*

*U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS*

*Dietary Guidelines for Americans, 2005*

*Team Nutrition, Food and Nutrition Services, Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000*

*WEB SITES*

*CSBA: <http://www.csba.org>*

*Action for Healthy Kids: <http://www.actionforhealthykids.org>*

*California Department of Education, Nutrition Services Division:  
<http://www.cde.ca.gov/ls/nu>*

*California Department of Public Health: <http://www.cdph.ca.gov>*

*California Healthy Kids Resource Center: <http://www.californiahealthykids.org>*

*California Project LEAN (Leaders Encouraging Activity and Nutrition):  
<http://www.californiaprojectlean.org>*

*California School Nutrition Association: <http://www.calsna.org>*

*Centers for Disease Control and Prevention: <http://www.cdc.gov>*

*Dairy Council of California: <http://www.dairycouncilofca.org>*

*National Alliance for Nutrition and Activity:*

*<http://www.cspinet.org/nutritionpolicy/nana.html>*

*National Association of State Boards of Education: <http://www.nasbe.org>  
National School Boards Association: <http://www.nsba.org>  
School Nutrition Association: <http://www.schoolnutrition.org>  
Society for Nutrition Education: <http://www.sne.org>  
U.S. Department of Agriculture, Food Nutrition Service, wellness policy:  
[http://www.fns.usda.gov/tn/Healthy/wellnesspolicy\\_steps.html](http://www.fns.usda.gov/tn/Healthy/wellnesspolicy_steps.html)*

Policy adopted:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California

# Santa Clara COE

## Administrative Regulation

### Suicide Prevention

#### No. 5141.52 - Suicide Prevention

##### Students

##### Instruction

At appropriate secondary grades, the Santa Clara County Office of Education suicide prevention instruction shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. Identify alternatives to suicide and develop coping and resiliency skills
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking mental health, substance abuse, and/or suicide prevention services

*(cf 1020 - Youth Services)*  
*(cf 5131.6 - Alcohol and Other Drugs) (cf 5141.6 - School Health Services)*  
*(cf 6142.8 - Comprehensive Health Education) (cf 6164.2 - Guidance/Counseling Services)*

##### Intervention

When a suicide attempt or threat is reported, the principal or designee shall:

1. Ensure the student's physical safety by one of the following, as appropriate:
  - a. Securing immediate medical treatment if a suicide attempt has occurred
  - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened



- c. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene

*(cf 5141- Health Care and Emergencies)*

2. Designate specific individuals to be promptly contacted, including the school counselor, psychologist, nurse, Santa Clara County Superintendent of Schools, and/or the student's parent/guardian, and, as necessary, local law enforcement or mental health agencies
3. Document the incident in writing as soon as feasible

*(cf 5125- Student Records)*

4. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed
5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at the school
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions

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

*(cf 0450- Comprehensive Safety Plan)*

*(cf 1112- Media Relations)*

Regulation approved:

October 20, 2010

May 15, 2013, January 15, 2014

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California

# Santa Clara County Office of Education

## Board Policy

### Uniform Complaint Procedures

#### BP 1312.3 - Uniform Complaint Procedures

##### Community Relations

The Santa Clara County Board of Education (County Board) recognizes that the Santa Clara County Office of Education (SCCOE) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The SCCOE shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation and/or bullying, and seek to resolve those complaints in accordance with the procedures set out in 5 CCR 4600- 4687 and in accordance with the policies and procedures of the County Board. The SCCOE shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, intimidation, and/or bullying against any protected group as identified in Education Code section 200 and 220 and in Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the SCCOE, which is funded directly by, or that receives or benefits from any state financial assistance. (Government Code 11135; Education Code 200, 220, 234.1; 5 CCR 4610; Penal Code 422.55)

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, career technical education and training programs, child care and development programs, child nutrition programs, special education programs, federal school safety planning requirements, and the requirement and implementation of the Local Control Funding Formula (LCFF) including the implementation of the Local Control and Accountability Plan (LCAP). (5 CCR 4610)

An LCAP complaint may be filed anonymously if the complaint provided evidence or information leading to evidence to support an allegation of noncompliance.

Uniform complaint procedures shall also be used when addressing complaints alleging violations pertaining to K-12 pupil fees where it is prohibited for a pupil who is enrolled in a K-12 public school to be required to pay a pupil fee for participation in a K-12 educational activity, as defined and/or specified in Assembly Bill 1575 (Education Code 49011-49013).

## Pupil Fees

A pupil enrolled in a SCCOE school shall not be required to pay a pupil fee for participation in an educational activity.

All of the following requirements apply to the prohibition identified above:

All supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge.

A fee waiver policy shall not make a pupil fee permissible.

The SCCOE shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school SCCOE or school does not provide.

The SCCOE shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

The SCCOE shall not prohibit the solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or SCCOE schools, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

This is declarative of existing law and shall not be interpreted to prohibit the imposition of a fee, deposit, or other charge otherwise allowed by law.

A complaint of noncompliance with the requirements of this pupil fee law may be filed with the principal of a school under the Uniform Complaint Procedures set forth in Chapter 5.1 (5 CCR 4600) of Division 1.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees. (Education Code 49013(b), 52075(b))

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630(c)(2))

A complainant not satisfied with the SCCOE's decision may appeal the decision to the California Department of Education and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

If the SCCOE finds merit in a complaint, or the California Department of Education finds merit in an appeal, the SCCOE shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts to ensure that the SCCOE will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid a pupil fee within one year prior to the filing of the complaint. (5CCR 4600(u))

Information regarding the requirements of this pupil fee law shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to 5 CCR 4622.

The SCCOE shall establish local policies and procedures to implement the provisions of this law. (Education Code 49011-49013)

The SCCOE shall have the primary responsibility to insure compliance with applicable state and federal laws and regulations. (5 CCR 4620)

The SCCOE shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation and/or bullying, and seek to resolve those complaints in accordance with the SCCOE's Uniform Complaint Procedures. (5 CCR 4610, 4620, and 4621)

The County Board designates the following compliance officers to receive and investigate complaints and ensure SCCOE compliance with law:

Personnel related:

Chief Human Resources Officer  
1290 Ridder Park Drive  
San Jose, CA 95131  
(408) 453-6843

Student related:

Chief Schools Officer  
Student Services Branch, MC 271  
1290 Ridder Park Drive  
San Jose, CA 95131  
(408) 453-6560

The Chief Human Resources Officer shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the County Superintendent or designee.

The Chief Human Resources Officer shall meet the notification requirements of 5 CCR 4622, including the annual dissemination of SCCOE complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The Chief Human Resources Officer shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

There will be annual dissemination of a written notice of the SCCOE's complaint procedures to students, employees, parents or guardians of its students, school and SCCOE advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

Additionally, the SCCOE shall use uniform complaint procedures to address complaints regarding insufficiency of instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and/or teacher vacancy or misassignment issues as provided in AR 1312.4.

(cf. 0410 - Nondiscrimination in SCCOE Programs and Activities)  
(cf. 0420.2 - School Improvement Program)  
(cf. 0430 - Comprehensive Local Plan for Special Education)  
(cf. 0450 - Comprehensive Safety Plan)  
(cf. 1312.1 - Complaints Concerning SCCOE Employees)  
(cf. 1312.2 - Complaints Concerning Instructional Materials)  
(cf. 1312.4 - Williams Uniform Complaint Procedures)  
(cf. 3553 - Free and Reduced -Price Meals)  
(cf. 4031 - Complaints Concerning Discrimination in Employment)  
(cf. 5141.4 - Child Abuse Prevention and Reporting)  
(cf. 5148 - Child Care and Development)  
(cf. 6159 - Individualized Education Program)  
(cf. 6171 - Title I Programs)  
(cf. 6174 - Education for English Language Learners)  
(cf. 6175 - Migrant Education Program)  
(cf. 6178 - Vocational Education)  
(cf. 6200 - Adult Education)  
(cf. 52075 - Local Control and Accountability Plans)

The County Board encourages the early, informal resolution of complaints at the site level whenever possible.

Upon receipt of a written complaint from an individual, public agency or organization, uniform complaint procedures shall be initiated. The Superintendent or designee shall distribute full information about these procedures.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation

or engage in any other obstructions of the investigation, may result in the dismissal of the complaint because of lack of evidence to support the allegations. (5 CCR 4631)

Refusal by the SCCOE to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The SCCOE complaint will be investigated and a written report will be issued to the complainant within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

Complainants will receive written acknowledgement identifying the person(s), employee(s), or agency position(s), or unit(s) responsible for receiving complaints, investigating complaints and ensuring SCCOE compliance. The written acknowledgement will also include a statement that ensures that such person(s), employee(s), position(s), or unit(s) responsible for compliance and/or investigation shall be knowledgeable about the laws/programs that he/she is assigned to investigate. (5 CCR 4621, 4631)

Complainants have the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws, if applicable. (5 CCR 4622)

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying. (5 CCR 4630)

The SCCOE will provide an opportunity for complainants and/or representatives to present evidence or information.

The report will contain the following elements: (5 CCR 4631):

1. The findings of fact based on the evidence gathered.
2. Conclusion of law.
3. Disposition of the complaint.
4. The rationale for such a disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the SCCOE's decision to the California Department of Education (CDE).

7. Procedures to be followed for initiating an appeal to CDE.

The SCCOE ensures that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation and/or bullying will remain confidential as appropriate.

The County Board acknowledges and respects every individual's right to privacy. Discrimination, harassment, intimidation and/or bullying complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis. (5 CCR 4621)

The County Board prohibits retaliation in any form for participation in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination, harassment, intimidation and/or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 5125 - Student Records)  
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The County Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

The complainant shall comply with the appeal requirements of 5 CCR 4632.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

37254 Intensive instruction and services for students who have not passed exit exam

41500-41513 Categorical education block grants

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs  
52075 - Local Control and Accountability Plans  
52160-52178 Bilingual education programs  
52300-52490 Career technical education  
52500-52616.24 Adult schools  
52800-52870 School-based program coordination  
54000-54028 Economic impact aid programs  
54100-54145 Miller-Unruh Basic Reading Act  
54400-54425 Compensatory education programs  
54440-54445 Migrant education  
54460-54529 Compensatory education programs  
56000-56867 Special education programs  
59000-59300 Special schools and centers  
64000-64001 Consolidated application process

#### GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state  
12900-12996 Fair Employment and Housing Act

#### PENAL CODE

422.55 Hate crime; definition  
422.6 Interference with constitutional right or privilege

#### CODE OF REGULATIONS, TITLE 5

3080 Application of section  
4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

#### UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs  
6601-6777 Title II preparing and recruiting high quality teachers and principals  
6801-6871 Title III language instruction for limited English proficient and immigrant students  
7101-7184 Safe and Drug-Free Schools and Communities Act  
7201-7283g Title V promoting informed parental choice and innovative programs  
7301-7372 Title V rural and low-income school programs

#### Management Resources:

##### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

#### Policy

SANTA CLARA COUNTY OFFICE OF EDUCATION

adopted: September 16, 1992

San Jose, California

revised: May 18, 2005, June 3, 2009, May 15, 2013,  
June 18, 2014, October 7, 2015



# **Santa Clara COE**

## **Administrative Regulation**

### **Uniform Complaint Procedures**

## **AR 1312.3 Uniform Complaint Procedures**

### **Community Relations**

#### **Compliance Officers**

The Santa Clara County Superintendent of Schools designates the following compliance officer(s) to receive and investigate complaints and to ensure Santa Clara County Office of Education compliance with law:

#### **Personnel Related:**

Chief Human Resources Officer  
Human Resources Branch, MC 264-A  
1290 Ridder Park Drive  
San Jose, CA 95131

#### **Student Related:**

Chief Schools Officer  
Student Services Branch, MC 271  
1290 Ridder Park Drive  
San Jose, CA 95131

The County Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the County Superintendent or designee.

(cf. 9124 - Attorney)

#### **Notifications**

The County Superintendent or designee shall annually provide written notification of the SCCOE uniform complaint procedures to students, employees, parents/guardians, the SCCOE advisory committees, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The County Superintendent or designee shall make available copies of the SCCOE uniform complaint procedures free of charge. (5 CCR 4622)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
  - a. The SCCOE is primarily responsible for compliance with state and federal laws and regulations
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline
  - c. An unlawful discrimination, harassment, intimidation, and bullying complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination, harassment, intimidation, and bullying
  - d. The complainant has a right to appeal SCCOE's decision to the CDE by filing a written appeal within 15 days of receiving the SCCOE decision
  - e. The appeal to the CDE must include a copy of the complaint filed with SCCOE and a copy of SCCOE's decision
  - f. If the SCCOE finds merit in a pupil fees complaint, the SCCOE shall provide a remedy to all affected pupils, parents, and guardians where applicable and includes reasonable efforts by the public school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

(cf. 5145.6 - Parental Notifications)

## Procedures

The following procedures shall be used to address all complaints which allege that the SCCOE has violated federal or state laws or regulations governing educational programs. Compliance officers

shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

#### Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the SCCOE. (5 CCR 4630)

Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code [49013](#), [52075](#); 5 CCR [4630](#))

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, SCCOE staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

#### Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination, harassment, intimidation, and bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the SCCOE's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

#### Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint. (5 CCR 4631)

A complainant's refusal to provide SCCOE's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

SCCOE's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

#### Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the SCCOE investigation and decision, as described in Step #5 below, within 60 days of the SCCOE receipt of the complaint. (5 CCR 4631)

#### Step 5: Final Written Decision

SCCOE's decision shall be in writing and sent to the complainant. (5 CCR 4631)

SCCOE's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on the evidence gathered (5 CCR 4631)
2. The conclusion(s) of law (5 CCR 4631)
3. Disposition of the complaint (5 CCR 4631)
4. Rationale for such disposition (5 CCR 4631)
5. Corrective actions, if any are warranted (5 CCR 4631)

6. Notice of the complainant's right to appeal the decision within 15 days to the CDE and procedures to be followed for initiating such an appeal (5 CCR 4631)
7. For discrimination, harassment, intimidation, and bullying complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies (Education Code 262.3)

If the SCCOE finds merit in a complaint, or the California Department of Education finds merit in an appeal, the SCCOE shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts to ensure that the SCCOE will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid a pupil fee within one year prior to the filing of the complaint. (5CCR 4600(u))

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of SCCOE's expectations. The report shall not give any further information as to the nature of the disciplinary action.

#### Appeals to the California Department of Education

If dissatisfied with the decision, the complainant may appeal in writing to the CDE within 15 days of receiving the decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of SCCOE's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed SCCOE's decision, the County Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by SCCOE, if not covered by the decision
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of SCCOE's complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in the complaint without waiting for action by SCCOE when one of the conditions listed in 5 CCR 4650 exists, including cases in which SCCOE has not taken action within 60 days of the date the complaint was filed.

#### Civil Law Remedies

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

Regulation

approved: October 20, 2010

revised: January 8, 2014, August 24, 2015

SANTA CLARA COUNTY OFFICE OF EDUCATION

San Jose, California

# Santa Clara COE

## Administrative Regulation

### Williams Uniform Complaint Procedures

## AR 1312.4 - Williams Uniform Complaint Procedures

### Community Relations

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants COE flexibility in "Tier 3" categorical programs. The Santa Clara County Office of Education has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the COE may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

### Types of Complaints

The Santa Clara County Office of Education shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186; 5 CCR 4681, 4682, 4683)

1. Textbooks and instructional materials
  - a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or SCCOE-adopted textbooks or other required instructional materials to use in class.
  - b. A pupil does not have access to textbooks or instructional materials to use at home or after school.
  - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

2. Teacher vacancy or misassignment
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.

*(cf. 4112.22 - Staff Teaching Pupils of Limited English Proficiency)*

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

*(cf. 4112.2 - Certification)*

*(cf. 4113 - Assignment)*

### 3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of pupils or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (Education Code 35292.5)



Open restroom means, except as necessary for pupil safety or to make repairs, the school has kept all restrooms open during school hours when pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes. (Education Code 35292.5)

#### 4. High school exit examination intensive instruction and services

A pupil, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12 for two consecutive academic years or until the pupil has passed both parts of the exam, whichever comes first. (Education Code 35186)

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6179 - Supplemental Instruction)*

### **Filing of Complaint**

A complaint alleging any condition(s) specified in items #1-3 above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Santa Clara County Superintendent of Schools or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

A complaint alleging any deficiency specified in item #4 above shall be filed with a SCCOE official designated by the County Superintendent. Such complaints may be filed at the SCCOE office or at a school site and shall be immediately forwarded to the County Superintendent or designee. (Education Code 35186)

### **Investigation and Response**

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the County Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the County Superintendent at a scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3a above, a complainant who is not satisfied with the resolution proffered by the principal or County Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving SCCOE's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

*(cf. 1340 - Access to District Records)*

## **Reports**

The County Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the County Board on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled County Board meeting. (Education Code 35186; 5 CCR 4686)

## **Forms and Notices**

The County Superintendent or designee shall ensure that SCCOE's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. However, complainants need not use the SCCOE Williams complaint form in order to file a complaint. (Education Code 35186)

The County Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)

Legal Reference:

*EDUCATION CODE*

*1240 County superintendent of schools, duties*

*17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account*

*33126 School accountability report card*

*35186 Williams uniform complaint procedure*

35292.5 Restrooms, maintenance and cleanliness  
37254 Supplemental instruction based on failure to pass exit exam by end of grade 12  
48985 Notice to parents in language other than English  
60119 Hearing on sufficiency of instructional materials  
CODE OF REGULATIONS, TITLE 5  
4600-4687 Uniform complaint procedures, especially:  
4680-4687 Williams complaints

*Management Resources:*

*WEB SITES*

*CSBA: <http://www.csba.org>*

*California County Superintendents Educational Services Association: <http://www.ccesa.org>*

*California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc/index.asp>*

*State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>*

Regulation approved:  
October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California

# Santa Clara COE

## Exhibit

### Williams Uniform Complaint Procedures

## E 1312.4 Williams Uniform Complaint Procedures

### Community Relations

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants COE flexibility in "Tier 3" categorical programs. The Santa Clara County Office of Education has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the COE may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

#### NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS: COMPLAINT RIGHTS

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. Pupils, including English learners, who have not passed one or both parts of the high school exit examination by the end of grade 12 are to be provided the opportunity to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12.
5. A complaint form can be obtained at the school office or Santa Clara County Office of Education office, or downloaded from the SCCOE web site. You may also download a copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/cp/uc>.

Exhibit

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

version: October 20, 2010

San Jose, California

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E(2) 1312.4

**WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants COE flexibility in "Tier 3" categorical programs. The Santa Clara County Office of Education has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the COE may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

**COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested?  Yes  No

**Contact Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

**Location of the problem that is the subject of this complaint:**

School: \_\_\_\_\_

Course title/grade level and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or Santa Clara County Office of Education-adopted textbooks or other required instructional materials to use in class.
- A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)

- A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the

beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

\_\_\_ A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

\_\_\_ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions: (Education Code 35186, 35292.5; 5 CCR 4683)

\_\_\_ A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition.

\_\_\_ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

\_\_\_ The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

4. High school exit exam intensive instruction and services: (Education Code 35186)

\_\_\_ Pupils who have not passed the high school exit exam by the end of grade 12 were not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after the completion of grade 12.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

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Please file this complaint at the following location:

Opportunity Youth Academy  
1290 Ridder Park Drive  
San Jose, CA 95131

Exhibit  
version: October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
San Jose, California



# Santa Clara COE

## Board Policy

### Weapons and Dangerous Instruments

#### BP 5131.7 - Weapons and Dangerous Instruments

##### Students

The Santa Clara County Board of Education recognizes that students and staff have the right to a safe and secure campus free from psychological and physical harm and desires to protect them from the dangers presented by firearms and other weapons.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3515.3 - District Police/Security Department)*  
*(cf. 5116.1 - Intradistrict Open Enrollment)*  
*(cf. 5131 - Conduct)*  
*(cf. 5144 - Discipline)*  
*(cf. 5138 - Conflict Resolution/Peer Mediation)*

##### Possession of Weapons

The County Board prohibits any student from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Under the power granted to the County Board to maintain order and discipline in the schools and to protect the safety of students, staff, and the public, any school employee is authorized to confiscate a weapon, dangerous instrument, or imitation firearm from any student on school grounds.

*(cf. 4158/4258/4358 - Employee Security)*

Unless he/she has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))*

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other dangerous weapon or instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7151)

*(cf. 3515.2 - Disruptions)*

### **Advance Permission for Possession of a Weapon for Educational Purposes**

The parent/guardian of a student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall, at least five school days in advance of the planned possession, submit a written request to the principal which explains the planned use of the weapon and the duration. The student shall also submit a written explanation from the staff person responsible for the school-sponsored activity or class.

The principal may grant permission for such possession when he/she determines that it is necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, he/she shall provide the student and staff person with a written explanation regarding any limitations and the permissible duration of the student's possession.

When the principal or designee grants permission, he/she shall take all necessary precautions to ensure the safety of all persons on school grounds, including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any weapon allowed shall be stored in a locked vehicle or in an appropriate, locked container before and after its authorized use.

A student granted permission to possess a weapon may be suspended and/or expelled if he/she possesses or uses the weapon inappropriately.

### **Possession of Pepper Spray**

To prevent potential misuse that may harm students or staff, students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

### **Reporting of Dangerous Objects**

The County Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

*(cf. 5125 - Student Records)*

The Santa Clara County Superintendent of Schools or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The County Superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

Legal Reference:

*EDUCATION CODE*

*35291 District to prescribe rules for discipline of the schools*

*48900 Grounds for suspension/expulsion*

*48902 Notification of law enforcement authorities*

*48915 Required recommendation for expulsions*

*48916 Readmission*

*49330-49335 Injurious objects*

*PENAL CODE*

*245 Assault with deadly weapon*

*417.4 Imitation firearm; drawing or exhibiting*

*626.9 Gun-Free School Zone Act of 1995*

*626.10 Dirks, daggers, knives, razor or stun gun; bringing or possessing in school*  
*Switchblade knife*

*16100-17350 Definitions*

*12001 Control of deadly weapons*

*12020-12036 Unlawful carrying and possession of concealed weapons*

*12220 Unauthorized possession of a machine gun*

*12401-12404 Tear gas*

*12550-12556 BB devices and imitation firearms*

*UNITED STATES CODE, TITLE 20*

*6301-7941 No Child Left Behind Act, especially:*

*7151 Gun-Free Schools Act*

Policy adopted:

October 20, 2010

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California

Revised: May 16, 2012

# Santa Clara COE

## Administrative Regulation

### Weapons and Dangerous Instruments

#### AR 5131.7 - Weapons and Dangerous Instruments

##### Students

Prohibited weapons and dangerous instruments include, but are not limited to:

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion
2. Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade (Education Code 48915; Penal Code 626.10)
3. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
4. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun (Penal Code 626.10)
5. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
6. Any imitation firearm, defined as 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 (Education Code 48900; Penal Code 12550)

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the SCCOE. (Education Code 49331, 49332)

*(cf. 5145.12 - Search and Seizure)*

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3515.3 - District/Police Security Department)*  
*(cf. 4158/4258/4358 - Employee Security)*

When informing the principal about the possession of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.

The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

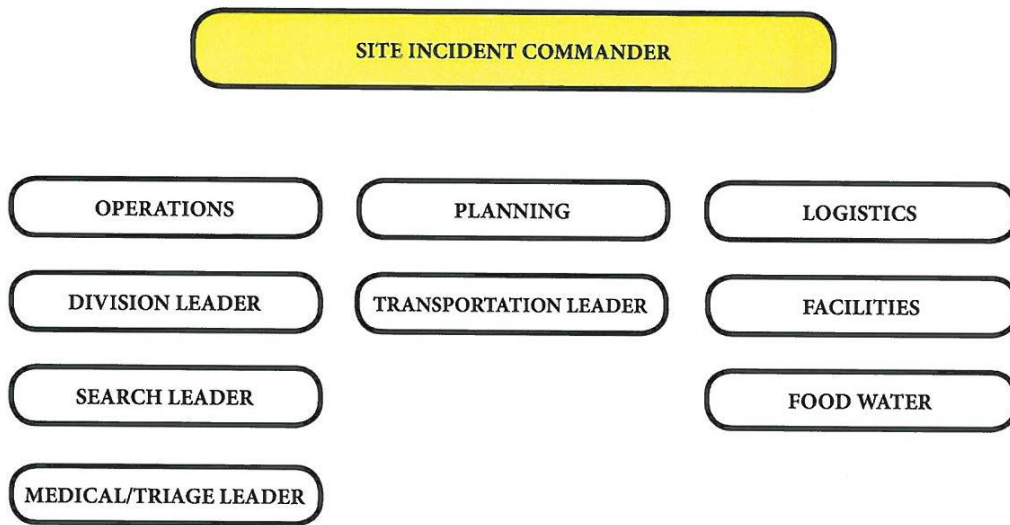
The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

Regulation approved:  
October 20, 2010

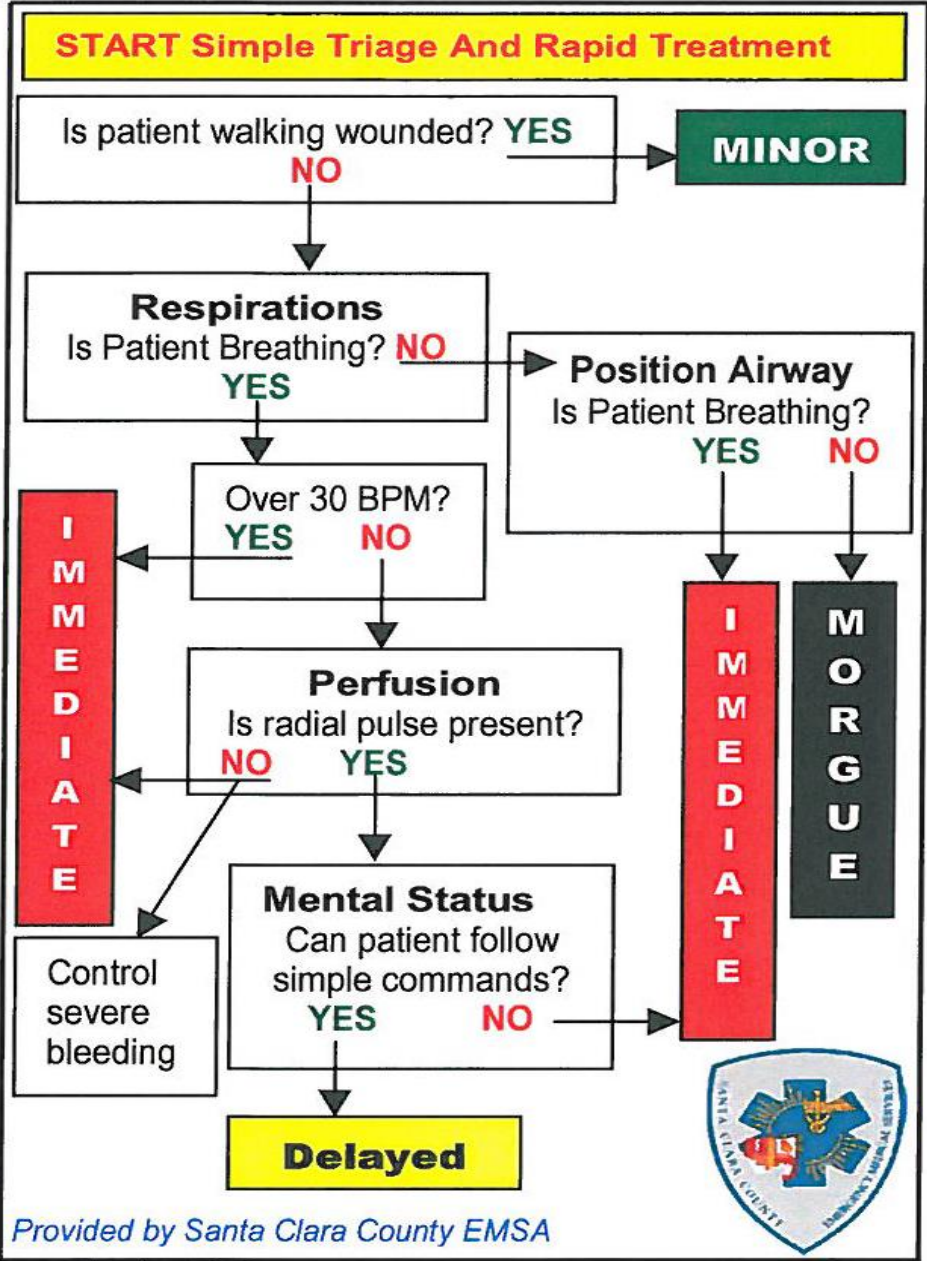
**SANTA CLARA COUNTY OFFICE OF EDUCATION**

San Jose, California

# INCIDENT COMMAND SYSTEM



# START – Simple Triage and Rapid Treatment

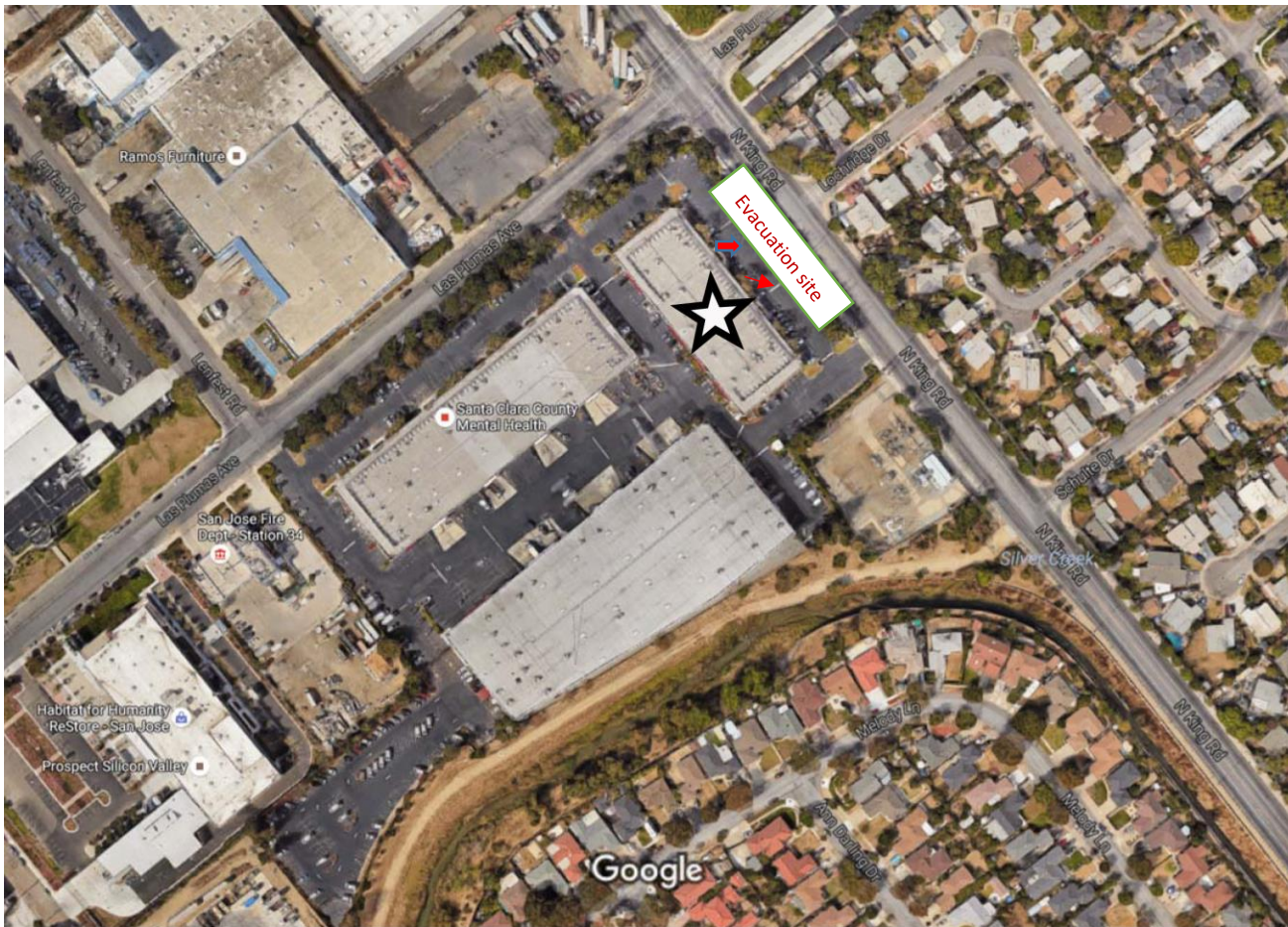


# SCHOOL MAPS

**OYA The Hub**

591 N. King Road

San Jose, CA 95133

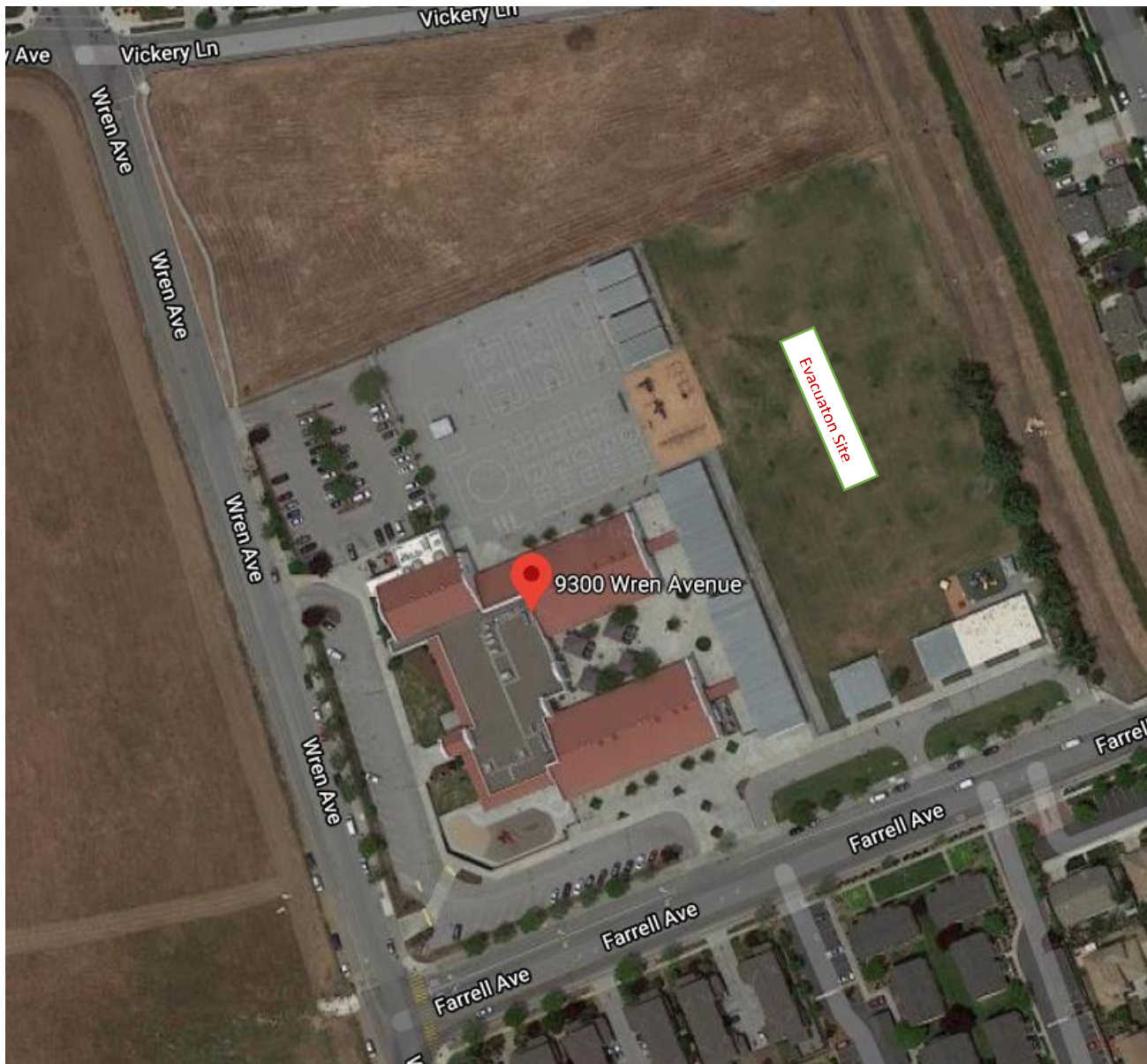




# OYA South County

9300 Wren Ave

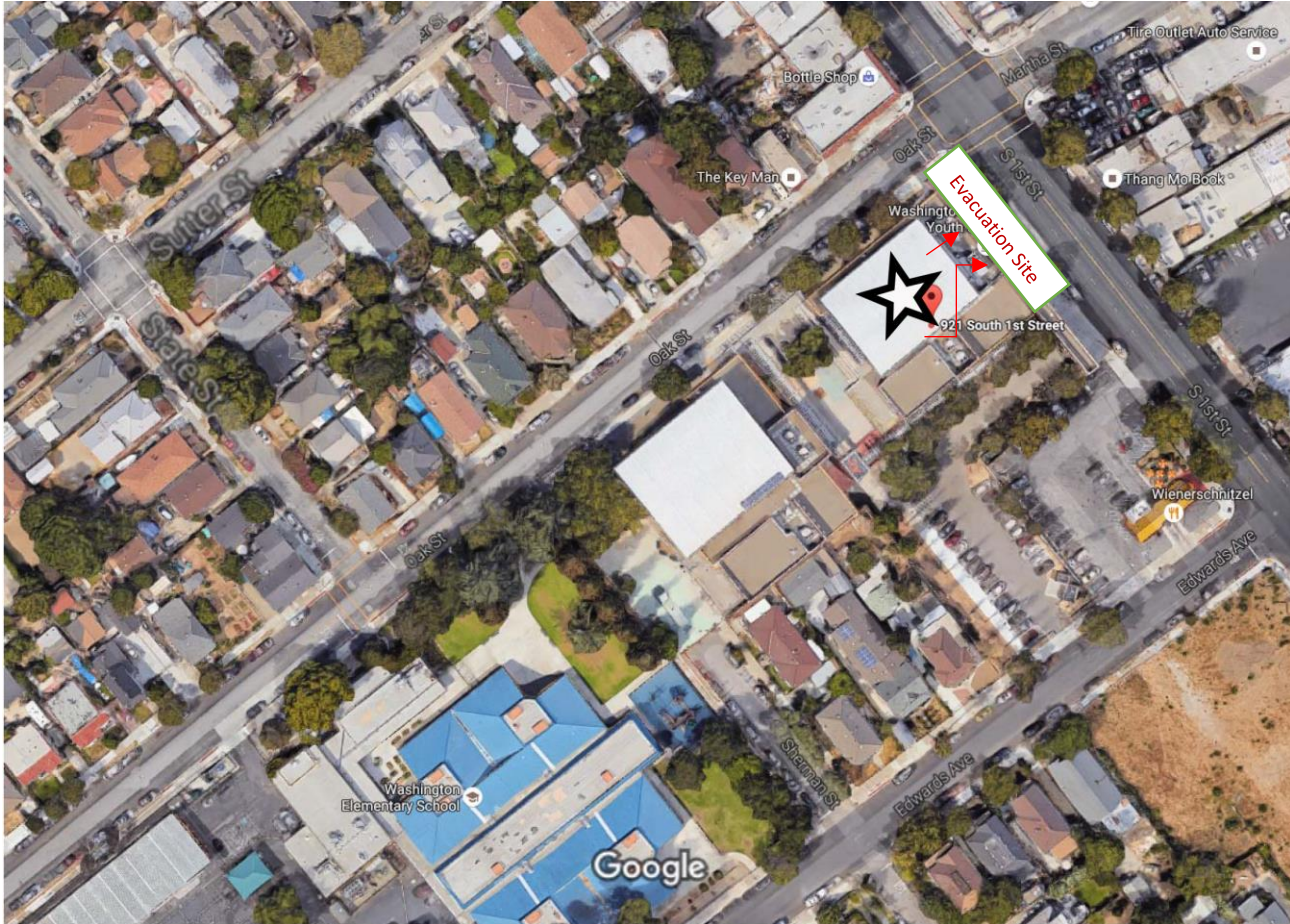
Gilroy CA 95020



i  
**OYA Washington**

921 S First Street, Suite B

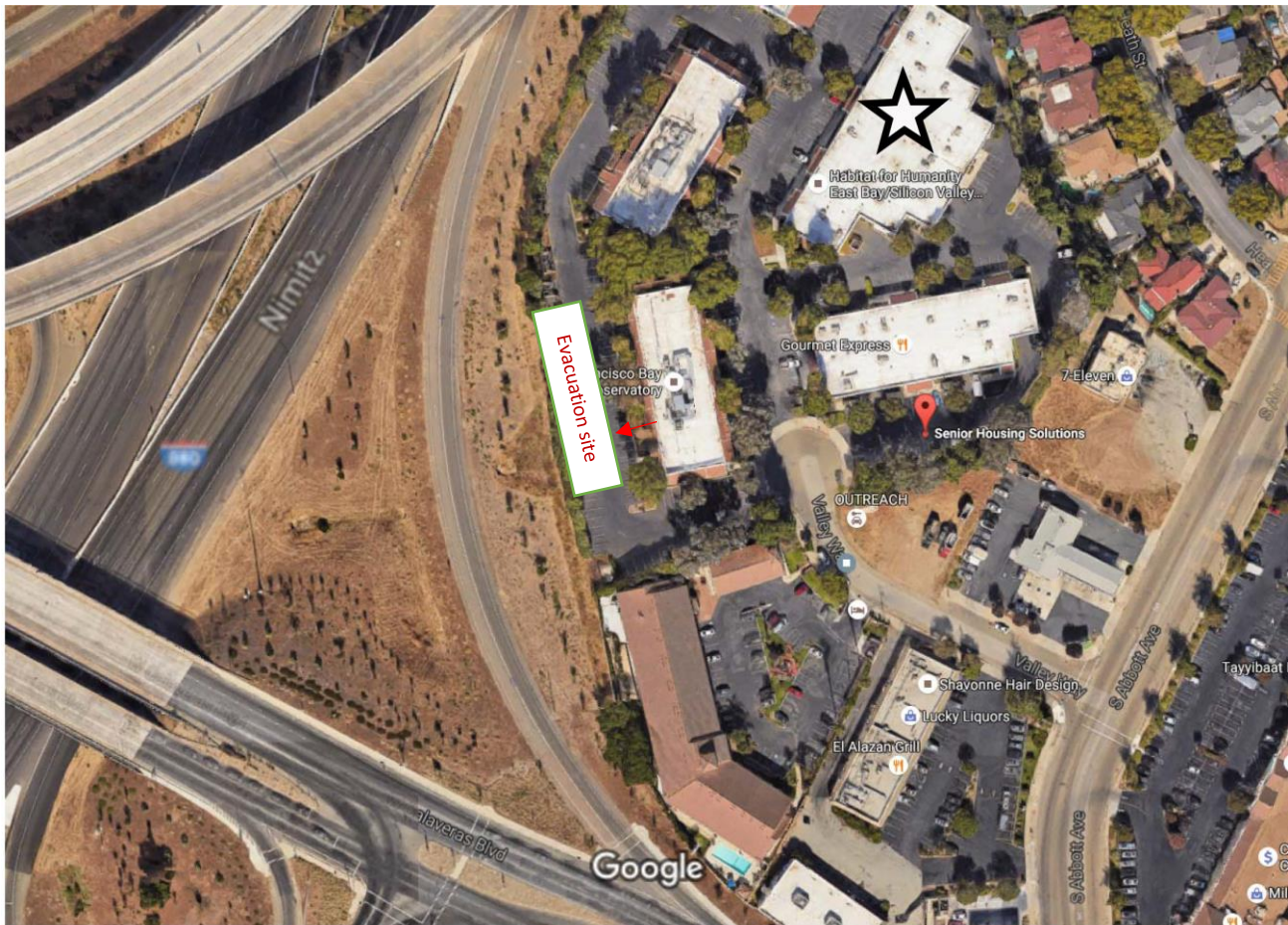
San Jose, CA 95110



# OYA Sobrato

512 Valley Way

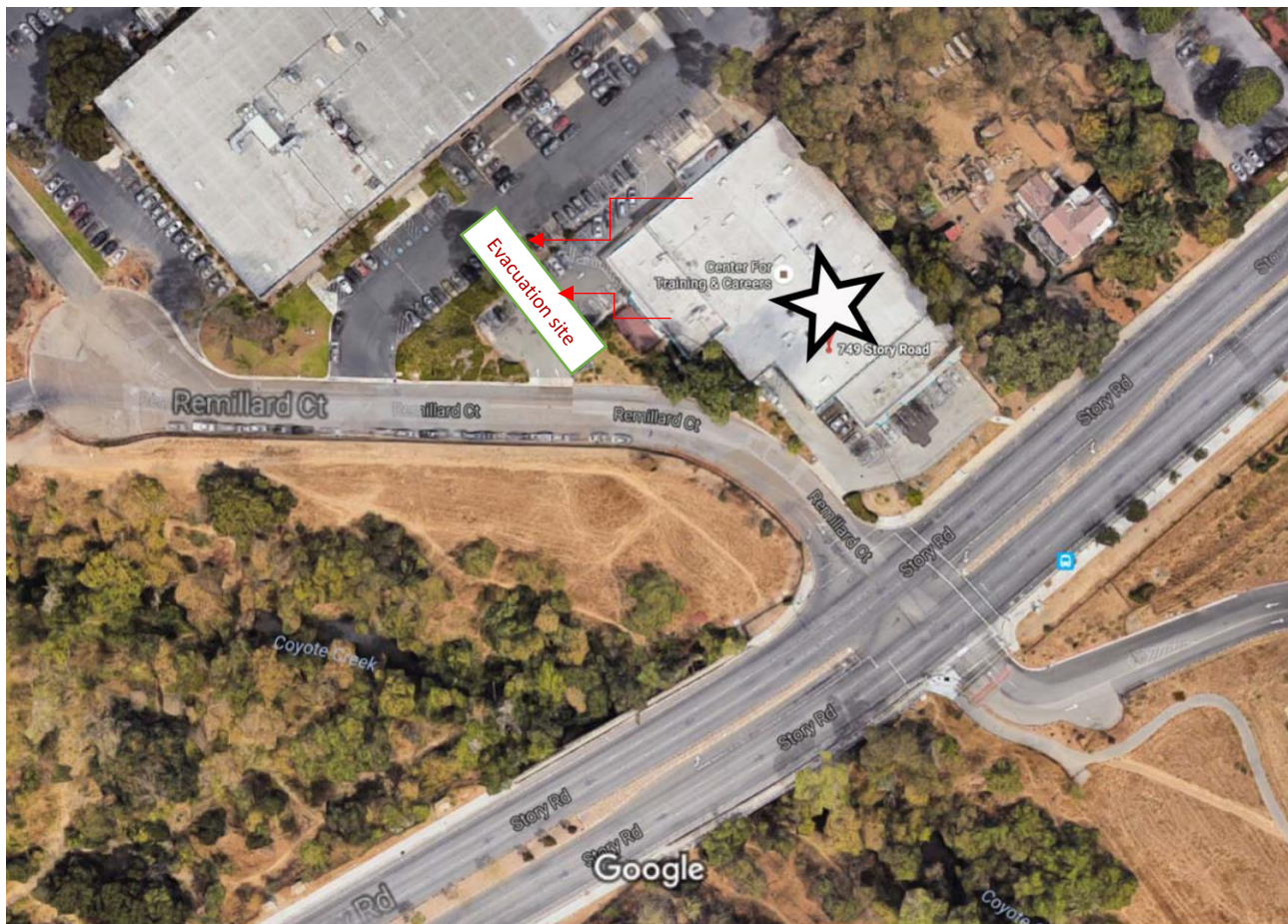
Milpitas, CA 95035



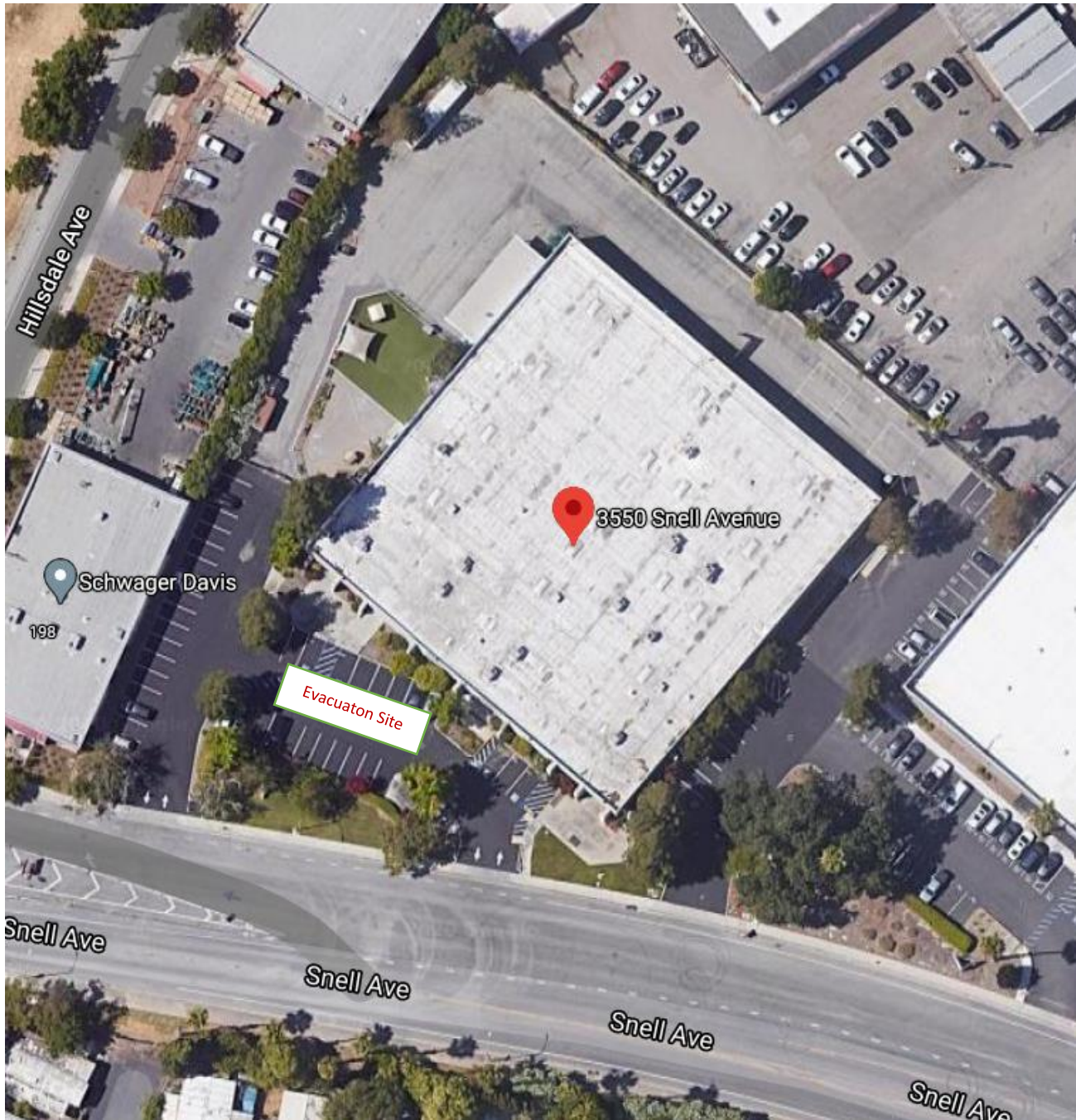
OYA ConXion

749 Story Road

San Jose, CA 95122



OYA Snell  
3550 Snell Ave  
San Jose, CA 95136





# 2020-21 COURSE CATALOG





SIATech believes that all students can learn and have the right to earn a high school diploma, even though they previously may have been unsuccessful in the traditional school system.

SIATech provides “at-promise” students the opportunity to earn a high school diploma, leading to advanced study and expanded career options. This opportunity will enhance each student’s ability to access and succeed in institutions of higher education, vocational-technical careers and/or military service, and increase the skills needed to negotiate the complexities of life and to achieve success in the 21st century workplace.



## Mission

SIATech® provides a premiere high school drop-out recovery program engaging students through relationship-focused, high-tech, and rigorous learning experiences resulting in

**Real Learning for Real Life**®

## Vision

**STUDENTS** will view their future with optimism, find success as self-directed learners, and contribute to society.

**STAFF** will be empowered to make a difference in an environment of respect, recognition and professional growth.

**COMMUNITIES** will benefit from the success and contributions of SIATech® students.

## Values

**Integrity:** Do the right thing for the right reasons.

**Respect:** Seek to understand, accept, and use input from all.

**Service:** Respond to others in need.

**Learning:** Pursue opportunities for life-long growth.

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## WELCOME!



Congratulations on your decision to enroll and take control of your future. Earning a high school diploma will open doors to your future and prepare you for college and the world of work. Our motto, “Real Learning for Real Life,”™ means that your high school program will be designed with you and for you to track your progress toward graduation. You will learn to use data to monitor your own journey into the future and make decisions that will allow you to achieve your goals.

Building academic skills in literacy, numeracy, and core content standards as well as learning to use state-of-the-art technology to access knowledge is key to the SIATech method. You will learn to think globally and better appreciate your place in the 21st century. Most importantly, you will identify and build on your strengths to become a steward of your world.

Equitable access to world-class education opportunities is the social issue of our time and the key to a bright future for every student. SIATech schools offer a rigorous, relevant, and engaging curriculum delivered in a personalized instruction model by highly qualified and caring teachers.

Fasten your seat belt and get ready to learn like you’ve never learned before! A bright future is the prize!

See you at graduation!

Dr. Terrance Mims  
Superintendent/Chief Education Officer

## SCHOOL LOCATIONS

### **SIATech El Centro**

1523 W. Main St.  
Suite 112  
El Centro, CA 92243  
PH: 760-352-3002

### **SIATech Indio**

45691 Monroe Street  
Suite 6  
Indio, CA 92201  
PH: 951-238-7669

### **SIATech Inland Empire**

3173 Kerry Street  
San Bernardino, CA 92407  
PH: 909-887-7113

### **SIATech Long Beach**

1903 Santa Fe Avenue  
Long Beach, CA 90810  
PH: 562-983-1777 Ext.2134

### **SIATech Los Angeles**

221 W 11th Street  
Suite 201  
Los Angeles, CA 90015  
PH: 213-743-5157

### **SIATech Moreno Valley**

23080 Alessandro Blvd.  
Suite 232  
Moreno Valley, CA 92553  
PH: 951-653-1311

### **SIATech North County Coastal**

1938 Avenida del Oro  
Suite 106  
Oceanside, CA 92056  
PH: 760-414-3541

### **SIATech Perris**

11 S D Street  
Suite 18  
Perris, CA 92570  
PH: 951-657-7105

### **SIATech Sacramento**

3100 Meadowview Road  
Sacramento, CA 95832  
PH: 916-394-0770 Ext. 2367

### **SIATech San Diego**

1325 Iris Avenue  
Imperial Beach, CA 91932  
PH: 619-429-8500 Ext. 1103

### **SIATech San Jose**

3485 E Hills Drive  
San Jose, CA 95127  
PH: 408-937-3218

### **SIATech South Bay**

111 Bay Blvd.  
Suite A-B  
Chula Vista, CA 91911  
PH: 619-575-4541

### **SIATech South Sacramento**

4677 Mack Road  
Sacramento, CA 95832  
PH: 760-945-1227

To enroll in a school near you, visit [www.siatech.org](http://www.siatech.org)

## GRADUATION REQUIREMENTS

Curriculum	Credits for SIATech Program	a-g option for UC/CSU bound students
English	40	40
Mathematics <i>Including one year of Algebra I or its equivalent</i>	20	30
Life Science	10	10
Physical Science	10	10
World History	10	10
U.S. History	10	10
U.S. Government	5	5
Economics	5	5
Senior Projects	up to 10	up to 10
Creative Technology	10	10
Foreign Language	0	20
Electives	70	40
Graduation Portfolio	—	—
<b>Total Credits</b>	<b>200</b>	<b>200</b>

Courses offered by SIATech are accredited by the Western Association of Schools and Colleges and are transferable. Courses approved by the University of California or the California State University as creditable under the “A-G” admissions criteria meet college entrance requirements. SIATech complies with AB 167-216 requirements for qualifying students.

## EDUCATION PROGRAM

SIATech’s unique and innovative program integrates standards-based, academic knowledge within real-world applications in a work-like setting. The goal is to increase and improve learning opportunities for at-promise students, thereby preparing them to achieve a high school diploma and succeed in career-technical placements, advanced training, military service, and post-secondary education.

SIATech provides high expectations, an orderly atmosphere, strong emphasis on skill acquisition, and frequent monitoring of student progress to promote student success. Small learning communities allow for both a “high-tech” and a “high-touch” environment where students gain the academic skills and confidence to self-monitor their learning. Innovations of SIATech include a classroom environment designed like a workplace; the custom-designed ConTech Learning Strategies academic curriculum; small class size (14:1); competency-based and authentic portfolio assessments, as well as standards-based testing required for graduation; multi-media presentations of each student’s work; daily access to industry-standard software; a computer workstation for every student; and post-graduation placement and follow-up.

# COURSE OFFERINGS

## MATHEMATICS

### Algebra I

CODE: 9429 CREDITS: 10

UC approved: C | Required Course

Prerequisite: Intro to Algebra or demonstrated readiness

This course is designed to develop students' fluency with functions. The instruction involves deepening and extending students' understanding of linear, quadratic, and exponential relationships. Students will apply linear models to data and engage in methods for analyzing, solving, and using functions, including linear, quadratic and exponential models. Some of the central ideas in the Algebra Ia and Ib include variables, expressions, problem solving, notion of functions, solving equations, rates of change and growth patterns, graphs as representations of functions, and modeling.

### Algebra 2

CODE: 9252 CREDITS: 10

UC approved: C

Prerequisite: Completion of Algebra I & Geometry

This course is designed to build on algebraic and geometric concepts. It develops advanced algebra skills such as systems of equations, advanced polynomials, quadratics, conic sections, exponential and logarithmic functions, graphing, and introduces matrices. The content of this course is important for students' success on both the ACT/SAT and college mathematics entrance exams and is recommended for students seeking post-secondary education. This course requires students to engage actively in problem solving and analysis utilizing the technology of graphing and regression calculators.



### Foundational Math

CODE: 9245 CREDITS: 10

Does not meet math requirements

This is an elective credit course and does not apply toward the math credits required for graduation. This course provides scaffolding to prepare students to be successful in the Intro to Algebra and Algebra Ia courses. It builds number sense skills and mathematical content understanding necessary to be successful in a career and in Algebra.

### Geometry

CODE: 9255 CREDITS: 10

UC approved: C

Prerequisite: Algebra I credit

This course introduces students to the study of plane figures. The Geometry course includes geometric transformations, geometric theorems, congruence and similarity, analytic geometry, and right-triangle trigonometry. Students begin to prove results about the geometry of the plane and construct geometric figures. There is an emphasis on discovering trigonometric relationships and solving problems with right triangles. The relationship between the plane and the Cartesian coordinate system is explored as students connect algebraic and geometric concepts. Students explore technology to apply and connect their geometric properties throughout the course.

### Intro to Algebra

CODE: 9248 CREDITS: 10

Meets math requirements

Students develop a strong numeracy and algebraic skills foundation. Skills are developed throughout this course with lessons involving critical thinking, problem-solving, and a strong emphasis on multiple ways to express numerical values. Students develop the conceptual understanding of what variables are and build the skills needed to use variables to solve real world scenarios with an emphasis on career connections. Students leave the course with a solid number sense and algebra knowledge base which will help them be successful in their future careers and education endeavors.

## ENGLISH

### Basic English

CODE: 9103 CREDITS: 5

This course is designed to provide instruction in basic language skills and integrates reading, writing, speaking, and listening while emphasizing individual student progress. Instruction may include vocabulary building, spelling and grammar, writing and composition, reading silently or aloud, and improving listening and comprehension skills.

### English 09

CODE: 9105 CREDITS: 10

UC approved: B | Required Course

The purpose of this course is to provide students opportunities to interact with high complexity texts while integrating language arts study in reading, writing, speaking and listening, and language for college and career readiness. The course embeds national and local content standards into interdisciplinary lessons that also teach technology and presentation skills with the Google Suite. The global focus of this course is designed to help prepare students for college, the military, or the workforce.

### English 10

CODE: 9106 CREDITS: 10

UC approved: B | Required Course

The purpose of this course is to provide students opportunities to interact with high complexity texts while integrating language arts study in reading, writing, speaking and listening, and language for college and career readiness. The course embeds national and local content standards into interdisciplinary lessons that also teach technology and presentation skills with the Google Suite. The scientific focus of this course is designed to help prepare students for college, the military, or the workforce.

### English 11

CODE: 9107 CREDITS: 10

UC approved: B | Required Course

The purpose of this course is to provide students opportunities to interact with high complexity texts while integrating language arts study in reading, writing, speaking and listening, and language for college and career readiness. The course embeds national and local content standards into interdisciplinary lessons that also teach technology and presentation skills with the Google Suite. The historical focus of this course is designed to help prepare students for college, the military, or the workforce.

### English 12

CODE: 9108 CREDITS: 10

UC approved: B | Required Course

The purpose of this course is to provide students opportunities to interact with high complexity texts while integrating language arts study in reading, writing, speaking and listening, and language for college and career readiness. The course embeds national and local content standards into interdisciplinary lessons that also teach technology and presentation skills with the Microsoft Office Suite. The college and career focus of this course is designed to help prepare students for college, the military, or the workforce.

### Oral Communication

CODE: 9110 CREDITS: 5

UC approved: G | Elective Course

Oral Communication will provide students with an understanding of the dynamics of effective communication while speaking, listening, and responding. Students will apply the principles of ethical communication, practice communication competencies, demonstrate effective intrapersonal and interpersonal communication, and deliver a variety of speeches. This course will include the following: ethical communication, responsible social media usage, communication barriers, mass media, conflict resolution, leadership styles, business etiquette, and interviews. Students will deliver formal and informal speeches, participate in debate, and perform an oral reading.



## SCIENCE

### Anatomy & Physiology

CODE: 9335 CREDITS: 10

Usually taken after a comprehensive initial study of biology, the Anatomy and Physiology course presents the human body and biological systems in more detail. In order to understand the structure of the human body and its functions, students learn anatomical terminology, study cells and tissues, explore functional systems (skeletal, muscular, circulatory, respiratory, digestive, reproductive, nervous, etc.), and may dissect mammals.

### Biology

CODE: 9324 CREDITS: 10

UC approved: D | Required Course

This course provides students with a solid foundation in biological sciences. After completing an introductory unit, students examine five major biological themes: cell biology, genetics, physiology, evolution, and ecology. Students use inquiry-based lab experiments that utilize the scientific method, critical thinking, and writing. Also emphasized is the importance of vocabulary, reading, communication skills, and the enhancement of current levels of scientific literacy and mastery.

### Chemistry

CODE: 9325 CREDITS: 10

UC approved: D

Meets physical science requirement

This course involves studying the composition, properties, and reactions of substances. Students explore topics in chemistry, including the behaviors of solids, liquids, and gases; acid/base and oxidation/reduction reactions; and atomic structure. Chemical formulas and equations and nuclear reactions are also studied.

### Earth and Space Science

CODE: 9321 CREDITS: 10

UC approved: D

Meets physical science requirement

This course is designed to have students gain an appreciation for our Earth, not as a collection of separate spheres, but rather as a dynamic and integrated set of systems. Through explorations and research, students will discover important roles we play and the impact they have on our Earth and its systems. Topics covered include geology, meteorology, oceanography, astronomy, and energy resources, with some basic background in chemistry and physics. This course is intended to serve as a course that meets the high school graduation requirement in physical science. It is also intended to serve as a “bridge” course to Chemistry or Physics for students wishing to further their studies in science.



## SOCIAL STUDIES

### American Government

CODE: 9174 CREDITS: 5

UC approved: A | Required Course

In American Government, students learn the origins, development, structure, and functions of American government as well as civic participation. Through a series of lessons integrating core skills such as reading comprehension, critical thinking, problem-solving, and the use of technology, students learn the fundamentals of American democracy, enabling them to more intelligently vote, participate, and influence the dynamics of their government.

### Economics

CODE: 9175 CREDITS: 5

UC approved: G | Required Course

In Economics, students learn basic principles of micro and macroeconomics. Through a series of financial literacy lessons integrating core skills such as reading comprehension, critical thinking, problem-solving, data/graphical analysis, and Internet research skills along with the use of technology, students will build an understanding of the foundations of a market economy and major economic institutions.

### U.S. History I/U.S. History 2

CODE: 9173 CREDITS: 10

UC approved: A | Required Course

In U.S. History I, students will study the Civil War and Reconstruction, Immigration, Industrial Revolution, Progressive Era, and World War I. In U.S. History 2, students will learn about the Roaring Twenties, Great Depression, World War II, Cold War, and modern U.S. History. United States geography lessons are embedded throughout the US History course, as are core skills, such as reading comprehension, critical thinking, problem-solving, and the use of technology.

### World History I/World History 2

CODE: 9172 CREDITS: 10

UC approved: A | Required Course

The World History course is divided into two 5-credit segments. In World History I, students study world geography, revolution, Greek philosophy, and imperialism. In World History 2, students study World War I, World War II, Cold War, and modern world history. Students will develop comprehensive knowledge of World History through a series of lessons integrating core skills, such as reading comprehension, critical thinking, problem-solving, and the use of technology.

## CREATIVE TECHNOLOGY

### Digital Art

CODE: 9000 CREDITS: 10

UC approved: F | Required Course

This course embeds visual arts and technology standards into creative projects with industry-standard digital-processing software. Students learn elements of art and principles of design, how to critique art and receive feedback, and gain an appreciation for the cultural value of art. Students start through a series of guided projects and progress until they are creating their own original pieces with their choice of software and tools. Throughout the course, students build design, art, and technology and computer skills as they learn Adobe Illustrator, Photoshop, Animation or 3D Modeling and other art programs. They connect art to other content areas (e.g., social responsibility, geography) and continue to develop reading and critical thinking skills. Students also develop technology skills and components for their senior projects and Graduation Portfolio. They leave the course able to interpret art and with entry-level multimedia skills as well as the technology and process skills to work productively and creatively at work and at home.





## SENIOR PROJECTS

### Senior Projects

CODE: 9228 CREDITS: 10

UC approved: G | Required Course

This cumulative, project-based course provides students with exposure and foundational knowledge in various new and relevant technologies for a broad range of industries. Students apply knowledge and skills learned in core academic classes with technology to complete a diverse range of projects representing different professional applications, including STEM (e.g., computer assisted drafting or robotics); business and productivity software; desktop publishing and graphic design; video production, web development, and multimedia presentations. Components of each project include writing, design, problem-solving, technology, and career exploration. This course culminates with a graduation portfolio and its presentation to a student's peers and teachers, demonstrating growth, accomplishments, meeting of state standards, and readiness for work or higher learning.

### Advanced Senior Projects

CODE: 9228 CREDITS: 10

The purpose of this course is to provide students with an opportunity to focus deeply on a specific technology (e.g. virtual reality, STEM, creative technologies) and its academic and career applications. Students, with instructional guidance, choose a technology and explore multiple areas and dimensions, some of which might include history; artistic, economic or political applications; career potential; and integration with other academic disciplines and technologies.

### Portfolio Presentation

CODE: 9228 CREDITS: 1

For students that integrate senior projects into other content areas, this course guides them through the creation and evaluation of their graduation portfolio assembly (hard copy and digital), and its presentation to a student's peers and teachers, demonstrating growth, accomplishments, meeting of state standards, and readiness for work or higher learning.

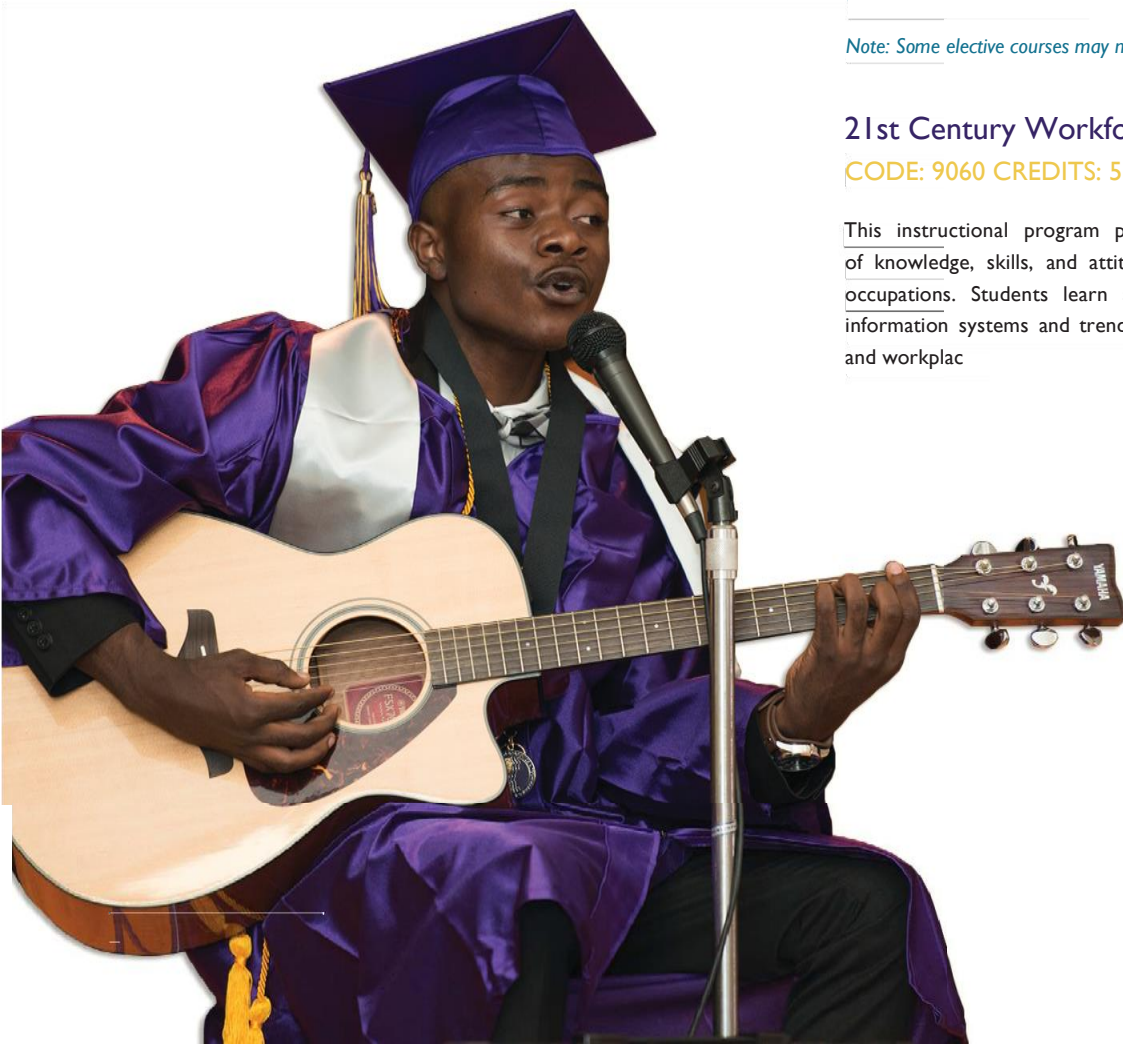
## ELECTIVES

*Note: Some elective courses may not be offered at every location.*

### 21st Century Workforce Skills

CODE: 9060 CREDITS: 5

This instructional program provides individuals with a foundation of knowledge, skills, and attitudes common to a variety of business occupations. Students learn about the technology, multimedia, and information systems and trends found today in current businesses and workplac



## Applied Computer Technology

CODE: 9060 CREDITS: 2.5

The purpose of this course is to provide students with an understanding of the various kinds of microcomputer hardware and their uses and to provide instruction in basic microcomputer architecture, interfacing, and diagnostic, repair, and maintenance techniques. Topics covered include basic microcomputer architecture, interfacing, diagnostic and repair techniques, and an introduction to the basic principles of robotics and their future roles in society.

*Note: Students can take either this class, Digital Information Technology, or Introduction to Computers.*

## Applied Creativity

CODE: 9228 CREDITS: 2.5

Applied Creativity is designed to increase student knowledge and ability in skills necessary for creative problem solving. The course emphasizes defining personal creative preference, creative problem solving process, design thinking, and creative skills defined in the Torrance Incubation Model. Students taking this course can apply skills and methods presented to their personal lives and to work they are doing in other content areas.

## College Readiness Resources: UPATH

CODE: 9218 CREDITS: 5

The College Readiness Resource course provides academic support and guidance to students in order to help them achieve success in their academic work on their "UPATH" to higher education. The course focuses on building and reinforcing necessary skills, strategies and content knowledge so that the student may achieve success in college. Students will become familiar with the college campus experience, as well as the steps to apply to college and receive financial assistance.

## Community Service

CODE: 9212 CREDITS: 5

Students who take this course work with their teacher will engage in community service projects. Students are required to do at least sixty hours of community service, including participating in and organizing projects. Students are also required to produce plans, documentation and thoughtful written reflections on their experiences, growth, and their role as a contributing and involved citizen and community member. The course will conclude with a student presentation to share experiences and reflections.

## Computer Applications I

CODE: 9060 CREDITS: 2.5

Computer Applications I provides the student with an introduction to MS Word, Excel, Access, and Power Point. Students learn how to use these applications and complete projects to demonstrate their mastery. The course also provides an opportunity for students to study the impact that computers have had on society. After completing this course, a student should be proficient enough in these programs to complete a wide array of projects in both the academic as well as professional setting.

## Computer Applications 2

CODE: 9060 CREDITS: 2.5

Computer Applications 2 delves deeper into MS Word, Excel and Access; exposes the students to geographic technologies; and provides an exploration in determining what types of resources are available for research. Students do a variety of computer application projects and are introduced to the world of geocaching. After completing this course, a student should be proficient enough to determine what type of software will best meet the needs for specific projects and be able to produce products that are professionally advanced.

## Digital Information Technology

CODE: 8100 CREDITS: 10

This course is designed to provide a basic overview of current business and information systems and trends and to introduce students to fundamental skills required for today's business and academic environments. Emphasis is placed on developing fundamental computer skills. The intention of this course is to prepare students to be successful both personally and professionally in an information based society. Digital Information Technology includes the exploration and use of databases, the Internet, spreadsheets, presentation applications, management of personal information and email, word processing and document manipulation, HTML, web page design, and the integration of these programs using software that meets industry standards.

*Note: Students can take either this class, Applied Computer Technology, or Introduction to Computers.*

## Experiential Learning I

CODE: 9228 CREDITS: 10

The Experiential Learning course allows students to apply valuable learning experiences outside of the classroom to their high school goals of academic, personal, and professional growth. The goal of the course is for students to grow the positive attitude, ethics, skills, habits, and attitudes conducive to professional success through employment or professional development activities. Students may earn up to 10 credits of this course per school year.

## Experiential Learning 2

CODE: 9228 CREDITS: 10

The Experiential Learning course allows students to apply valuable learning experiences outside of the classroom to their high school goals of academic, personal, and professional growth. This course is a continuation of Experiential Learning I. The goal of the course is for students to gain management and employability skills through hands on training. Students may earn up to 10 credits of this course per school year.

## Basic Guitar I

CODE: 9292 CREDITS: 5

This course provides individual class instrumental instruction in guitar. Students learn to play specific instruments and identify their unique contributions to various types of ensembles; study the elements of music and learn to read music (tablature); and begin to learn to the proficient music standards. This class includes solo performances and does not normally perform as a group, although there may be an end of course demonstration of learning.

## Real Learning for Real Life: Intro to Independent Learning (Orientation)

CODE: 9218 CREDITS: 2.5

This course is a comprehensive review of how to be successful in an independent study setting. It includes instruction on how to access systems and submit work as well as assessments to determine reading, math, and writing levels. Students will complete digital awareness curriculum to learn about how to use technology and the Internet responsibly. RLFRL version also includes a Sexual Health Education unit, in compliance with the California Healthy Youth Act. At the end of this course, students will be ready to begin the core curriculum.

## Intro to Computers

CODE: 9060 CREDITS: 2.5

The purpose of this course is to provide the students with a solid foundation in the various components of computing. Students learn about the different computer systems, are exposed to the functions of a computer, and explore various methods in which telecommunications take place. Students also explore how computers have had an impact on society and multiple careers. Finally, students heighten their awareness of the ethical uses of technology.

*Note: Students can take either this class, Applied Computer Technology, or Digital Information Technology.*

## Mindfulness

CODE: 9228 CREDITS: 5

This course will expose students to the dangers of stress; the practices of mindfulness, meditation, and yoga; and the connection and crossover between them. This course will also help students integrate these practices into their daily lives in order to help them learn about themselves and be more self-aware. Students will also have an opportunity to reflect about the way that they live, think, and feel.

## Personal Financial Literacy

CODE: 9051 CREDITS: 5

Personal Financial Literacy is a one-semester course designed to increase financial literacy and prepare students to successfully manage financial resources. Personal Financial Literacy will include principles on how to make good financial decisions, preparing for the future, and include topics needed for students to be successful after high school. These topics include, but are not limited to, investing, retirement, reading a pay stub, filing taxes, and scenario-based projects.

*Note: Only students that do not take SIATech Economics, can take this course.*

## SIATech Orientation Course (for Job Corps)

CODE: 9218 CREDITS: 5

This introductory course is designed to help students be successful in our school environment. It covers Critical thinking and study skills, as well as basic skills for Google Drive, writing skills, evaluating sources, and how to properly cite sources. The course also reviews digital awareness skills to help ensure students are safe while on the internet.

## Social Media I

CODE: 9228 CREDITS: 5

This course is designed to introduce students to fundamental social media skills as well as foundational marketing knowledge. Students will research, design, develop and explore digital media through various activities. Students will also learn about digital citizenship and the importance of personal versus professional branding.

## Special Projects

CODE: 9228 CREDITS: VARIES

This course provides students a means to explore a topic, design an experiment, create a product, take advantage of an opportunity, or study something of interest to a student. Students, with instructional guidance, choose projects to focus on, define a scope and sequence; steps to complete; and a way to share and reflect. Students work closely with a teacher, as there are no specific assignments or assessments-- every project is different, so every student's experience will be different.

## Visual Technology I

CODE: 938I CREDITS: 10

Students explore the fundamental concepts, terminology, techniques, and applications of digital imaging to create original work. Students produce animated digital images through the single or combined use of computers, digital cameras, digital video cameras, scanners, photo editing software, drawing and painting software, graphic tablets, printers, new media, and emerging technologies. Through the critique process, students evaluate and respond to their own work and that of their peers to measure artistic growth. This course incorporates hands-on activities, the use of technology, and consumption of art materials.

## CTE ELECTIVES

### ADVANCED MANUFACTURING

#### Professional Skills in Advanced Manufacturing

CODE: 8240 CREDITS: 5

This one-semester course is intended as a practical, hands-on guide to help familiarize students with the professional skills required in the workplace. This course contains 5 units that focus on success in the workplace. Each unit contains multiple lessons and activities written to CTE and Common Core State Standards. This course covers essential topics such as Work Ethic, Teamwork, Problem Solving, Employability Skills, and Communication Skills. This course familiarizes the student with reading, writing, speaking, critical thinking, and listening skills needed for general communication and workplace skills. Professional Skills also familiarizes students with communication skills required in business organizations. These skills equip students with the ability to appear for job interviews, participate in group discussions, and solve workplace problems. Students will also learn about the use of technology in communication.

#### Advanced Manufacturing Capstone

CODE: 824I CREDITS: 5

This course is intended to help students familiarize themselves with the evolution of manufacturing and understand manufacturing processes and systems. This course will cover the history and evolution of manufacturing, manufacturing processes, engineering design, and production systems.



## AGRICULTURE

### Professional Skills in Agriculture

CODE: 7131 CREDITS: 5

This course covers basic concepts in the field of agriculture, food science, and natural resources. It also covers career opportunities in these fields and the academic skills and knowledge required for a successful career in agriscience.

### Agriculture

CODE: 7132 CREDITS: 5

This one-semester course is intended to help students familiarize themselves with various aspects of the agriculture, food science, and natural resources industries. This course covers basic concepts in the field of agriculture, food science, and natural resources. It also covers career opportunities in these fields and the academic skills and knowledge required for a successful career in agriscience.

## EDUCATION

### Professional Skills in STEAM Teaching

CODE: 7530 CREDITS: 5

This one-semester course is intended as a practical, hands-on guide to help familiarize students with the professional skills required to thrive in an educational workplace. This 6-unit course introduces students to the career of a STEAM teacher, while focusing on key factors that will allow them to be successful in the educational workplace. Unit topics covered are work ethic, teamwork, problem solving, employability skills, and communication skills. The initial unit focuses on what STEAM is, how to become a teacher, educational programs, growth vs fixed mindset and the pros and cons of teaching. This course also introduces students to job interview skills, how to participate in group discussions, and exposure to resolving workplace problems.

## HEALTH SCIENCE & MEDICAL TECHNOLOGY

### Professional Skills in Healthcare

CODE: 7950 CREDITS: 5

This one-semester course is intended as a practical, hands-on guide to help familiarize students with the professional skills required in the workplace in Healthcare. Each lesson contains one or more lesson activities. This course covers the essential topics such as work ethic, teamwork, problem solving, employability skills, and communication skills. professional skills also familiarizes students with communication skills required in business organizations. These skills equip students with the ability to appear for job interviews, participate in group discussions, and solve workplace problems. Students will also learn about the use of technology in communication.

### Physical Education and Healthcare CTE

CODE: 7951 CREDITS: 5

This semester long course builds on basic principles of medical science and medical terminology needed to work in the healthcare field. Integrated throughout the course are career preparation standards, which include basic academic skills, communication, interpersonal skills, problem solving, safety, technology and career opportunities in healthcare as well as the roles and responsibilities of the health care team. In addition, students will receive instruction and certification in Red Cross CPR/AED and First Aid.

### Medical Terminology

CODE: 7952 CREDITS: 5

This one-semester capstone course is intended to help familiarize students with medical terminology related to the human body systems. This course will cover the structure of the human body systems and their functions. It will also include medical terminology related to diseases, disorders, medical procedures, and treatment for each body system.



## ICT

### Graphic Design

CODE: 7210 CREDITS: 10

This course enables students to develop skills in graphic design. Students will learn layout, typography, and design to create images and products that reflect knowledge of the elements of art and principles of design.

### Introduction to Coding: Python CTE

CODE: 8131 CREDITS: 10

The Code HS Introduction to Computer Science curriculum teaches the foundations of computer science and basic programming in Python, with an emphasis on helping students develop logical thinking and problem solving skills. This is a full year long course for high schools. Once students complete the Code HS Introduction to Computer Science course, they will have learned material equivalent to a semester college introductory course in Computer Science and be able to program in Python. Students will learn graphics, interaction, conditionals, looping, functions and exceptions, strings, data structures, and other useful Python skills. This is a two semester course and will prepare students to advance to java script.

### Intro to Computer Science (Coding)

CODE: 8132 CREDITS: 10

The Code HS Introduction to Computer Science curriculum teaches the foundations of computer science and basic programming in JavaScript, with an emphasis on helping students develop logical thinking and problem solving skills. This is a full year long course for high schools. Once students complete the Code HS Introduction to Computer Science course, they will have learned material equivalent to a semester college introductory course in Computer Science and be able to program in JavaScript. The entirely web-based curriculum is made up of a series of learning modules that cover the fundamentals of programming. Each module is made up of short video tutorials, example programs, quizzes, programming exercises, challenge problems, and unit tests. The Intro to Computer Science in JavaScript course is designed for complete beginners with no previous background in computer science. The course is highly visual, dynamic, and interactive making it engaging for new coders. Students learn the fundamentals of programming with an emphasis on problem solving and logical thinking. Topics covered include graphics, animation and games, data structures, and more.

## Professional Skills in ICT

CODE: 8130 CREDITS: 5

This one-semester course is intended as a practical, hands-on guide to help familiarize students with the professional skills required in the workplace. This course contains five units that focus on success in the workplace: work ethic, teamwork, problem solving, employability skills, and communication skills. Topics also covered in this course are computer software and introduction to programming in JavaScript. Career exploration is covered in the following areas: web technology, computer programming, information technology, and advanced opportunities in information technology. Professional Skills also gives students the communication skills required in information and communication technology organizations. These skills equip students with the ability to appear for job interviews, participate in group discussions, and solve workplace problems.

## TRANSPORTATION

### Advanced Transportation Capstone CTE

CODE: 8512 CREDITS: 5

This two semester course is designed to help students explore and understand the logistics career field. Students will explore and learn about many facets of the industry. Students will learn the fundamentals of logistics and the role that it plays in business. Students will also learn about the size of this industry and the projected growth that makes it one of the most profitable industries today. We will look at facts that prove its growth and the reasons behind this growth. Students will learn the fundamentals of logistics and the role that it plays in business. Students will also learn about the size of this industry and the projected growth that makes it one of the most profitable industries today. We will look at facts that prove its growth and the reasons behind this growth. Through this course students will also take a look at what type of careers are part of the industry, what are the salaries that they offer, and what steps to take in order to make it a career.

### Professional Skills in Advanced Transportation

CODE: 8511 CREDITS: 5

This one-semester course is intended as a practical, hands-on guide to help familiarize students with the professional skills required in the transportation sector, specifically in the Transportation, Distribution, and Logistics (TDL) workplace. This course covers essential topics such as work ethic, teamwork, problem solving, employability skills, and communication skills. TDL concepts such as the evolution of TDL, transportation modes, world trade, globalization, warehousing, and the future of TDL are taught. Workplace hazards and workplace safety are also covered. Professional Skills in Advanced Transportation also familiarizes students with skills required to prepare for job interviews, participate in group discussions, and solve workplace problems.

## PE

### PE Advanced Physical Fitness

CODE: 9316 CREDITS: 5

This course is designed to allow students to experience and develop skills in more than one team sport (such as volleyball, basketball, football, soccer).

### PE Healthy Living I

CODE: 9160 CREDITS: 5

In Healthy Living I, students learn the fundamental components of living healthy. These components include physical fitness, with an emphasis on cardiovascular activity and exercise management; body composition, including weight, obesity, eating disorders, and body mass index; and nutrition, including learning about a balanced diet and caloric intake. Through a series of lessons integrating core skills, students will learn strategies to help them begin, design, and maintain an exercise and nutrition program to keep them fit for life.

### PE Healthy Living 2

CODE: 9160 CREDITS: 5

In Healthy Living 2, students advance their understanding of behaviors that are beneficial and harmful to maintaining a healthy lifestyle. Students will learn the positive impact sports can have on our culture. Students will also learn about behaviors which endanger a healthy lifestyle, including stress, drugs, alcohol, and smoking. Students will also learn how to interpret and evaluate the marketing and availability of health services in their community. Through a series of lessons integrating core skills, students will learn strategies to help them make life-long good choices to keep them fit for life.

### PE Personal Fitness

CODE: 9314 CREDITS: 5

In Personal Fitness, students learn the fundamental components and basic principles of fitness including the knowledge of movement skills, safety guidelines, proper technique, and exercise principles. Students will assess their current level of fitness in relation to cardiovascular health, muscular strength, muscular endurance, flexibility, and body composition. Through a series of lessons integrating core skills, students will also learn strategies to help them begin, design, and maintain an exercise program to keep them fit for life.

## FOREIGN LANGUAGES

### Spanish I

CODE: 9130 CREDITS: 10

Designed to introduce students to Spanish language and culture, Spanish I emphasizes basic grammar and syntax, simple vocabulary, and the spoken accent so that students can read, write, speak, and understand the language at a basic level within predictable areas of need, using customary courtesies and conventions. Spanish culture is introduced through different customs and the history of Spanish-speaking people.

### Spanish 2

CODE: 9131 CREDITS: 10

Spanish 2 builds upon skills developed in Spanish I, extending the ability of students to understand and express themselves in Spanish and increasing their vocabulary. Typically, students learn how to engage in discourse for informative or social purposes, write expressions or passages that show understanding of sentence construction and the rules of grammar, and comprehend the language when spoken slowly. Students usually explore the customs, history, and art forms of Spanish-speaking people to deepen their understanding of the culture(s).



## DEVELOPMENTAL COURSES

### ELD I: Foundational Skills

CODE: 9103 CREDITS: 10

The purpose of this course is to teach basic interpersonal skills while integrating reading, writing, speaking and listening, and language for emerging ELL students. Each semester course consists of four thematic units with alphabet videos to teach pronunciation and written letters. This course prepares students to move into academic English courses by building their reading, writing, listening, and speaking skills.

### ELD 2A & 2B: Basic English ELD 2C & 2D: Basic History ELD 2E & 2F: Basic Science

CODE: 9103 CREDITS: 5 EACH

The purpose of this early-level, content-based course is to encourage students to participate in basic learning activities that involve the four language skills of listening comprehension, speaking, reading, and writing. Each semester course focuses on a specific core content area: English, history, or science. Using a variety of theme-based, interdisciplinary contexts, students will acquire basic communication skills, enabling them to participate in social interactions and collaborative, learning exercises; read and comprehend informational texts; and write simple sentences and paragraphs. By acquiring these four skills, students will become proficient in basic grammatical aspects of language such as subject-verb agreement, simple tenses, spelling, punctuation, and capitalization.

### ELD 3A & 3B: Beginning English ELD 3C & 3D: Beginning History ELD 3E & 3F: Beginning Science

CODE: 9103 CREDITS: 5 EACH

The purpose of this content-based course is to encourage students to participate in learning activities that involve the four language skills of listening comprehension, speaking, reading, and writing. Each semester course focuses on a specific core content area: English, history, or science. Using a variety of theme-based, interdisciplinary contexts, students will acquire basic communication skills, enabling them to participate in social interactions and collaborative, learning exercises; read and comprehend informational texts; and write in a variety of sentences and paragraphs. By acquiring these four skills, students will become proficient in basic grammatical aspects of language such as subject-verb agreement, simple tenses, spelling, punctuation, and capitalization.

### ELD 4A & 4B: Intermediate English ELD 4C & 4D: Intermediate History ELD 4E & 4F: Intermediate Science

CODE: 9104 CREDITS: 5 EACH

The purpose of this content-based, blended learning course is to encourage students to participate in intermediate learning activities that involve the four language skills of listening comprehension, speaking, reading, and writing. Each semester course focuses on a specific core content area: English, history, or science. Using a variety of theme-based, interdisciplinary contexts, students will build communication skills, enabling them to participate in social interactions and collaborative, learning exercises; read and comprehend informational texts; and write in a variety of sentences, paragraphs, and essays. By acquiring these four skills, students will become proficient in basic grammatical aspects of language such as subject-verb agreement, verb tenses, transitions, complex sentences, parallel structures, spelling, punctuation, and capitalization.

### ELD 5: Advanced English

CODE: 9101 CREDITS: 10

The purpose of this content-based, blended learning course is to encourage students to participate in advanced learning activities that involve the four language skills of listening comprehension, speaking, reading, and writing. Using a variety of theme-based, interdisciplinary contexts, students will build communication skills, enabling them to express their opinions while providing evidence; participate in social interactions and collaborative, learning exercises; read and comprehend informational texts; and write in a variety of sentences, paragraphs, and essays directed towards a variety of purposes. By acquiring these four skills, students will become proficient in basic grammatical aspects of language such as subject-verb agreement, verb tenses, transitions, complex sentences, parallel structures, spelling, punctuation, and capitalization.





## JOB CORPS & PARTNER ELECTIVES

*Note: Courses in this section are available through Job Corps and partner programs. Not all courses are available at every location. Check with your teacher or principal for availability.*

### Career Preparation Education

**CODE: 9228 CREDITS: 15**

Students are introduced to the world of career exploration with emphasis on techniques for filling out job applications, interviewing techniques, preparation of a resume, communication and stress management skills. Students will learn, demonstrate, and practice cultural awareness, proper health, hygiene and personal responsibility skills required at the workplace and job search skills including computer fluency. Students will also create a personal career development plan and learn about one-stop centers.

### Career Preparation: Automotive Mechanics

**CODE: 8530 CREDITS: 40** 

This instructional program provides students with the knowledge and skills to diagnose and repair automotive engines and support systems such as automatic transmissions and trans-axles, brakes, electrical systems, engine performance systems, engine heating and air-conditioning systems, manual drive trains and axles, and suspension and steering systems. Course topics may also include comprehension and use of repair manuals, data acquisition, safety, shop management and employability skills. Students will also receive training in technology and career planning.



### Career Preparation: Building Trades and Construction

**CODE: 7340 CREDITS: 40** 

This instructional program prepares students for a career in a building trade or construction-related vocation. Possibilities for focus include automotive trades, bricklaying, carpentry, cement masonry, electrical, equipment operation, facilities maintenance, HVAC, landscaping, machining, manufacturing, painting, plastering, plumbing, solar and welding. Students will learn, demonstrate and practice safety, personal and environmental responsibility, technical and practical job skills, including job search and technology fluency. Interpersonal communication, problem solving, and social and personal management skills are also emphasized.

### Career Preparation: Computer/Technical Careers

**CODE: 8110 CREDITS: 40** 

This program will explore workplace safety, customer relations, and help ticket documentation. Students will also learn various computer operating systems such as Linux, computer maintenance, electrical measurements and energy conservation, basic troubleshooting, and virus protection. Students will also be introduced to various devices such as tablets, laptops and mobile devices; and network architecture and Internet technologies, as well as careers in the IT industry. This program will prepare students for an entry level IT support career.

### Career Preparation: Culinary

**CODE: 8020 CREDITS: 40** 

This instructional program prepares students for employment in occupations in the food science and technology, dietetics, and nutrition industries. Instruction includes meeting nutritional and dietary needs; planning, selecting, purchasing and preparing of food to conserve nutrients; operational procedures; food safety and sanitation; using dietary and food guidelines to plan healthy diets; food preferences; data and statistics; and marketing. Students develop skills to utilize nutritional knowledge in preparing, inspecting, and serving meals to people. Students learn the tools, equipment & techniques to cook, bake, measure & ensure safety.

 This may qualify as CTE course.

## Career Preparation: General Office Occupations

CODE: 7410 CREDITS: 40 

This instructional program prepares students for a career in an office or indoor setting. Possibilities for focus include accounting services, child development, computer technician, office administration or retail sales. Students will learn, demonstrate and practice personal responsibility, technical and practical job skills, including job search and computer fluency. Interpersonal communication, problem solving, and social and personal management skills are also emphasized. Potential tasks may include copying information from one record to another; sorting, filing, and retrieving records or other documents; tabulating and posting data in record books or software; handling paper and electronic mail; proofreading records and reports; copy machine, telephone services, electronic calculator, computing, and word processing.

## Career Preparation: Healthcare Occupations

CODE: 7920 CREDITS: 40 

This instructional program prepares students for employment in occupations in health care. Students may focus on a particular career which might include nurse assistant or health occupation worker. This course includes an overview of prevention, treatment, and management of illness and the preservation of mental and physical well-being through the services offered by the medical and allied health professions. Students will also demonstrate communication and interpersonal skills, infection control, safety/emergency procedures, personal care skills, basic nursing skills, mental health and social service needs, and basic restorative services. Students will also receive training in technology and career planning.

## Career Preparation: Homeland Security

CODE: 8410 CREDITS: 40 

This instructional program prepares students for employment in homeland security or other protective services. Depending on the student's focus, students will receive detailed training including prevention, communication and intervention for many situations including crowd and traffic control, emergencies, crime, terrorism, WMDs, and workplace situations. Students will also receive training in many other areas needed for a security career, possibly including but not limited to law, public relations, ethics, professionalism, interviewing, observation, report writing, surveillance, cyber security, border security, risk management, resource and information sharing, public agencies and substance abuse, as well as technology and career planning.

## Career Preparation: Hospitality

CODE: 8020 CREDITS: 40 

This instructional program prepares students for employment in occupations in hospitality, tourism, and recreation. Instruction includes providing hospitality services in diverse settings to meet the needs of a wide variety of clients. Instruction may also include guest services, professionalism, safety, security, various hotel positions, reservations, food and beverage, transportation, eco-tourism, international geography, customs and culture, travel, and documentation; event planning, and recreational activities. Training will also include technology, which may include PBX and computer systems, and career planning.



## Career Transition

CODE: 9228 CREDITS: 5

The Career Transition course provides students with career guidance and services tailored to meet the student's needs. Services offered might include observations and experiences at selected work-sites, career counseling, job seeking support, resource support and job placement. The goal of this course is for students to successfully find and keep a job aligned to their area of study and training.

## Driver Training- Behind the Wheel

CODE: 9371 CREDITS: 5

Driver training courses typically cover topics such as skills for operating an automobile and safe driving strategies and practices. Driver training courses present students with the opportunity to obtain behind-the-wheel training under different driving conditions.

## Driver Education

CODE: 9372 CREDITS: 5

Driver education courses typically cover topics such as the rules of the road, traffic procedures, safe driving procedures and practices, legal obligations and responsibilities, and the physical and mental factors (including alcohol and other drugs) affecting the driver's capability. Driver Education courses present students with the opportunity to prepare for behind the wheel driver training.

## Mechatronics Engineering

CODE: 7721 CREDITS: 30 

This course combines electrical and mechanical engineering where students design, build, and program robotic mechanisms. Students will apply C++ and Python coding to direct microcontroller parts. The class focuses on academic, technical skills, and employability practices. Students will develop personal and professional skills in the classroom that will transfer to the workplace.



## Medical Science/Health Careers/Medical Assisting

CODE: 7922 CREDITS: 30 

This course is designed to provide students an overview of the different careers associated with health sciences and health technology. It prepares students for entry level employment and introduces the student to the various careers within the health field and the necessary training required. It covers general anatomy & physiology, public health, mental health, medical terminology, nutrition, vital signs, cellular physiology, medical math, bioethics, confidentiality, and job-seeking skills. In addition, this course offers physical, emotional, social and cultural instruction that will provide the student with the skills necessary to give effective patient care in long-term care facilities, hospitals, home health and other patient care facilities. They will also learn back office medical procedures including medical terminology, anatomy and physiology, and lab procedures. Clinical training in hospitals, clinics, and doctors' offices is available. The class focuses on academic, technical skills, and employability practices. Students will develop personal and professional skills in the classroom that will transfer to the workplace.

## Mobile App Design & Computer Coding

CODE: 8132 CREDITS: 30 

In this course, students will learn multimedia design, web development for internet technology and programming for mobile platforms and devices. Learn the process of designing, coding and deploying mobile applications for use in e-commerce, productivity, enterprise and web purposes. The class focuses on academic, technical skills, and employability practices. Students will develop personal and professional skills in the classroom that will transfer to the workplace.

## Study Skills and Test Taking Strategies

CODE: 9218 CREDITS: 5

This course provides students with academic support, strategies, and guidance in order to help students achieve success in academic work or with a high-stakes exam. Students can learn strategies that might include time management, outlining, note taking, organization, active listening, research methods, and test-taking strategies. Students might also specialize in the content of a particular exam (e.g., ASVAB, professional certification, or other high-stakes exam).



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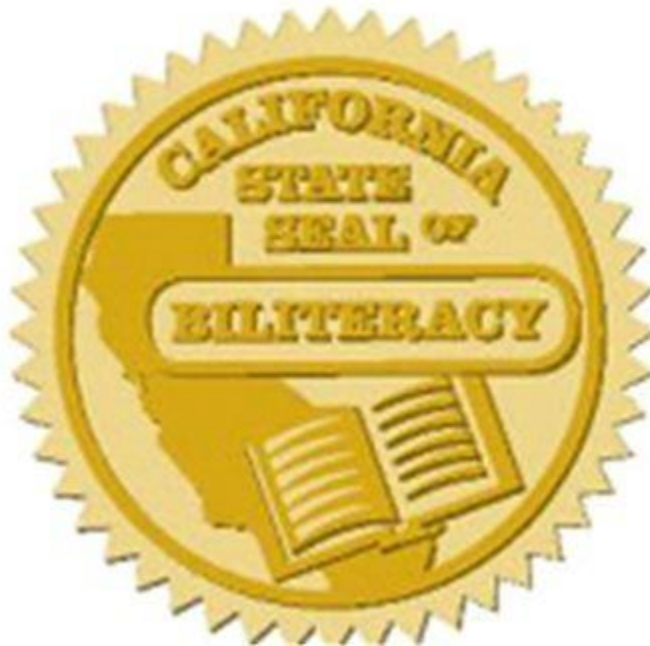
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# Master Plan for English Learners

May 2019







<https://drive.google.com/open?id=1lfGBC2cVOMba5TnVygf0G53kiQFcEQ0I>



# SCCOE Plan for English Learners

DELAC Approved May 13, 2019

## Santa Clara County Office of Education Governing Board:

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- Dr. Jennifer Ann, Director Special Education
- Dr. Yee Wan, Director Multi-Lingual and Humanities Education.
- Dr. Dawn River, Coordinator State & Federal Programs/Title III COE Regional English Learner Specialist

## Acknowledgments and EL Plan Development Process

Thank you to the SCCOE teachers, administrators, and support staff who supported the completion of this plan. Special thanks to the SCCOE Multi-Lingual and Humanities Division and the Office of State and Federal Programs in supporting alignment of this plan to state and federal requirements and best programming for students.

### SCCOE DESIRED OUTCOMES for ENGLISH LEARNERS

English Learners will acquire full proficiency in English as rapidly and effectively as possible.  
(20 USC 1703[f], 6892; EC 300[f], 5 CCR 11302[a])

English Learners will meet state standards for academic achievement. (20 USC 1703[f], 6892;

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# Introduction

## Federal Program Monitoring

*Federal Program Monitoring is established by state and federal law and identifies the intent of the program for English Learners. The intent of the law is to ensure the desired outcome for the required actions and use of program funds. The SCCOE Plan for English Learners is aligned to the Federal Program Monitoring instrument to ensure services for EL students are provided as intended.*

## California Department of Education Program for English Learners Seven Dimensions

- I. Involvement: Parents, staff students and community members participate in developing, implementing, and evaluating core and supplemental programs.
  - EL 1 English Learner Advisory Committee (ELAC)
  - EL 2 District English Learner Advisory Committee (DELAC)
- II. Governance and Administration: Policies, plans, and administration of supplemental programs meet statutory requirements.
  - EL 3 Identification, and Assessment
  - EL 4 Implementation, Monitoring, & Revision of Title III Plan
  - EL 5 EL Program Inclusion in Development of the SPSA
  - EL 6 Title III Inventory Record
- III. Funding: Allocation and use of funds meet statutory requirements for allowable expenditures.
  - EL 7 Supplement Not Supplant with Title III
  - EL 8 Time Accounting Requirements (Title I, Title III)
- IV. Standards, Assessment and Accountability: EL programs meet state standards; are based on the assessed needs of program participants; and achieve the intended outcome of the supplemental program.
  - EL 09 Evaluation of EL Program Effectiveness
  - EL 10 Reclassification
- V. Staffing and Professional Development: Staff members are recruited, trained, assigned and assisted to ensure the effectiveness of the program.
  - EL 11 Teacher EL Authorization
  - EL 12 Professional Development Specific To English Learners
- VI. Opportunity and Equal Education Access: Participants have equitable access to all programs provided by the local educational agency (LEA), as required by law.

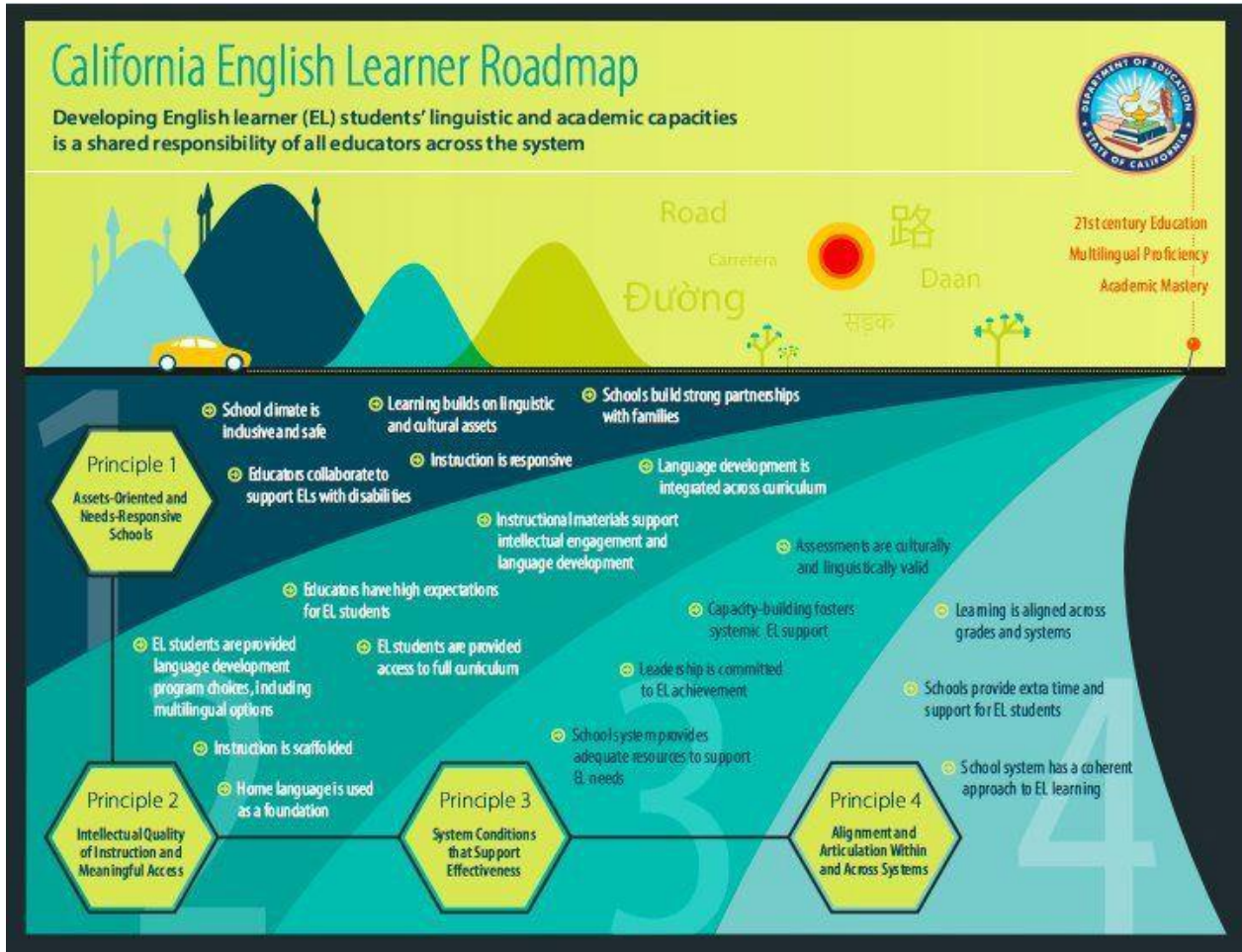
VII. Teaching and Learning: Participants receive core and supplemental program services that meet their assessed needs.

- EL 14 English Language Development (ELD)
- EL 15 Access to Core Subject Matter

### Santa Clara County Office of Education Alignment with the California English Learner Roadmap Principles

CA EL Roadmap Principle	Actions SCCOE Will Implement to Support the California English Learner Roadmap
<p><b>Principle One</b>  <i>Assets Oriented and Needs Responsive Schools</i>  <b>Pre-schools and schools are responsive to different EL strengths, needs and identities, and support the socio-emotional health and development of English learners. Programs value and build upon the cultural and linguistic assets students bring to their education in safe and affirming school climates. Educators value and build strong family, community, and school partnerships.</b></p>	<p>SCCOE will support an integrated approach to EL instruction as a means to build academic capacity and social support.                      SCCOE will support EL instruction through a strengths-based mindset.                      SCCOE schools will maintain a positive and inclusive climate, grounded in student need.                      SCCOE staff will utilize collaborative academic strategies and structures to promote transfer of learning. Through a focus on project based learning, SCCOE staff will support college and career readiness and literacy for EL students.                      SCCOE staff will elicit stakeholder engagement and support to guide EL programming and budget.</p>
<p><b>Principle Two</b>  <i>Intellectual Quality of Instruction and Meaningful Access</i>  <b>English learners engage in intellectually rich, developmentally appropriate learning experiences that foster high levels of English proficiency. These experiences integrate language development, literacy, and content learning as well as provide access for comprehension and participation through native language instruction and scaffolding. English learners have meaningful access to a full standards-based and relevant curriculum and the opportunity to develop proficiency in English and other languages.</b></p>	<p>SCCOE staff will provide quality instruction through access to standards aligned curriculum and universal lesson design.                      SCCOE staff will participate in professional development relevant to supporting EL students through designated and integrated ELD.                      SCCOE will focus on literacy and appropriate needs of student population.                      SCCOE students will have opportunity to pursue proficiency in other languages through blended learning as appropriate..</p>
<p><b>Principle Three</b>  <i>System Conditions That Support Effectiveness</i>  <b>Each level of the school system (state, county, district, school, pre-school) has leaders and educators who are knowledgeable of and responsive to the strengths and needs of English learners and their communities, and utilize valid assessment and other data systems that</b></p>	<p>SCCOE staff will access data and assessment information to support EL students systematically.                      SCCOE staff is committed to providing services, climate, and structures to support English Language proficiency.                      SCCOE Programs will promote the Seal of Bi-Literacy</p>

<p><b>inform instruction and continuous improvement; resources and tiered support is provided to ensure strong programs and build the capacity of teachers and staff to build on the strengths and meet the needs of English learners.</b></p>	<p>where appropriate. Students will be identified annually. SCCOE is committed to a process of continuous improvement for English Learners through data analysis, collaboration, and targeted instruction.</p>
<p><b>Principle Four</b>  <i>Alignment and Articulation Within and Across Systems</i>  <b>English learners experience a coherent, articulated and aligned set of practices and pathways across grade levels and educational segments beginning with a strong foundation in early childhood and continuing through to reclassification, graduation and higher education. These pathways foster the skills, language(s), literacy and knowledge students need for college- and career-readiness and participation in a global, diverse multilingual 21st century world.</b></p>	<p>SCCOE students will participate in EL Pathways (newcomer, EL, LTEL, and Ever EL) according to grade level and language proficiency needs. SCCOE EL students will participate in career pathways and academic experiences as aligned to IEP or transition plans.</p>



## District Profile

### Santa Clara County Office of Education

Santa Clara County Office of Education Student Services and Support Division provides services for a variety of student groups to include: (a) students in court-ordered institutional programs, (b) students referred due to expulsion or attendance needs, (c) students re-engaging in academics after the age of 16, and (d) students participating in County Operated Special Education programs.

<b>Enrollment</b>	<b>SCCOE (Non Charter)</b>	<b>Blue Ridge/ Osborne</b>	<b>Sunol</b>	<b>Opportunity Youth Academy Charter</b>	<b>SCCOE Special Ed</b>
<b>Type of School</b>		<b>Juvenile Facilities</b>	<b>County Community School</b>	<b>Re Engagement Program</b>	<b>County Operated Special Ed</b>



All	1474	103	91	222	1232
English Learner	37%	29%	24%	28%	39%
ReDesignated English Learner	7%	18%	28%	21%	5%
LTEL 4-5 Years	9%	0%	0%	0%	11%
LTEL 6+	37%	62%	36%	53%	37%
Students with Disabilities	90%	34%	28%	16%	100%
Socio Economic Disadvantaged	45%	100%	75%	88%	36%
Homeless	0%	0%	4%	4%	0%
Foster	2%	7%	6%	8%	1%
African American	5%	13%	3%	2%	4%
Asian	25%	4%	3%	1%	28%
Latino	47%	74%	79%	90%	43%
White	17%	5%	10%	5%	17%

(Source: DataQuest, 2017-18)

### SCCOE Reclassification Data Three Year Trends (2015-2018)

Re Classification Rates	SCCOE (Non Charter)	Court	Community	Opportunity Youth Academy	SCCOE Special Ed
<b>2017-18 Re Classification Rates</b>					
# EL	598	30	22	63	483
# RFEP	18	0	0	0	18
% of EL RFEP	3.06%	0	0	0	3.06%
<b>2016-17 Re Classification Rates</b>					

# EL	598	19	20	62	497
# RFEP	7	0	0	0	1
% of EL RFEP	1.06%	0	0	0	1.06%
<b>2015-16 Re Classification Rates</b>					
# EL	513	36	37	NA	440
# RFEP	11	0	0	NA	11
% of EL RFEP	2.03%	0	0	NA	2.03%

(Source Data Quest 2017-18)



**Osborne School Juvenile Hall San Jose, CA**

## **Chapter One Involvement**

### **EL 01: English Learner Advisory Committee (ELAC)**

(EC 11308, 52176, 64001)

#### **EL 1.0: English Learner Advisory Committee (ELAC) Requirements**

A school site with 21 or more ELs has a functioning English Learner Advisory Committee (ELAC) that meets the following requirements:

- a. Parent members are elected by parents or guardians of ELs.

- b. Parents of ELs constitute at least the same percentage of committee membership as their children represent of the student body.
- c. The school may designate an existing school level advisory committee, or subcommittee of such advisory committee, to fulfill the legal responsibilities of ELAC, if the advisory body meets the criteria in (b).
- d. The ELAC advises the School Site Council (SSC) on the development of the Single Plan for Student Achievement (SPSA).
- e. The ELAC advises the principal and staff on the school's program for ELs.
- f. The ELAC assists in the development of the school's':
  - 1. Needs assessment.
  - 2. Language Census report.
  - 3. Efforts to make parents aware of the importance of regular school attendance.

Categorical funds may be allocated by the principal/SSC for support of the ELAC which may include childcare, translation services, meals and training.

The ELAC has the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC) or has participated in a proportionate regional representation scheme when there are 31 or more EL parent advisory committees in the district.

### Formation

To announce the intent to form an English Learner Advisory Committee (ELAC), the school sends out written invitations to all parents, and often makes phone calls to parents of ELs. In the first meeting, there is an election in which all parents/guardians of ELs have an opportunity to vote and elect parent members of the committee. The election may or may not include ballots; however, the process will be clearly documented in the meeting minutes. Both certificated and classified site staff are also notified of the intent to form an ELAC, along with the responsibilities of ELAC members. Staff can nominate themselves to be members. It is suggested the staff membership be selected prior to the first ELAC meeting. Election of ELAC officers and creation of bylaws are optional.

Parents of ELs must constitute at least the same percentage of the committee membership as their children represent the student body. For example, if a site has 63% ELs, the ELAC must be composed of at least 63% parents of ELs. Initial rosters will include a place for parents to indicate the English Proficiency of their children: English Only (EO), English Learner (EL), Initially Fluent English Proficient (IFEP), and Reclassified Fluent English Proficient (RFEP). Rosters are due to the Administrator of State and Federal Projects or designee by September 15, annually. The principal and staff work diligently to ensure that parents of ELs attend ELAC meetings.

Members of the ELAC will serve for two years and will be elected before the October District English Learner Advisory Committee (DELAC) meeting each year. In the event that a membership is not completed in year two, the site may follow the formation guidelines to replace empty membership positions.

Each ELAC will elect at least one member to the DELAC on an annual basis. Alternate DELAC members should also be elected in the event that the DELAC representative is unable to complete his/her responsibilities.

ELAC and DELAC membership is constituted by school composition. Due to the transient nature of student populations, membership may change through the year. This will be documented in meeting minutes.

### Responsibilities

The major function of the ELAC is to advise the principal and school staff on programs and services for ELs, and the SSC on the development of each site's School Plan for Student Achievement (SPSA).

ELAC is also responsible for assisting in three tasks: the school's needs assessment; the annual CALPADS FALL 1 language census; and efforts to make parents aware of the importance of regular attendance.

The needs assessment can be conducted in open forum or individual survey format to assess the strengths and areas for improvement of the program for ELs at the site. However it is collected, the data must then be compiled into one single document to be shared with DELAC.

The CALPADS FALL 1 language census is completed electronically by uploading information for the district data system, and therefore does not require involvement from ELAC. However, the results of the CALPADS FALL 1 language census are discussed annually in an ELAC meeting.

ELAC members are trained in the importance of regular school attendance and serve as advocates for other parent populations.

### Training

The ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities.

The site shall provide appropriate training and materials to assist each member to carry out his or her legally required advisory responsibilities. The training on the legal requirements must be planned in full consultation with ELAC members. It is suggested that in the first ELAC meeting of each year, the responsibilities of ELAC are reviewed and discussed in broad terms. Each individual legal responsibility is then calendarized with ELAC members input. Sites may choose to use the DELAC calendar and agenda items to plan the site ELAC agenda items. A suggested timeline for agenda topics is available for ELACs to use in planning. ELAC members may also add agenda items that are not legal responsibilities, if they feel it will assist them in carrying out

their responsibilities as a full-functioning ELAC. These agenda items may include, but are not limited to, an overview of English Proficiency, parent engagement, and college and career readiness. The Student Services and Support Division will provide ongoing training on the legal requirements of ELAC by including an ELAC training component in DELAC meetings.

## EL1.2 ELAC Combines with Another Advisory Committee

After formation and training of the ELAC, the functioning ELAC may delegate its legal responsibilities to an existing school advisory or subcommittee. The requirements of ELAC may be delegated to the School Site Council (SSC), after ELAC has first been formally established, and members have received the required training regarding their role and responsibilities. Once the ELAC is fully functioning, as evidenced in the ELAC agenda and minutes indicating proper formation and complete training of responsibilities, ELAC can then vote to delegate their responsibilities to SSC. This action must be documented in the agenda and minutes of the ELAC meetings. When SSC assumes responsibility, all requirements for the ELAC need to be met and documented in the agenda and minutes of the SSC meetings. In this event, the membership requirements of having the percentage of EL parents equal to or greater than the percentage of ELs in the student population must be met by SSC. SSC requirements of 50% staff and 50% parents must also be met. Therefore, if a school has an EL population greater than 50%, delegating ELAC responsibilities to SSC is not an option. Due to the transient nature of student populations, ELAC membership to SSC may change throughout the year. This should be documented through sign in sheet and minutes.

### Documentation & Monitoring

The school will maintain the following ELAC records:

- Annual membership roster
- Annual meeting calendar
- Agendas, minutes and sign-in sheets from each ELAC meeting
- District-developed ELAC *Form 10*, which is a record of the training on the legal requirements of ELAC. (Turn in May 31 to Administrator State and Federal Projects)

### **Formation of ELAC**

Announce intent to form ELAC with written invitations to ALL parents & staff.

At the 1<sup>st</sup> ELAC meeting, elect official ELAC members (these are not officers, just the membership).

Verify that the ELAC membership has the correct % of parents of ELs (must be equal to the percentage of ELs in the school).

Provide training on the legal requirements of ELAC.

### **Formation of ELAC with delegation to SSC**

(if site has less than 50% total English Learner population)

Announce intent to form ELAC, with written invitations to ALL parents & staff.

At the 1<sup>st</sup> ELAC meeting, elect official ELAC members (these are not officers, just the membership).

Verify that the ELAC membership has the correct % of parents of ELs (must be equal to the percentage of ELs in the school).

Provide training on the legal requirements of ELAC.

### EL1.3 ELAC Participation in District English Language Advisory Committee (DELAC)

Each ELAC will elect at least one member to the DELAC on an annual basis. Alternate DELAC members should also be elected in the event that the DELAC representative is unable to complete his/her responsibilities.

ELAC and DELAC membership is constituted by school composition. Due to the transient nature of student populations, membership may change through the year. This will be documented in meeting minutes.

ELAC members will be responsible for reporting back to the ELAC and school administration all business completed during the DELAC meeting.



## **EL 02: District English Learner Advisory Committee (DELAC)**

(EC 52176,52063, 62002, 11308)

### EL 2.0 DELAC Composition

A district with 51 or more ELs has a functioning DELAC or a subcommittee of an existing district committee in which at least 51 percent of the members are parents (not employed by the district) of ELs.

Each site ELAC must elect at least one representative to the District English Learner Advisory Committee (DELAC) by the first DELAC meeting each year. It is suggested that two alternate DELAC representatives also be elected in the event that a DELAC representative is unable to attend one or more meetings. The names of both the representative and the alternate representative must be submitted to the Administrator of State and Federal Projects prior to the first DELAC meeting. Members of the DELAC will serve for one year and will be elected on an annual basis. Due to the transient nature of the student population, DELAC members may change throughout the school year. This will be reflected on the sign in sheet and minutes.

Parents of ELs not employed by the district must constitute a majority membership (51% or more) of the committee. Sign-in sheets will include a place for parents to indicate the English Proficiency of their children: English Only (EO); English Learner (EL); Initially Fluent English Proficient (IFEP); and Reclassified Fluent English Proficient (RFEP).

## EL 2.1 DELAC Responsibilities

The DELAC advises the school district governing board on all of the following tasks:

- a. Development of a district master plan for education programs and services for English learners. The district master plan will take into consideration the school site master plans.
- b. Conducting of a district wide needs assessment on a school-by-school basis.
- c. Establishment of district program, goals, and objectives for programs and services for English learners.
- d. Development of a plan to ensure compliance with any applicable teacher and/or teacher aide requirements.
- e. Review and comment on the school district reclassification procedures.
- f. Review and comment on the written notifications required to be sent to parents and guardians.
- g. If the DELAC acts as the English learner parent advisory committee under California Education Code Sections 52063(b)(1) and 52062(a)(2), the DELAC shall also review and comment on the development or annual update of the Local Control and Accountability Plan (LCAP).
- h. Ensure that the Governing Board receives an Annual Update regarding progress and enrollment of English Learners.

ELAC representatives will be responsible to attend all DELAC meetings and present the information received at the DELAC meetings at the school-level ELACs. Attendance from each site will be monitored.

The major function of the DELAC is to become trained in and to advise the Board of Education on programs and services for ELs.

A portion of the Master Plan for English Learners will be revisited in every DELAC meeting and notes will be taken on revisions. Sections referring to program goals and objectives, teacher and

instructional aide credentialing, reclassification procedures and parent notifications will be included as topics on at least one DELAC agenda per year.

The strengths and areas for improvement of the program for ELs will be taken into account in the revision of the Master Plan for English Learners.

## 2.2 Training of DELAC Members

The district provides training materials and training for the DELAC, planned in full consultation with committee members, appropriate to assist members in carrying out their legal advisory responsibilities.

The DELAC facilitator shall provide appropriate training and materials to assist each DELAC member to carry out his or her legally required advisory responsibilities. The training must be planned in full consultation with DELAC members. In the spring of each year, the responsibilities of DELAC are reviewed and discussed in broad terms. Each individual legal responsibility is then calendarized for the following school-year with DELAC members input. DELAC members may also add agenda items that are not legal responsibilities, if they feel it will assist them in carrying out their responsibilities as a full-functioning DELAC. These agenda items may include, but are not limited to, an overview of English Proficiency codes and how they are determined, state and local assessment information, parent engagement, and home/school communication.

The State and Federal Projects Administrator will provide ongoing training on the legal requirements of ELAC by including an ELAC training component in DELAC meetings as well as ELAC meetings.

DELAC membership training will occur at the fall meeting with updates throughout the school year.

## 2.3 DELAC Advisement for Consolidated Application

The DELAC will annually advise the district and approve the Consolidated Application as required by California Education Code 64001.





**William F. James Ranch Morgan Hill, CA**

## **Chapter Two**

### **Governance and Administration**

#### **EL 03 English Learner (EL) Identification and Assessment**

(EC 11306, 11307, 11510, 11511, 11516, 60810)

EL 3.0 Each LEA must properly identify and assess all students who have a home language other than English

EL 3.1 A home language survey (HLS) must be used at the time of initial enrollment to identify language use in the home.

Proper identification and assessment of students' language status is a foundational component for ensuring appropriate placement and access to services. For students who are new to California school enrollment, SCCOE ensures completion of a Home Language Survey and implements initial registration processes. At the time of enrollment, parents visit the school site in order to initially enroll their child in the school and district. At that time, parents complete a Home Language Survey, as required by state law. The parent is offered a Home Language Survey in their primary language. This survey is completed the first time the parent enrolls the child in the district or in a California school. The HLS is not required on an annual basis. In the event that an HLS is filled out more than one year, the original HLS supersedes all others.

Responses to the HLS are entered into the student management system by site personnel upon enrollment throughout the year. The HLS is filed in the student's cumulative folder.

The HLS contains four questions. If the responses to the first three questions are all English, the child is designated as English Only (EO). The fourth question is for informational purposes and does not dictate testing or placement status.

Due to the unique nature of SCCOE schools, HLS information is included in referral packets for court and community schools. Opportunity Youth Academy students self-enroll and CALPADS data or the HLS is utilized for placement. SCCOE special education students are placed per IEP decisions and English Learner status follows IEP requirements.

If a student is new to the state, all HLS processes are followed. For discrepancies regarding student placement, immediate placement decisions to support incarcerated students, and all other questions, CALPAD status and home district files will determine placement.

EL 3.2: Within 30 calendar days of initial enrollment, each student whose home language is other than English, as determined by the HLS, is assessed for English

proficiency by means of the ELPAC (English Language Proficiency Assessment for California). Administration of the assessment must follow all of the publisher’s instructions.

EL 3.3 The ELPAC (English Language Proficiency Assessment for California) Summative Assessment is administered annually to students who are identified as English Learners after initial identification.

EL 3.4 All currently enrolled English Learners (ELs) are assessed for English language proficiency and academic progress annually within the established ELPAC assessment window.

The ELPAC is a performance based assessment based on the 2012 California English Language Development (ELD) standards, which assesses students’ English language proficiency in listening, speaking, reading and writing. The ELPAC yields a holistic score from four levels:

<b>LEVEL 4</b>	Students at this level have <b>well-developed</b> English skills.	They can usually use English to learn new things in school and to interact in social situations. They may occasionally need help using English.
<b>LEVEL 3</b>	Students at this level have <b>moderately developed</b> English skills.	They can sometimes use English to learn new things in school and to interact in social situations. They may need help using English to communicate on less-familiar school topics and in less-familiar social situations.
<b>LEVEL 2</b>	Students at this level have somewhat developed English skills.	They usually need help using English to learn new things at school and to interact in social situations. They can often use English for simple communication.
<b>LEVEL 1</b>	Students at this level are at a <b>beginning</b> stage of developing English skills.	They usually need substantial help using English to learn new things at school and to interact in social situations. They may know some English words and phrases.

\*Once identified as ELs, students are tested annually using ELPAC until they are Reclassified Fluent English Proficient (RFEP).

EL3.5 Each EL on an active individualized education plan (IEP) or Section 504 Plan must be annually assessed for English language proficiency using the

accommodations, modification, or alternative assessments for the current ELPAC as specified in the student's IEP or Section 504 plan.

SCCOE special education students are assessed using the SCCOE CALPS assessment as recommended by IEP team. The SCCOE CALPS is an alternative assessment to the ELPAC and is administered annually. SCCOE CALPS scores are used for reclassification purposes.

EL3.6 Immigrant children and youth (ages 3-21) who were not born in any state in the US and have not attended school in any state in the US for more than three full academic years must be identified.

SCCOE students are identified and assessed according to the HLS upon entry to schools and provided Initial ELPAC testing as required. Immigrant students who enter the SCCOE system are identified accordingly and provided EL services as appropriate.



## EL 04 Implementation, Monitoring, and Revision of the Title III Plan

EL4.0 Each district must annually update, implement, and monitor a Title III plan for the use of funds annually.

SCCOE and the Student Services and Support Division annually updates the Title III Plan and use of funds annually through completion of the Local Control Accountability Plan process and annual completion of the LCAP Addendum. Restricted fund budgets are updated and approved by the SCCOE Governing Board annually as required by LCAP and LCFF processes.

EL 4.1a The district receiving Title III funds must use these funds to increase the English Language Proficiency of English Learners and to increase EL student achievement overall.

SCCOE and the Student Services and Support Division utilizes both core and designated EL curriculum to support the needs of English Learners as identified by the ELPAC. EL program and delivery is diverse according to student need configuration of students in the classroom.

### SCCOE EL Programming Overview 2018-19

School	Type of Program	Students Served	ELD Integrated Delivery	ELD Designated Delivery	Name of Adopted Curriculum	EL 2018-19
Blue Ridge/Osborne	Juvenile Facilities	Incarcerated Youth Grades 6-12	Classroom	Small Group Pull Out During ELA Class	Edge	57
Sunol Community School	Community Day School	Grades 6-12	Classroom	Small Group Pull Out During ELA Class	Edge	16
SCCOE Special Education	County Operated Special Education	PK-21	Classroom	As defined by IEP	Unique	394
Opportunity Youth Academy	Re Engagement Program	Age 16-24	Blended ISP and Direct Instruction	Online EL Course with Blended Instructor Support	ELLoquence	88

**SCCOE EL Programming 2018-19 as Reflected in Master Schedule**

<b>School</b>	<b>Type of Program</b>	<b>Students Served</b>	<b>Evidence of EL Programming</b>
<b>Blue Ridge/Osborne</b>	Juvenile Facilities	Incarcerated Youth Grades 6-12	Reflected In Master Schedule as ELA/ELD ELD/ELA Block to support universal access for literacy and EL designated support. SDAIE strategies across the curriculum.
<b>Sunol Community School</b>	Community Day School	Grades 6-12	Reflected In Master Schedule as ELA/ELD ELD/ELA Block to support universal access for literacy and EL designated support. SDAIE strategies across the curriculum.
<b>SCCOE Special Education</b>	County Operated Special Education	Pre School-21	Determined by school site and student IEP needs.
<b>Opportunity Youth Academy</b>	Re Engagement Program	Age 16-24	OYA offers blended learning and drop in Independent Study and EL instruction is provided online for identified EL students during their weekly meetings or seminar time.
<b>SCCOE Student Services and Support Division</b>	All Above	All Above	EL Programming is monitored and discussed through the work of the district level EL Advisory Committee and DELAC

EL 4.1b Title III funds must also be used to provide effective professional development to classroom teachers (to include teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel. The professional development:

- is designed to improve the instruction and assessment of ELs
- will enhance the ability of staff to understand and implement curricula, assessment practices and measures, and instructional strategies for ELs
- effective in increasing children’s English Language proficiency through enhancing the subject matter knowledge, teaching knowledge, and teaching skills of teachers
- Of sufficient intensity and duration to effect change for individual teachers and not required as a part of teacher formal evaluation processes.

## SCCOE EL Professional Development 2018-2021

SCCOE and The Student Services and Support Division provide professional development for teachers and staff regarding placement, instruction, assessment, and monitoring of English Learners annually.

Professional development for SCCOE staff is directed by the SCCOE Division of Multi-Lingual and Humanities Education Department. (See Appendix for 2018-2021 plan) Services and is grounded in the concepts of Universal Design for Learning with specialized strategies to support designated ELD. Additional trainings are provided annually to staff to support assessment, process for progress monitoring and reclassification of English Learners, and implementation of curriculum and instructional strategies.

School	Type of Program	Students Served	Professional Development Plan
<b>Blue Ridge/Osborne</b>	Juvenile Facilities	Incarcerated Youth Grades 6-12	Three Year PD Plan for Alternative Education (2018-2021)
<b>Sunol Community School</b>	Community Day School	Grades 6-12	Three Year PD Plan for Alternative Education (2018-2021)
<b>SCCOE Special Education</b>	County Operated Special Education	Pre School-21	Annual Training for all Special Education Staff
<b>Opportunity Youth Academy</b>	Re Engagement Program	Age 16-24	Annual Training for Blended Learning Staff in Online Learning Program and Blended Learning Support for EL
<b>SCCOE Student Services and Support Division</b>	All Above	All Above	Professional Development Plan for support for instruction for EL students is guided through the work of the district level EL Advisory Committee and DELAC

EL 4.1c Title III funds may be used by the district to support other effective activities and strategies that support family and parent engagement and to support aligned programming to support English Learners.

The SCCOE Student Services and Support Branch utilizes funding to support district plans as aligned in the LCAP and the Title III Addendum.

EL 4.2 Funds may be used for the following:

- Professional development regarding effective EL strategies

- EL instructional programs through supplemental curricula, instructional materials, educational software, and assessment procedures.
- Tutorials and career and technical education, intensified instruction that may include materials in a language that the student can understand, interpreters, and translators
- Effective pre school, elementary, or secondary language instruction programs coordinated with other relevant programs and services.
- Improving English Language Proficiency and student achievement.
- Community participation programs, family literacy services, and parent family outreach to improve the language skills of ELs and assist parents to support their child’s academic achievement and maneuver the school system.
- Instruction of English Learners with or without disabilities through access to: educational technology or instructional materials, networks, training, communication, and integration of resources into the curriculum.
- Early college high school or concurrent enrollment programs for ELs to assist in post secondary access.

The SCCOE plan for spending for 2017-18 presents a concerted effort to use restricted funds collaboratively to meet student needs. SPSA goals and budgets are refined annually to align with needs as defined through the LCAP process and findings as defined in the CA Accountability Dashboard.

<b>SCCOE District Plan for Spending 2017-18</b>						
		<b>District</b>	<b>Court</b>	<b>Community</b>	<b>OYA</b>	<b>Spec Ed</b>
<b>Title I A</b>			226,666	94,654	263,454	222,092
	<b>Parent Involvement</b>	14311	15000	2341	4888	7333
	<b>Staff CTE/Parent Support</b>		40,000	28770		
	<b>Staff/Behavior Support</b>					107840
	<b>Staff/Tutoring</b>		5000		10000	
	<b>Instructional Materials</b>		6000	19670		35000
	<b>Professional Development</b>		57986		87215	16919
	<b>Technology Equipment</b>	229126	2800	10000	16239	25000
	<b>Tech Programs</b>		31650			



	<b>Instruction</b>					
	<b>Career Tech Programs</b>		65580			
	<b>Support for EL Students</b>		4650		30,000	
	<b>Student Engagement</b>	45750	213666	31226	60000	
	<b>Intervention</b>			46817	30000	
	<b>Community Outreach</b>				30,000	
	<b>Consultant Student Engagement</b>			71053		30000
	<b>Homeless</b>	143500				
<b>Title II</b>	<b>Online PD</b>	31283				
<b>Title III</b>	<b>Tech Program Instruction (Rosetta Stone)</b>	61775				



## **EL 05 EL Program Inclusion in the Development of the SPSA**

( Ed Code 64001)

EL 5.0 The EL Program must be included in the development of the SPSA.

SCCOE school sites annually form and support the English Learner Advisory Committee (ELAC). Depending on the decision of the ELAC and the School Site Council (SSC), ELAC may merge into the SSC. If the ELAC and SSC merge, an ELAC member votes to approve the School Plan for Student Achievement (SPSA). If the ELAC and SSC do not vote to merge, an ELAC member is consulted during the SPSA approval process and provides signature as verification of EL program involvement.

EL 5.1 EL Related Components of An Approved SPSA

The School Site Council (SSC) members, to include an EL representative, approve the School Plan for Student Achievement (SPSA). The SPSA approval process includes: (a) an analysis of EL language proficiency performance and assessment data to determine program needs, (b) school goals aligned to EL specific needs, ( c ) activities to support EL specific goals, (d) a means to evaluate effectiveness of EL goals and activities through metrics aligned to low achieving ELs and those at risk of not meeting state standards, (e) alignment to EL needs as indicated in the CA Accountability Dashboard.

EL 5.2 The Local Governing Board must review and approve the SPSA annually and whenever there are material changes to the plan.

The SPSA for school sites is approved annually in June by the SCCOE Governing Board.

EL 5.3 The SPSA must be consistent with the district local plan.

The SCCOE Student Services and Support Branch ensures that goals, strategies, and expenditures in the SPSA are consistent with LCAP goals and CA Accountability Dashboard findings.

EL 5.4 LEAs that distribute Title III funds or services directly to schools must ensure that the Title III programs are included in the SPSA, LCAP, and LCAP Addendum.

Title III funds are not distributed to individual school sites.

## EL06 Title III and Inventory (EC 35168)

EL 6.0 For all categorical programs, each LEA must maintain an inventory record for each piece of equipment with an acquisition cost of more than \$500.00 per unit that is purchased with Title III funds. Inventory must include: type, model, serial number, funding source, acquisition date, cost, location, current condition, and evidence of transfer or replacement if applicable.

SCCOE and the Student Services and Support Division completes a physical inventory of Title I and III purchased equipment over \$500.00 per unit.

???

EL 6.1 Each LEA must conduct a physical check of the inventory of equipment within the past two years.

SCCOE completes a physical inventory of Title I and III purchased equipment over \$500.00 per unit as required by federal law. ???

## Chapter Three Funding

### **EL 07 Supplement, Not Supplant with Title III and EIA-LEP funds**

7.0 General fund resources must be used to provide services and programs for ELs including ELD and access to the core curriculum.

SCCOE and the Student Services and Support Branch provide a core academic program to EL students (integrated ELD) utilizing instructional materials as approved by the Governing Board and purchased through general or LCAP funds as applicable. In addition, EL students are provided designated ELD instruction utilizing ELD core curriculum materials as approved by the Governing Board and purchased through general or LCAP funds as applicable.

7.1 Each LEA must use ELA-LEP carryover funds only to supplement not supplant federal, state, and local public funds.

NA. EIA-LEP funds are no longer available.

7.2 An LEA must utilize no less than 85% of EIA-LEP apportionments at school sites for direct services to students.

NA. EIA-LEP funds are no longer available.

7.3 An LEA must use Title III funds to supplant and not supplant federal, state, and local funds that in the absence of such, would have been expended for programs for ELs and immigrant children and youth and in no case to supplant such funds.

SCCOE and the Student Services and Support Division utilize Title III funding to support supplemental programming for EL students and parents as an addition to core program and required parental involvement.

7.4 98% of Title III funds must be used to support direct service to students and no more than 2% may be used to support administrative costs during a fiscal year and the ensures Title III alignment with federal supplement, not supplant requirements.

SCCOE and the Student Services and Support Division ensure that 98% of Title III funds are used for direct service to EL students and parents and that no more than 2% is used to support administrative costs to the district.

#### EL 08 Time Accounting Requirements (Title I and Title III) (EC 52853)

8.0 Each LEA must properly assess charges for direct or indirect costs of Title III EL and immigrant funds for salaries and wages in proportion to the allowable and identified quality and duties of the employee.

8.1 Each employee paid in part from Title III and in part from a second funding source, or an employee paid from multiple cost objectives, must complete a PAR for each pay period, (or an approved sampling method).

8.2 Employees fund solely under Title III must complete a semiannual certification of such employment.

SCCOE and the Student Services and Support Branch has a system of time accounting to include job descriptions, annual position control reports, Personnel Activity Reports (PAR), and semi-annual certification to ensure allowable charges to Title III and immigrant funds as applicable.



## **Chapter Four**

### **Standards, Assessment, and Accountability**

#### **EL 09 Evaluation of EL Program Effectiveness**

9.0 A program evaluation must be completed annually to determine:

- The degree to which ELs are attaining English language proficiency compared to that of average native speakers of English in the district.
- The effectiveness of programs and activities in assisting ELs to attain proficiency and to meet academic achievement and content standards.
- Necessary improvements to programs designed for EL students which have been funded by Title III funds.
- Whether to eliminate programs specific to EL students and deemed to be ineffective.

SCCOE and the Student Services and Support Division annually reviews the progress of EL students in comparison to English only peers through data inquiry processes and reflections on EL progress as defined in the CA Accountability Dashboard and state and local assessments.

This process is shared annually with DELAC members during the Fall DELAC meeting and shared with the LCAP District Advisory Committee in conjunction with the LCAP engagement process. Program evaluation for programs for ELs funded through Title III and other restricted funds are evaluated through this process at the district level.

## EL 10 Reclassification

(Ed Code 11302, 11303,11304, 11305)

10.0 Each LEA must reclassify a student from EL to proficient in English by using a process and criteria that includes but is not limited to: assessment of English language proficiency, teacher evaluation and recommendation, parent recommendation and consultation, and comparison of a student’s basic skills against an empirically established range of performance in basic skills based upon proficiency in English and ability to participate in curriculum at the same level as students whose native language is English.

SCCOE and the Student Service and Support Division has a defined process for monitoring and reclassification of English Learners as defined in SCCOE Board Policy and Administrative Regulation 6174.

- Alternative Education and Opportunity Youth Academy reclassification process will be facilitated annually from November 1-December 1 and in May of each year.
- Special Education reclassification process will be facilitated by IEP team and as directed by IEP team.
- SCCOE reclassification process follows the guidelines of CA Ed Code and is defined in Board Policy.

Criteria for Re-Classification	Alternative Education Opportunity Youth Academy	Special Education IEP Team Decision	Special Education Alternative Re Classification by IEP Team
ELPAC (CELDT As Equivalent during CELDT/ELPAC transition)	ELPAC Score of Level 4 with no subdomain score under 3	Per IEP Team Decision Students complete as many sections of ELPAC as possible according to student IEP	Per IEP Team Decision
Local or State Assessment	Score of Level 3 or 4 on ELA SBAC	Score of Level 3 or 4 on ELA SBAC OR CAA Developmental Level	As determined by IEP team
Teacher/Staff Recommendation	Teacher/Staff Recommendation	Teacher/Staff Recommendation	IEP Team Decision
Parent Recommendation	Parent Recommendation	Parent Recommendation	IEP Team Decision

10.1 Each LEA must maintain in the EL student's permanent record: (a) copies of language and academic performance assessments, (b) participants in the reclassification process, and (c) documentation of decisions regarding reclassification.

SCCOE and Student Services and Support Division EL student files are maintained as follows:

- Reclassification decisions are recorded through change of LEP status in the student management system and aligned to CALPADS.
- Reclassification paperwork and assessment records for special education students are maintained in the student's IEP file.
- Reclassification paperwork for alternative education and Opportunity Youth Academy are scanned into the student management system database and paper copies are maintained at the school site.
- Assessment reports are available for alternative education and Opportunity Youth Academy students through the student management system, local district requests, and state assessment databases (TOMS)

10.2 Each LEA must monitor the progress of reclassified pupils for a minimum of four years to ensure correct classification, placement, and additional academic support as needed.

SCCOE and the Student Services and Support Division monitors English Learner progress as follows: (a) Alternative Education Programs and Opportunity Youth Academy follow the timeline below to monitor the progress of English Learners (EL) , Long Term English Learners (LTEL), and Re Classified (RFEP) English Learners

**October 15 Annually-EL, LTEL, and RFEP**

- Monitor attendance, local and state assessment scores, and grade progress.

**February 1 Annually - EL, LTEL, and RFEP**

- Monitor attendance, local and state assessment scores, and first semester grades.

**June 30 Annually- EL, LTEL, and RFEP**

- Monitor attendance, local and state assessment scores, and second semester grades.

**Tools to Monitor Progress**

- Aeries Student Management System

- Data Zone system

(b) EL Monitoring for special education students is completed as per IEP process and as directed by IEP team and (c )RFEP students are monitored annually for four years as per Every Student Succeeds Act (ESSA) requirements.

## **Chapter Five Staffing and Professional Development**

### **EL 11 EL Teacher Authorization**

( Ed Code 44253.1, 44253.2, 44253.3, 44253.4, 44253.5, 44253.10)

11.0 Teacher assigned to provide ELD and instruction in subject matter courses for ELs must be appropriately authorized.

SCCOE ensures that all teachers obtain or hold the appropriate EL authorization or county temporary certificate to support students in the classroom.



Gateway School, Gilroy CA

### **EL 12 Professional Development Specific to English Learners**

12.0 Each LEA must provide professional development specific to the implementation of programs for ELs.



12.1 Each LEA must provide sufficient professional development to effectively implement the LEAs EL program

12.2 Professional development is provided to classroom teachers, principals and other school leaders, administrators, and other school or community-based organizational personnel. The professional development:

- is designed to improve the instruction and assessment of ELs
- will enhance the ability of staff to understand and implement curricula, assessment practices and measures, and instructional strategies for ELs
- effective in increasing children’s English Language proficiency through enhancing the subject matter knowledge, teaching knowledge, and teaching skills of teachers
- Of sufficient intensity and duration to effect change for individual teachers and not required as a part of teacher formal evaluation processes.

**SCCOE EL Professional Development 2018-2021**

The Student Services and Support Division provides professional development for teachers and staff regarding placement, instruction, assessment, and monitoring of English Learners annually.

Professional development for SCCOE staff is directed by the SCCOE Division of Multi-Lingual Services and is grounded in the concepts of Universal Design for Learning with specialized strategies to support designated ELD. As core and supplemental curricular materials are added, professional development is aligned to support staff in implementing with fidelity. Additional trainings are provided annually to staff to support assessment, process for progress monitoring and reclassification of English Learners, and implementation of curriculum and instructional strategies.

School	Type of Program	Students Served	Professional Development Plan
<b>Blue Ridge/Osborne</b>	Juvenile Facilities	Incarcerated Youth Grades 6-12	Three Year PD Plan for Alternative Education (2018-2021)
<b>Sunol Community School</b>	Community Day School	Grades 6-12	Three Year PD Plan for Alternative Education (2018-2021)

<b>SCCOE Special Education</b>	County Operated Special Education	PK-21	Annual Training for all Special Education Staff Designated professional development regarding EL curriculum implementation and strategies to support EL students with disabilities.
<b>Opportunity Youth Academy</b>	Re Engagement Program	Age 16-24	Annual Training for Blended Learning Staff in Online Learning Program and Blended Learning Support for EL
<b>SCCOE Student Services and Support Division</b>	All Above	All Above	Professional Development Plan for support for instruction for EL students is guided through the work of the district level EL Advisory Committee and DELAC



## **Chapter Six Opportunity and Equal Educational Access**

### **EL 13 Language Program Options and Parent Choice**

13.0 Language acquisition programs may include, but are limited to all of the following (13.1-13.3)

13.1 School districts and county offices of education must at a minimum provide ELS with a structured English immersion (SEI) program. SEI programs provide nearly all classroom instruction in English but with curriculum and a presentation designed for students who are learning English. These include: dual language immersion programs and transitional or developmental programs that enable an EL to achieve English proficiency and academic mastery of subject matter content and

higher order skills to include critical thinking, in order to meet state adopted academic content standards.

SCCOE supports the needs of English Learners as defined by program and IEP needs. Students are provided both designated and integrated ELD instruction in small group or class formats. SEI is based on student language fluency as determined by CELDT/ELPAC or by SCCOE/CALPS as indicated in student IEP or students in need of an alternate assessment. Students are provided integrated ELD instruction through culturally and linguistically responsive structures and Universal Design for Learning. . Designated ELD is supported through small group instruction as per identified students. EL program and delivery is diverse according to student need configuration of students in the classroom.

**SCCOE EL Programming Overview 2018-19**

School	Type of Program	Students Served	ELD Integrated Delivery	ELD Designated Delivery	Name of Adopted Curriculum	EL 2018-19
<b>Blue Ridge/Osborne</b>	Juvenile Facilities	Incarcerated Youth Grades 6-12	Classroom	Small Group Pull Out During ELA Class	Edge	57
<b>Sunol Community School</b>	Community Day School	Grades 6-12	Classroom	Small Group Pull Out During ELA Class	Edge	16
<b>SCCOE Special Education</b>	County Operated Special Education	PK-21	Classroom	As defined by IEP	Unique	394
<b>Opportunity Youth Academy</b>	Re Engagement Program	Age 16-24	Blended ISP and Direct Instruction	Online EL Course with Blended Instructor Support	ELLoquence	88

**SCCOE EL Programming 2018-19 as Reflected in Master Schedule**

School	Type of Program	Students Served	Evidence of EL Programming
<b>Blue Ridge/Osborne</b>	Juvenile Facilities	Incarcerated Youth Grades 6-12	Reflected In Master Schedule as ELA/ELD ELD/ELA Block to support universal access for literacy and EL designated support.

			SDAIE strategies across the curriculum.
<b>Sunol Community School</b>	Community Day School	Grades 6-12	Reflected In Master Schedule as ELA/ELD ELD/ELA Block to support universal access for literacy and EL designated support. SDAIE strategies across the curriculum.
<b>SCCOE Special Education</b>	County Operated Special Education	Pre School-21	Determined by school site and student IEP needs.
<b>Opportunity Youth Academy</b>	Re Engagement Program	Age 16-24	OYA offers blended learning and drop in Independent Study and EL instruction is provided online for identified EL students during their weekly meetings or seminar time.
<b>SCCOE Student Services and Support Division</b>	All Above	All Above	EL Programming is monitored and discussed through the work of the district level EL Advisory Committee and DELAC

13.2 Parents or legal guardians of students enrolled in the school may choose a language acquisition program that best suits their child. “Language acquisition program” refers to educational programs designed to ensure English Acquisition as readily and as effectively as possible and provide instruction to students on the state-adopted academic content standards, including the ELD standards. The language acquisition programs shall be informed by research and must lead to grade level proficiency and academic achievement in both English and another language.

13.3 Schools in which parents or legal guardians of 30 students or more per school, or the parents or legal guardians of 20 students or more in any grade request a language acquisition program designed to provide language instruction must be required to offer a program to the extent possible.

Parent choice of language acquisition program and parent request of language acquisition program design is offered to all SCCOE parents as defined in SCCOE Board Policy 6174.



## Chapter Six Teaching and Learning

### EL 14: ELD

14.0 As part of the core program provided through general funds, all identified ELs must receive a program of ELD instruction, in order to develop proficiency in English as rapidly and effectively as possible and meet state priorities for ELs. Each district must take appropriate action to overcome language barriers that impede quality participation by its students in its instructional programs. Title III funds are used to supplement the core ELD program.

The Student Services and Support division provides core instruction for EL students that is supported by general budget funds. Additional supplemental programs such as reading materials and technology based programs to supplement literacy for EL students are supported through restricted Title I and Title III funds.

SCCOE supports the needs of English Learners as defined by program and IEP needs. Students are provided both designated and integrated ELD instruction in small group or class formats. SEI is based on student language fluency as determined by ELPAC or by SCCOE/CALPS as indicated in student IEP or students in need of an alternate assessment. Students are provided integrated ELD instruction through culturally and linguistically relevant strategies. Designated ELD is supported through small group instruction as per identified students. EL program and delivery is diverse according to student need configuration of students in the classroom.

#### SCCOE EL Programming Overview 2018-19

School	Type of Program	Students Served	ELD Integrated Delivery	ELD Designated Delivery	Name of Adopted Curriculum	EL 2018-19
Blue Ridge/Osborne	Juvenile Facilities	Incarcerated Youth Grades 6-12	Classroom	Small Group Pull	Edge	57

				Out During ELA Class		
<b>Sunol Community School</b>	Community Day School	Grades 6-12	Classroom	Small Group Pull Out During ELA Class	Edge	16
<b>SCCOE Special Education</b>	County Operated Special Education	PK-21	Classroom	As defined by IEP	Unique	394
<b>Opportunity Youth Academy</b>	Re Engagement Program	Age 16-24	Blended ISP and Direct Instruction	Online EL Course with Blended Instructor Support	ELLoquence	88

**SCCOE EL Programming 2018-19 as Reflected in Master Schedule**

<b>School</b>	<b>Type of Program</b>	<b>Students Served</b>	<b>Evidence of EL Programming</b>
<b>Blue Ridge/Osborne</b>	Juvenile Facilities	Incarcerated Youth Grades 6-12	Reflected In Master Schedule as ELA/ELD ELD/ELA Block to support universal access for literacy and EL designated support. SDAIE strategies across the curriculum.
<b>Sunol Community School</b>	Community Day School	Grades 6-12	Reflected In Master Schedule as ELA/ELD ELD/ELA Block to support universal access for literacy and EL designated support. SDAIE strategies across the curriculum.
<b>SCCOE Special Education</b>	County Operated Special Education	Pre School-21	Determined by school site and student IEP needs.
<b>Opportunity Youth Academy</b>	Re Engagement Program	Age 16-24	OYA offers blended learning and drop in Independent Study and EL instruction is provided online for identified EL students during their weekly meetings or seminar time.
<b>SCCOE Student Services and Support Division</b>	All Above	All Above	EL Programming is monitored and discussed through the work of the district level EL Advisory Committee and DELAC



## **EL 15: Access to Core Subject Matter**

15.0 Academic instruction for ELs must be designed and implemented to ensure that ELS meet the district’s content and performance standards for their respective grade levels within a reasonable amount of time.

15.1 Each district must have a means to assist ELs to achieve at high levels in the core academic subjects to ensure that they meet the same challenging state content standards and achievement goals all children are expected to meet.

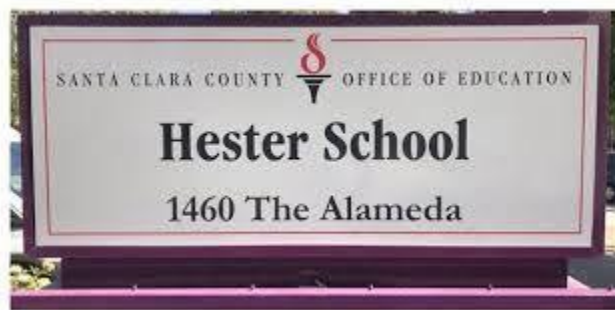
15.2 Each district must monitor student academic progress and provide additional and appropriate educational services to ELs in kindergarten through grade twelve for the purposes of overcoming language barriers in each subject matter. Actions to

overcome content academic barriers must be taken before the deficits become irreparable.

The Student Services and Support Division provides core and integrated instruction for English Learners in a Structured English Immersion (SEI) format. In addition, designated ELD instruction is provided through adopted ELD curriculum and delivered at the student's level of need. An overall focus on literacy enables core pursuits of language proficiency.

EL monitoring is a formalized process that occurs twice each year for all EL students in alternative education and Opportunity Youth Academy programs. Students are monitored through analysis of ELPAC data, classroom performance and credit acquisition, and through analysis of performance on state and local assessments. Attendance is also reviewed. The IEP team follows a similar process during the annual IEP review process.

Staff members receive professional development to support the academic needs of EL students as aligned to the program. Through a focus on literacy and language acquisition, students are monitored as they perform in online and classroom settings.





# Appendix

**Alternative Education PD Plan for EL 2018-2021**

**Annual Notification Letter to Parents EL Alt Ed and OYA**

**Reclassification Form Alt Ed and OYA**

**Notice to Parents of Reclassification Alt Ed and OYA**

**Home Language Survey**

**Special Education PD Plan for EL**

**Special Education Alternative Assessment Checklist**

**Annual Notification Letter to Parents EL Special Education**

**Reclassification Process Special Education**



## EL Professional Development Plan for Alternative Education 2018-2021



### SCCOE Multi-Lingual Support Services

(13) EL Program Evaluation: Analysis of EL data including an evaluation in response to 13 (a-d) for the LEA and each school under review.

- Submit data
- Analysis of findings
  - Majority of English Learners included in the snapshot data are Long Term English Learners
  - English Learners are not meeting Common Core Literacy and Math Standards
- Related actions for the improvement of the effectiveness of EL programs
  - Long Term English Learners require integrated language instruction through content areas in order to acquire academic english. The plan outlined for EL Instruction was designed to meet and monitor the specific needs of Long Term English Learners.
    - Standards Based
    - Language and Literacy
    - Use of Developmental Rubrics
    - Formative and Summative Assessments
    - Universal Design for Learning
    - Explore contracting SCCOE Math Coordinator

(19) EL Instruction: LEA documentation of grade-level instruction for EL's across the curriculum.

- Submit descriptions of EL instructional methods, materials, and interventions in core content areas across the curriculum.

#### **Methods:**

A. Train teachers to understand and apply the CDE ELD Standards:

- CDE ELD Standards- The CA ELD Standards correspond with the rigorous California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects. The CA ELD Standards define the progression of language acquisition through three stages of proficiency and recognize that the student's native language plays an important role in learning English. Teachers can use the CA ELD Standards document as a tool to inform their practice, making clear relationships between the English language and the student's other language(s).

B. Train teachers to understand and apply the CDE ELA/ELD Framework:

- CDE ELA/ELD Framework- The ELA/ELD Framework forms the basis for remodeling instructional practice and promoting literacy through critical thinking and problem solving, collaboration, and communication. The ELA/ELD Framework provides guidance to educators to help build this new depth of knowledge on a range of topics. It includes strategies to strengthen learning for every student, both in the English language arts classroom and in classrooms where students learn other academic content. It contains information on the qualities of effective professional development, strategies for incorporating technology into the classroom, and effective examples of using formative assessment to guide instruction. The ELA/ELD Framework also features helpful figures and descriptive snapshots that frame new ideas and practices for integrating the literacy demands of both the English language arts and discipline-specific classrooms, offering support to students who come to those classrooms with a wide range of language development needs.
- C. Contract Multilingual Education Team at Santa Clara County Office of Education to:
- Create and provide a comprehensive, ongoing professional development plan to train staff and provide research based practices and materials to support English Learners.
- D. Support Instructional Leadership Team
- Provide relevant professional development, explore hiring Teachers on Special Assignment
- E. Adopt an Observation Tool
- To identify the extent to which EL instruction is being implemented as well as to identify areas of support in terms of additional professional development.

**Materials:**

- A. Charting ELD- Charting English Language Development Tools for Understanding and Assessing the ELD Standards provides resources to deconstruct each English Language Development (ELD) standard across the grade spans (K-1, 2, 3-5, 6-8, and 9-12) into understandable, teachable language targets and to assess each ELD standard in order to inform instruction and track student progress in English language development. The tools can be used for professional learning, planning, and assessment of integrated and designated ELD instruction. Charting English Language Development is not intended to be a comprehensive list of all language skills. In addition to an introductory guide to using tools and a glossary of ELD terms, this product consists of two main tools: Deconstructing the ELD Standards and ELD Standards Assessment Charts
- B. Blueprints for Effective Leadership and Instruction for our English Learners' Future- The B.E.L.I.E.F. modules support district and site administrators with implementation of both

integrated and designated ELD. The modules include current ELD research; opportunities to deepen understanding of integrated and designated ELD; activities to analyze, reflect upon, and refine programs for English learners; and follow-up activities to use with staff to support implementation.

- C. Templates- Planning for Integrated and Designated ELD- Santa Clara County Office of Education, Multilingual Education Team
- D. RIME (Relevant, Intentional, Meaningful, Engaging) Observation Tool for English Language Development- Santa Clara County Office of Education, Multilingual Education Team

### **Interventions:**

- A. Use of Developmental Rubrics- in order to assess the extent to which students have developed Language and Literacy Skills
- B. Based on results from Developmental Rubrics- use Standards Based Progression Charts along with Charting ELD Progression Charts to differentiate instruction
- C. Universal Design for Learning- plan learning around the practices of Universal Design for Learning
- D. Use Formative Assessment- to collect data and monitor growth

(19) Implementation of support services for EL's in core content areas.

- Completed samples of individual student:
  - Student work attached to developmental rubrics
- Interventions
  - Based on results from Developmental Rubrics- use Standards Based Progression Charts along with Charting ELD Progression Charts to differentiate instruction
  - Universal Design for Learning- plan learning around the practices of Universal Design for Learning
- Benchmarks
  - Standards Based Formative and Summative Assessments- explore the resources in Smarter Balance
- Plan for monitoring EL student progress
  - Explore and create systems to document data and instructional decision
- Include EL interventions for each site

## HOME LANGUAGE SURVEY ENGLISH VERSION

Name of Student: \_\_\_\_\_

\_\_\_\_\_  
Surname / Last Name First Given Name Second Given Name

School: \_\_\_\_\_ Age: \_\_\_\_\_ Grade Level: \_\_\_\_\_ Teacher Name:  
\_\_\_\_\_

### Directions to Parents and Guardians:

The California *Education Code* contains legal requirements which direct schools to determine the language(s) spoken in the home of each student. This information is essential in order for the school to provide adequate instructional programs and services.

As parents or guardians, your cooperation is requested in complying with this legal requirement. Please respond to each of the four questions listed below as accurately as possible. For each question, write the name(s) of the language(s) that apply in the space provided. Please do not leave any question unanswered.

1. Which language did your child learn when he/she first began to talk?
2. Which language does your child most frequently speak at home?
3. Which language do you (the parents or guardians) most frequently use when speaking with your child?
4. Which language is most often spoken by adults in the home?  
(parents, guardians, grandparents, or any other adults)

Please sign and date this form in the spaces provided below, then return this form to your child's teacher. Thank you for your cooperation.

Signature of Parent or Guardian Date



Dear Parent: Querido padre:

Congratulations. Your child has met the criteria for English Language Proficiency as defined by the Santa Clara County Office of Education and has reached the status of reclassified English Learner (RFEP). The attached form provides information the your child's reclassification process.

Per the *Every Student Succeeds Act*, your child's progress in English and mathematics will be monitored for four years. If your child's grades and or performance on local and state assessments show a decline in English Language Proficiency, you will be contacted and an intervention plan will be put in place. Please feel free to contact your child's principal with any questions.

Felicidades. Su hijo ha cumplido con los criterios para el dominio del idioma inglés según lo define la Oficina de Educación del Condado de Santa Clara y ha alcanzado el estado de Aprendiz de Inglés reclasificado (RFEP). El formulario adjunto proporciona información sobre el proceso de reclasificación de su hijo.

De acuerdo con la Ley de Que Todos los Estudiantes tienen Exito, el progreso de su hijo en inglés y matemáticas será monitoreado durante cuatro años. Si las calificaciones y el rendimiento de su hijo en las evaluaciones locales y estatales muestran una disminución en el dominio del idioma inglés, se lo contactará y se pondrá en marcha un plan de intervención. Por favor, no dude en ponerse en contacto con el director de su hijo si tiene alguna pregunta.

Sincerely, Sinceramente,

Steve Olmos Ed. D  
Assistant Superintendent Student Services and Support Division  
Asistente Superintendente de Servicios Estudiantiles y División de Apoyo

# Santa Clara County Office of Education

## ENGLISH LEARNER RECLASSIFICATION FORM- Non IEP Student

Dear Parent/Guardian,

**Congratulations!** Your child is currently being considered for Reclassification from the status of English Learner to Fluent English Proficient, as determined in the criteria indicated below.

### A. STUDENT INFORMATION

Student's Name:	School:
Student ID#:	Grade:
Date of Birth:	Teacher:
	Primary Language :

### B. RECLASSIFICATION CRITERIA

The following requirements are **mandatory** criteria:

ELPAC overall proficiency level of 3 (Moderately Developed) or 4 (Well Developed)  Date: _____ Overall: _____  L: _____ S: _____ R: _____ W: _____	<input type="checkbox"/> CAASPP ELA/Literacy: 3 or above  Date: _____ Score: _____
Teacher Input (Check one) <input type="checkbox"/> <b>Recommends</b> <input type="checkbox"/> <b>Does not recommend</b>  Comments: _____  _____	Parent Input (Check one) <input type="checkbox"/> <b>Recommends</b> <input type="checkbox"/> <b>Does not recommend</b>  Comments: _____  _____

### C. APPROVAL RESULTS *(Student Services and Support Division Use Only)*

**APPROVED:** We are pleased to inform you that your child has met the state guidelines and district criteria to be reclassified from the English Learner (EL) to fluent English proficient (FEP) status. Your child is to be congratulated for having met all reclassification requirements. If you have any questions, please contact our office for an appointment. Your child's progress will be monitored for an additional two years, as required by the No Child Left Behind (NCLB) Act of 2001. If your child experiences difficulty maintaining satisfactory academic progress, additional assistance will be provided.

**NOT APPROVED:** \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
*Student Services and Support Branch*

\_\_\_\_\_  
*Date*



Dear Parent/Guardian,

As you are aware, your child was recently reclassified as a Fluent English Proficient (FEP) student from his/her previous English Learner (EL) designation. Academic progress of all Reclassified (RFEP) students must be monitored for four school years following reclassification, as required by the Every Student Succeeds Act (2015). Your child requires further follow-up, because he/she has failed to meet the minimum 45% percentile score in English Language Arts and Mathematics on our local assessment. Your child's teacher has put together an intervention plan to ensure academic success. If you have any questions, please contact your child's school.

Student's Name:		School:
Student ID#:	Date of Birth:	Teacher:
Grade:	RFEP Date:	Primary Language :

		Yes	No
1. Academic Progress	Is the student making satisfactory academic progress in his/her class?	_____	_____
2. Oral English	Is the student demonstrating satisfactory oral English proficiency in his/her class?	_____	_____
3. Written English	Is the student making satisfactory progress in his/her written English assignments?	_____	_____
4. Most Recent Report Card Grades	Language Arts _____ Math _____		
5. Most Recent ELA _____	MATH _____ Writing Assessment _____		
6. Recommendation by school site staff: <i>(submit intervention plan)</i>			
_____			
_____			

\_\_\_\_\_  
*Classroom Teacher's Signature*      \_\_\_\_\_  
*Date*      \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
*Principal's/Designee's Signature*      \_\_\_\_\_  
*Date*





Estimado Padre / Tutor,

Como saben, su hijo recientemente fue reclasificado como estudiante con dominio del inglés fluido (FEP) de su designación anterior de aprendiz de inglés (EL). El progreso académico de todos los estudiantes reclasificados (RFEP) debe ser monitoreado durante cuatro años escolares después de la reclasificación, según lo exige la Ley de Todos los Estudiantes Exitos (2015). Su hijo requiere un seguimiento adicional, ya que no ha alcanzado el puntaje mínimo de 45% en Artes del Lenguaje en Inglés y Matemáticas en nuestra evaluación local. El maestro de su hijo ha elaborado un plan de intervención para garantizar el éxito académico. Si tiene alguna pregunta, comuníquese con la escuela de su hijo.

El nombre del estudiante:	Colegio:	Número de identificación del estudiante: Fecha de nacimiento:
Profesor:	Grado: RFEP Fecha:	Lenguaje primario :

- Si no
- Progreso académico ¿El estudiante está logrando un progreso académico satisfactorio en su clase? \_\_\_\_\_
  - El inglés oral es el estudiante que demuestra satisfactoria ¿Dominio oral del inglés en su clase? \_\_\_\_\_
  - Inglés escrito. El estudiante está progresando satisfactoriamente. en sus tareas escritas de ingles? \_\_\_\_\_
  - Calificaciones más recientes Calificaciones Artes del lenguaje \_\_\_\_\_ Matemáticas \_\_\_\_\_
  - ELA más reciente \_\_\_\_\_ MATEMÁTICA \_\_\_\_\_ Evaluación de Escritura \_\_\_\_\_
  - Recomendación del personal del sitio escolar: (enviar plan de intervención)  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Firma del maestro del aula Fecha Firma del director / persona designada Fecha



**ENGLISH LEARNER ADVISORY COMMITTEE (ELAC) REQUIREMENTS**

Submit to the State and Federal Administrator by **June 30, annually**

School: \_\_\_\_\_ School Year \_\_\_\_\_

**ENGLISH LEARNER ADVISORY COMMITTEE MEMBERS**

*EL 2b: Parents of English Learners constitute at least the same percentage of committee membership as the total percentage of the EL population in the school.*

Total # of members	# of parents of ELs in membership	% of parents of ELs in membership	% of ELs enrolled at site

DELAC Representative	Phone Number

**RESPONSIBILITIES**

*The following items must be evident in ELAC meeting Agendas and Minutes.*

Item	✓	Description of Item	Date
EL		Parent members are elected by parents or guardians of English Learners.	
EL		The school may designate an existing school level advisory committee, or subcommittee of such advisory committee, to fulfill the legal responsibilities of ELAC, if the advisory body meets the criteria in (b).	
EL		ELAC has advised School Site Council (SSC) on the development of the Single School Plan ( ).	
EL		ELAC has advised the principal and staff on the school program for ELs.	
EL		Develop a school needs assessment through questionnaire or open forum discussion.	
EL		CALPADS FALL 1 Census Information and background is shared.	
EL		Parent training on the importance of regular school attendance was provided.	
EL		Members have received training materials and training, to assist members in carrying out their responsibilities.	
EL		Members have elected a representative to DELAC (District EL Advisory Committee).	

\_\_\_\_\_  
Principal's/ Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
ELAC Representative's Signature

\_\_\_\_\_  
Date

**Special Education SCCOE-CALPS: EL Alternate Assessment Checklist: Annual Assessment Window for EL: Feb 1 – May 31**

1. \_\_\_\_\_ Check Home Language Survey for any new student. **DO NOT** resend the HLS. When in doubt, consult with your Principal & the EL team. If teaching Preschool, consult with your Principal & the EL team.

Home Language Survey: \_\_\_\_\_ In cum File                    **OR**                    \_\_\_\_\_ Not in cum file

2. \_\_\_\_\_ Annually complete “**English Language Proficiency Assessment Participation Consideration**”, during EL student’s IEP
3. Based on answers in HLS, test students within **30 calendar days** of enrolment (EL or IFEP).  
Based on the results student is either IFEP or EL                    \_\_\_\_\_ Initial Assessment:  
\_\_\_\_\_ IFEP                    **OR**                    \_\_\_\_\_ EL
4. \_\_\_\_\_ Place test protocol and results/summary sheet in student’s cum file (or in the student’s EL folder)
5. \_\_\_\_\_ Document test completion date on Articulation Form for students moving on. Inform SOC about student (IFEP or EL or RFEP)
6. \_\_\_\_\_ August (i.e. First 2 weeks of school) - Check which new students are identified EL in IEP (IEP 1).
7. \_\_\_\_\_ Connect with your Principal for "Translator" for SCCOE-CALPS
8. **Parent Notification Letters (Adhere to timelines):**  
\_\_\_\_\_ **(TO BE SENT: Upon completion of Initial Assessment): Parent Notification Letters:**  
                  Either a) Initial parent notification letters:                    \_\_\_\_\_ IFEP                    **OR**                    \_\_\_\_\_ EL

**OR (For EL Students ONLY)**

**Beginning of the School Year** (One for each student tested) **Parent Notification Letters:**                    b) Annual parent notification letters \_\_\_\_\_

\_\_\_\_\_ **(TO BE SENT: When ELPAC scores are released) Parent Notification Letters:**  
                  c) Annual Assessment Results parent notification letters for EL

\_\_\_\_\_ (Attach SCCOE-CALPS Summary Sheet and ELPAC Student Performance Level Report)

9. \_\_\_\_\_ Completed ELPAC Answer Sheet and turn in to principal to give to COE.

10. IEP:

\_\_\_\_\_ “English Language Proficiency Assessment Participation Consideration”, (not numbered into IEP)

\_\_\_\_\_ Notice of meeting [NC 6A] (EI certified teacher/AD)

\_\_\_\_\_ Demographic and Eligibility [IEP 1] (Complete Home Language, Check one: EO/EL/IFEP/RFEP)

\_\_\_\_\_ IEP Eligibility [IEP 2A] (At least one Linguistically Appropriate goal)

\_\_\_\_\_ Present Levels of Performance [IEP 2B]

\_\_\_\_\_ Annual Goals and Benchmarks [IEP 3B] (Write at least one Linguistically Appropriate Goal, based on student’s needs) \_\_\_\_\_ [IEP 6C] English Learner Assessment & Support

\_\_\_\_\_ Supplemental Aids and Transportation [IEP 8] (Write at least one Supplemental Aid, based on student’s EL needs)

\_\_\_\_\_ Consent and Signatures [IEP 9A] (EI certified teacher/AD)

\_\_\_\_\_ Notes & Additional Information [IEP 12]

\_\_\_\_\_ Assmt Report (ELD) [RPT 1B]

- **Assessment Plan:** Is this an Assessment Plan for an EL student? \_\_\_\_\_ YES \_\_\_\_\_ NO

\_\_\_\_\_ If yes, then complete Assessment Plan [NC 3]: (Native language, English Proficiency: **EO/EL/IFEP/RFEP**, Language of Instruction)

- **Amendment:** Is this an Amendment to change supports, status etc. for an EL student? \_\_\_\_\_ YES \_\_\_\_\_ NO

\_\_\_\_\_ If yes, then complete IEP Amendment [IEP 10] and Form [IEP 6C] English Learner Assessment & Support

- **Exiting Student:** Is student graduating from the program (age 22) \_\_\_\_\_ YES \_\_\_\_\_ NO

\_\_\_\_\_ If yes, then complete Notice of Exit Summary of Performance [NC 12] (**CHECK WITH PRINCIPAL**)

11. **Reclassified:** \_\_\_\_\_ YES \_\_\_\_\_ NO

\_\_\_\_\_ Reclassification Worksheet (put behind IEP, not numbered)

\_\_\_\_\_ Let SOC know of IEP change from YES: EL to NO: EL X Redesignated

\_\_\_\_\_ Document progress in IEP (Refer EL IEP Handout) for Year 1, Year 2, Year 3, Year 4 after Reclassification Rev 6, 2/19

**Special Education Add Documents Here**



Mary Ann Dewan, Ph.D., County Superintendent of Schools

**CHARTER REVIEW MATRIX – COUNTYWIDE**

Proposed Charter School		Petitioner Contact Information		Petition Review Timeline	
Name of Proposed Charter School: Opportunity Youth Academy		Name: Steve Olmos		<b>Petition Received:</b>	
Location of Proposed School(s): Santa Clara County		Title: Assistant Superintendent		<b>Public Hearing:</b> (60 days from receipt)	
Grade Level: 9-12		Phone/Cell: 408-453-6560		<b>Board Decision:</b> (90 days from receipt)	
District of Proposed Charter School: Multiple		Email: solmos@sccoe.org		<input type="checkbox"/> <b>30 day extension granted</b> (90 days from receipt, may be extended 30 days if agreed by petitioner(s) and SCCOE)	

**Instructions to Review Team:** This checklist is designed to guide the review of charter school petitions. Your comments are essential to understanding your assessment and will be used as part of the final analysis and report to the County Board.

**Instructions to Charter Petitioner:** As you complete this Matrix, please note the specific page(s) on which each item is addressed. If the terms of the charter are not explicit in compliance with the particular item in the checklist, provide detail in the applicable notes section in order that the SCCOE may readily determine to what provision(s) you are referring in the checklist.

**Legend:**

- Required to be included in charter petition and/or Memorandum of Understanding.*
- Applies to Petition Renewals*
- Applies to Material Revisions and Renewals Only*

REQUIRED ELEMENTS: Education Code § 47605.6 (b) (1)-(6)					
	Yes	No	N/A	Page	
<input type="checkbox"/> The charter school presents a sound educational program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23-52	
<input type="checkbox"/> The petitioners are demonstrably unlikely to successfully implement the program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA	
<input type="checkbox"/> The petition contains the required signatures? (not required for renewals)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA	
<input type="checkbox"/> The petition contains an affirmation of each of the conditions described in Education Code § 47605(d) (1)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8-9	
<input type="checkbox"/> The initial review finds that the petition has included all of the required elements (A-P)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7	
<input type="checkbox"/> The petition includes a declaration of whether the charter school shall be the exclusive employer of charter school employees for purposes of Educational Employment Relations Act (EERA)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8-9	
<input type="checkbox"/> The petition explains how the charter could not have been established in a single district.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15	
REQUIRED PETITION SIGNATURES IF NOT CONVERSION OF EXISTING PUBLIC SCHOOL: Education Code § 47605.6(a)(1)					
	Yes	No	N/A	Page	
• 50% of parents/guardians of number of students expected to attend	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA	
<b>OR</b>					
• 50% of the number of teachers expected to teach at the charter school during its 1st year	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA	
NOTIFICATION UPON APPROVAL: Education Code § 47605.6 (j)					
	Yes	No	N/A	Page	

<input type="checkbox"/>	The petition acknowledges that should the charter be granted, the petitioner will provide a written notice of the approval and a copy of the petition to: <ul style="list-style-type: none"> <li>The department (California Department of Education)</li> <li>State Board of Education</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
<b>REQUIRED AFFIRMATIONS: Education Code § 47605.6(e)(1)</b>		<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Page</b>
<input type="checkbox"/>	Statements affirming that school will be non-sectarian in its programs, admission policies, employment practices, and all other operations; will not charge tuition; and will not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes in Penal Code § 422.55 or association with such persons, including immigration status; not base admission on place of residence within California except as specified by law; admit any student who wishes to attend so long as there is space; hold a random lottery if there is not space; comply with the mandated admissions preference requirements; and provide the required notice in the event a student is expelled or leaves the school without graduating or completing the school year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8

<b>CHARTER RENEWAL REQUIRED ELEMENTS: Evidence to Support Renewal or Material Revision (CCR) Title 5 Section 11966.4</b>				
	<b>Yes</b>	<b>No</b>	<b>Page</b>	
<input type="checkbox"/>	Required fiscal reports and audits demonstrating past performance and likely future financial viability of the school	<input type="checkbox"/>	<input type="checkbox"/>	86
<input type="checkbox"/>	Compliance with all state and federal laws applicable to charter schools and fulfilling the terms of the charter	<input type="checkbox"/>	<input type="checkbox"/>	7-437
<input type="checkbox"/>	Academic performance data reports showing increases in pupil academic achievement for all groups; Dashboard, CAASPP, LCAP and annual updates	<input type="checkbox"/>	<input type="checkbox"/>	10-22
<input type="checkbox"/>	Annual visits and annual reports, including correcting and deficiencies identified during annual reviews and visits.	<input type="checkbox"/>	<input type="checkbox"/>	86-87
<input type="checkbox"/>	Inspections or observations of any part of the charter school at any time	<input type="checkbox"/>	<input type="checkbox"/>	86-87
<input type="checkbox"/>	Documentation that charter has met minimum academic performance criteria per 47607(b) and 47607.2	<input type="checkbox"/>	<input type="checkbox"/>	10-22
<input type="checkbox"/>	Past performance of academics and operations and future plans for improvement establish likelihood of success.	<input type="checkbox"/>	<input type="checkbox"/>	10-22
<input type="checkbox"/>	Includes updates to comply with all laws that have gone into effect since previous approval or renewal	<input type="checkbox"/>	<input type="checkbox"/>	7-437
	Strengths:			
	Areas of Concerns:			
	Conclusions			

<b>DETAILED REVIEW - REQUIRED ELEMENTS: Education Code § 47605.6(A-P)</b>				
<b>A</b>	<b>Educational Program</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
<input type="checkbox"/>	<b>1. Targeted School Populations</b>		<input type="checkbox"/>	35
	Age, grade levels and number of students	<input type="checkbox"/>		36
	• Number of students per class room	<input type="checkbox"/>		35
	• Maximum enrollment predicted for school	<input type="checkbox"/>		35
	Type of desired student populations	<input type="checkbox"/>		36
<input type="checkbox"/>	<b>2. Attendance</b>		<input type="checkbox"/>	35 - 36
	• Describes whether multiple sites will be included	<input type="checkbox"/>		35
	• Indicates proposed opening date(s)	<input type="checkbox"/>		NA
<input type="checkbox"/>	Attendance requirements		<input type="checkbox"/>	36
	• Includes length of school day and year	<input type="checkbox"/>		36
	• Submit for approval the specific means to be used for student attendance accounting and reporting, satisfactory to support state average daily	<input type="checkbox"/>		89



	attendance claims and to satisfy audits related to attendance that may be conducted			
	<ul style="list-style-type: none"> <li>For independent study, specific means of determining and recording attendance, including means of determining it is the enrolled student doing the work and specifically what amount of work/time counts as a day of attendance.</li> </ul>	<input type="checkbox"/>		93-95
<input type="checkbox"/>	<b>3. What it Means to be an Educated Person in the 21<sup>st</sup> Century</b>		<input type="checkbox"/>	36-38
<input type="checkbox"/>	Objective of enabling pupils to become self-motivated, competent, lifelong learners		<input type="checkbox"/>	36-38
	Clear list of general academic skills and qualities important for an educated person	<input type="checkbox"/>		36-38
<input type="checkbox"/>	<b>4. Description of How Learning Best Occurs</b>		<input type="checkbox"/>	26
	Persuasive instructional design	<input type="checkbox"/>		27
	<ul style="list-style-type: none"> <li>Broad outline (not entire scope and sequence) of the curriculum content</li> </ul>	<input type="checkbox"/>		Appendix R
	<ul style="list-style-type: none"> <li>Description of instructional approaches and strategies</li> </ul>	<input type="checkbox"/>		23-52
	<ul style="list-style-type: none"> <li>Description of learning environment (e.g. traditional, independent study)</li> </ul>	<input type="checkbox"/>		23-52
	Proposed program strongly aligned to school's mission	<input type="checkbox"/>		30
	Affirmation or description of curriculum aligned to student performance standards	<input type="checkbox"/>		Appendix R
	Outline of plan or strategy to support students not meeting pupil outcomes	<input type="checkbox"/>		54-56
	Instructional design or strategies based upon successful practice or research	<input type="checkbox"/>		58-59
	Instructional strategies for special education, English learners, etc.	<input type="checkbox"/>		38-42
	Proposed program/curriculum reflects a focus on adopted CCSS and NGSS	<input type="checkbox"/>		23-52
	Educational Program describes professional development for teachers	<input type="checkbox"/>		52
	Minimal instructional time	<input type="checkbox"/>		Appendix M
	Includes school calendar	<input type="checkbox"/>		Appendix L
<input type="checkbox"/>	<b>5. Transitional Kindergarten program outlines developmentally appropriate learning outcomes, using modified curriculum, specialized instruction, and assessment for all students (Only if Charter offers Kindergarten)</b>		<input type="checkbox"/>	NA
<input type="checkbox"/>	<b>6. English Learner Services</b>		<input type="checkbox"/>	38-40
<input type="checkbox"/>	All eligible students enrolled in the charter school will receive appropriate English Learner services in accordance with applicable state and federal law.		<input type="checkbox"/>	38-40
<input type="checkbox"/>	Staff members providing English Learner Services are appropriately credentialed.		<input type="checkbox"/>	38-40
<input type="checkbox"/>	A description of the manner in which students are identified as requiring English Learner Services		<input type="checkbox"/>	38-40
<input type="checkbox"/>	A description of the process for reclassification of English Learners		<input type="checkbox"/>	38-40, Appendix T
<input type="checkbox"/>	An acknowledgment of the responsibility of the charter school to provide access to grade-level core curriculum for English Learners. (Check for reference to the use and implementation and New Proficiency Level Descriptors (PLD) as part of California English-language Development Standards.)		<input type="checkbox"/>	38-40
<input type="checkbox"/>	References to curriculum and materials that will be utilized in the instruction of English Learners		<input type="checkbox"/>	38-40
<input type="checkbox"/>	Petition tells how English Learners will be reclassified and how English Learners will be monitored		<input type="checkbox"/>	38-40, Appendix T
	<b>Strengths:</b>			
	<b>Areas of Concerns</b>			
	<b>Conclusions</b>			
<input type="checkbox"/>	<b>7. LCFF/LCAP Annual Goals and Annual Actions to Achieve Goals for Subgroups in EC 52052</b>		<input type="checkbox"/>	46-51
<input type="checkbox"/>	Charter includes language that assures compliance with LCFF/LCAP		<input type="checkbox"/>	46-51
<input type="checkbox"/>	Describes <b>annual goals for all pupils and for each subgroup of pupils identified</b> in EC 52052 to be achieved in each of the <b>8 state priorities</b> , as described in EC 52060(d), that apply for the grade levels served or the nature of program operated by the charter school.		<input type="checkbox"/>	46-51
	<input type="checkbox"/> A. Conditions of Learning	<input type="checkbox"/>		46
	(Priority 1) Basic Needs	<input type="checkbox"/>		46

	(Priority 2) Implementation of State Standards	<input type="checkbox"/>		46
	(Priority 7) Course Access	<input type="checkbox"/>		46
<input type="checkbox"/>	B. Pupil Outcomes	<input type="checkbox"/>		46
	(Priority 4) Pupil Achievement (College and Career)	<input type="checkbox"/>		46
	(Priority 8) Other Pupil Outcomes	<input type="checkbox"/>		46
<input type="checkbox"/>	c. Engagement	<input type="checkbox"/>		46
	(Priority 3) Parental Involvement	<input type="checkbox"/>		46
	(Priority 5) Pupil Engagement	<input type="checkbox"/>		46
	(Priority 6) School Climate	<input type="checkbox"/>		46
	Provides specific annual actions to achieve these goals for each of the subgroups listed below:	<input type="checkbox"/>		47-51
<input type="checkbox"/>	Racial/Ethnic groups	<input type="checkbox"/>		47-51
<input type="checkbox"/>	Low-income students, including homeless students	<input type="checkbox"/>		47-51
<input type="checkbox"/>	English learners	<input type="checkbox"/>		47-51
<input type="checkbox"/>	Students with disabilities	<input type="checkbox"/>		47-51
<input type="checkbox"/>	Foster youth	<input type="checkbox"/>		47-51
<input type="checkbox"/>	<b>8. Transferability of High School Courses EC 47605.6 (b) (5) (A) (iii)</b>		<input type="checkbox"/>	51
	If serving high school students, describes how district/charter school informs parents of:	<input type="checkbox"/>		51
<input type="checkbox"/>	Transferability of courses to other public high schools; and	<input type="checkbox"/>		51
<input type="checkbox"/>	Eligibility of courses to meet college entrance requirements	<input type="checkbox"/>		51
<input type="checkbox"/>	Courses that are accredited by the Western Association of Schools and Colleges (WASC) may be considered transferable, and courses meeting the UC/CSU "a-g" admissions criteria may be considered to meet college entrance requirements)	<input type="checkbox"/>		51
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
i	Special Education/SELPA	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Identifies whether or not in an independent LEA for special education purposes (with verifiable written assurances)		<input type="checkbox"/>	42-45
<input type="checkbox"/>	Consulted with the Santa Clara County SELPA Director		<input type="checkbox"/>	42-45
	• Discussed special education responsibilities of charter	<input type="checkbox"/>		42-45
	• Discussed application of SELPA policies	<input type="checkbox"/>		42-45
<input type="checkbox"/>	In writing explains how special education services will be provided consistent with SELPA plan and/or policies and procedures		<input type="checkbox"/>	42-45
	• Includes fiscal allocation plan	<input type="checkbox"/>		42-45
<input type="checkbox"/>	If charter not an independent LEA (School of SCCOE for Special Ed):		<input type="checkbox"/>	42-45
	• Clarifies in charter the responsibilities of each party for service delivery	<input type="checkbox"/>		42-45
	<input type="checkbox"/> Referral	<input type="checkbox"/>		42-45
	<input type="checkbox"/> Assessment	<input type="checkbox"/>		42-45
	<input type="checkbox"/> Instruction	<input type="checkbox"/>		42-45
	<input type="checkbox"/> Due Process	<input type="checkbox"/>		42-45
	<input type="checkbox"/> Agreements describing allocation of actual and excess costs	<input type="checkbox"/>		42-45
	<input type="checkbox"/> Charter fiscally responsible for fair share of any encroachment on general funds	<input type="checkbox"/>		42-45

<input type="checkbox"/>	If charter is own LEA		<input type="checkbox"/>	NA
	<ul style="list-style-type: none"> <li>Notified SELPA Director of intent prior to February 1<sup>st</sup> of the preceding school year</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Located within SELPA geographical boundaries</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Provides current operating budget in accordance with Ed Code § 42130 and § 42131</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Provides assurances that all will be instructed in safe environment</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Provides copy of original charter petition and any amendments to SELPA</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Responsible for any legal fees relating to application and assurances process</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Meets the terms of the "Agreement Regarding the Organization, Implementation, Administration and Operation of the SELPA (Section 12-13, Appendix A)</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Meets the terms of all SELPA policies and procedures</li> </ul>	<input type="checkbox"/>		NA
	<ul style="list-style-type: none"> <li>Charter fiscally responsible for fair share of any encroachment on general funds</li> </ul>	<input type="checkbox"/>		NA
<input type="checkbox"/>	Petition includes the following assurances:		<input type="checkbox"/>	43
	<ul style="list-style-type: none"> <li>The charter will comply with all provisions of IDEA and plan for how it will comply</li> </ul>	<input type="checkbox"/>		43
	<ul style="list-style-type: none"> <li>No student will be denied admission based on disability or lack of available services</li> </ul>	<input type="checkbox"/>		43
	<ul style="list-style-type: none"> <li>The charter will include a description of the school's SST process as it relates to identification of students who may qualify for Special Education</li> </ul>	<input type="checkbox"/>		43
<input type="checkbox"/>	Staff members providing special education services are appropriately credentialed		<input type="checkbox"/>	42
<input type="checkbox"/>	Any facility used by the school does not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular programs		<input type="checkbox"/>	42-43
<input type="checkbox"/>	The charter school will assume full responsibility for appropriate accommodation to address the needs of any student		<input type="checkbox"/>	42-43
<input type="checkbox"/>	The responsibility of the school to provide special education, instruction and related serves to the students enrolled in the school regardless of students' district of residence		<input type="checkbox"/>	42-43
<input type="checkbox"/>	Specialized instruction and services available at the school		<input type="checkbox"/>	42-43
<input type="checkbox"/>	The provision of Designated Instruction and Services (DIS)		<input type="checkbox"/>	42-43
<input type="checkbox"/>	Special transportation for students whose IEPs indicate that service is necessary for the provision of FAPE		<input type="checkbox"/>	42-43
<input type="checkbox"/>	The procedures for ensuring that students are referred, assessed and served in a timely manner		<input type="checkbox"/>	44
<input type="checkbox"/>	A description of the school's "Search and Service" procedures		<input type="checkbox"/>	42-43
<input type="checkbox"/>	The dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA and LEA, regarding the provision of special education services in the charter school.		<input type="checkbox"/>	45-46
<input type="checkbox"/>	Petition describes process for notifying district of residence and chartering district when a special education student enrolls, becomes eligible, ineligible and/or leaves charter school		<input type="checkbox"/>	42-43
<input type="checkbox"/>	Overview of how special education funding and services will be provided by:		<input type="checkbox"/>	44
	<ul style="list-style-type: none"> <li>Charter School</li> </ul>	<input type="checkbox"/>		44
	<ul style="list-style-type: none"> <li>Charter Granting Agency</li> </ul>	<input type="checkbox"/>		44
	<ul style="list-style-type: none"> <li>SELPA</li> </ul>			44
<input type="checkbox"/>	Petition describes the transition to or from a district when a student with an IEP enrolls in, or transfers out of, the charter school		<input type="checkbox"/>	42-43
<b>ii</b>	<b>Implementation of Section 504 of the Rehabilitation Act</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
<input type="checkbox"/>	All eligible enrolled students will receive appropriate accommodations and modifications consistent with Section 504 of the Rehabilitation Act	<input type="checkbox"/>		42-46,80
<input type="checkbox"/>	No student "otherwise eligible to enroll in the charter school" will be denied enrollment due to disability, or the charter school's inability to provide necessary services	<input type="checkbox"/>		42-46,80
<input type="checkbox"/>	All staff members providing services to the student are familiar with the identified needs of the student	<input type="checkbox"/>		42-46,80
<input type="checkbox"/>	Any facility used by the school does not present physical barriers limiting eligible students' full participation in the educational and extracurricular program	<input type="checkbox"/>		42-46,80
<input type="checkbox"/>	The charter school will assume full responsibility for appropriate accommodations, modifications and services to address the needs of any student regardless of the student's district of residence	<input type="checkbox"/>		42-46,80
<input type="checkbox"/>	Includes plan and appropriate staffing for 504 compliance	<input type="checkbox"/>		42-46,80

iii	Implementation of Americans with Disabilities Act (ADA)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Affirms charter's obligations to comply with ADA		<input type="checkbox"/>	42-46,80
<input type="checkbox"/>	Any facility used by charter will be ADA compliant		<input type="checkbox"/>	42-46,80
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
B	Measurable Student Outcomes - "Exit Outcomes" or "Graduation Standards"	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	<b>Pupil outcomes are measurable, i.e. specific assessments listed for each exit outcome.</b>		<input type="checkbox"/>	45-59
	How pupil outcomes will address state content and performance standards in core academics.	<input type="checkbox"/>		45-59
	Exit outcomes include acquisition of academic and non-academic skills.	<input type="checkbox"/>		45-59
	Concise (one page) list of exit outcomes encompass specific skills, not too vague.	<input type="checkbox"/>		45-59
	Affirmation that "benchmark" skills and specific classroom-level skills will be developed.	<input type="checkbox"/>		45-59
	Affirmation/description that exit outcomes will align to mission, curriculum and assessments.	<input type="checkbox"/>		45-59
	Affirmation that college-bound students wishing to attend California colleges or universities will have the opportunity to take courses that meet the "A-G" requirements.	<input type="checkbox"/>		45-59
	Lists school-wide student performance goals students will make over a given period of time, projected attendance, dropout, or graduation rate goals, etc.	<input type="checkbox"/>		45-59
	Acknowledges that exit outcomes and performance goals may need to be modified over time.	<input type="checkbox"/>		45-59
	If high school, graduation requirements defined.	<input type="checkbox"/>		45-59
	If high school, WASC accreditation standards addressed.	<input type="checkbox"/>		45-59
<input type="checkbox"/>	<b>LCFF/LCAP Measurable Goals of the Education Program: Charter provides assurance that all identified subgroups will meet performance goals that are stated in the charter</b>		<input type="checkbox"/>	45-59
<input type="checkbox"/>	Statement that pupil achievement measurements will include the elements listed below:		<input type="checkbox"/>	45-59
<input type="checkbox"/>	Alignment with state priorities 52060 (d) and description of <b>how</b> the charter will address all 8 state priorities		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(B) The Academic Performance Index, as described in Section 52052/alternative academic performance data and documentation during suspension of API		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical educational standards and frameworks,		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development		<input type="checkbox"/>	45-59

	Test or any subsequent assessment of English proficiency, as certified by the state board.		
<input type="checkbox"/>	(E) The English learner reclassification rate.	<input type="checkbox"/>	45-59
<input type="checkbox"/>	(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.	<input type="checkbox"/>	45-59
<input type="checkbox"/>	(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program.	<input type="checkbox"/>	45-59
<b>For Charter Renewal, EC 47607 (a)(3)(A) defines the most important factor is the <u>increase</u> in pupil academic achievement for <u>all groups</u> of students served by the charter school. The Minimum Threshold for Student Achievement:</b>			
<input type="checkbox"/>	Provided evidence (including data and documentation) establishing that students have increased their academic achievement schoolwide and for all numerically significant pupil subgroups	<input type="checkbox"/>	NA
<input type="checkbox"/>	Evidence that the charter school served all students who wished to attend the school should there be sufficient space	<input type="checkbox"/>	NA
<b>The High Achieving threshold for renewal per EC 47607(c)(2)(A):</b>			
<input type="checkbox"/>	1. The charter school has received the highest two performance levels schoolwide on all the state indicators included on the Dashboard for which it receives performance levels; or	<input type="checkbox"/>	NA
<input type="checkbox"/>	2. For all measurements of academic performance (ELA, Math, English Language Proficiency, College/Career Readiness), the charter school has received performance levels that are the same or higher than the state average.	<input type="checkbox"/>	NA
<b>The Low Achieving threshold for renewal per EC 47607.2(a)(1) - Denial:</b>			
<input type="checkbox"/>	1. The charter school has received the lowest two performance levels schoolwide on all the state indicators included on the Dashboard for which it receives performance levels; or	<input type="checkbox"/>	NA
<input type="checkbox"/>	2. For all measurements of academic performance (ELA, Math, English Language Proficiency, College/Career Readiness), the charter school has received performance levels that are the same or lower than the state average.	<input type="checkbox"/>	NA
<input type="checkbox"/>	A charter may be renewed <u>only</u> if both of the following: the charter is making meaningful steps to address the underlying cause or causes of low performance <u>and</u> there is clear and convincing evidence that the school is making progress established by one year's growth for each year in school or strong post-secondary outcomes.	<input type="checkbox"/>	NA
<b>The Mid-Achieving threshold for renewal per EC 47607.2(b)(1):</b>			
<input type="checkbox"/>	Review of dashboard state and local indicators, greater weight will be given to academic indicators	<input type="checkbox"/>	NA
<input type="checkbox"/>	Verifiable data evidence of either: 1 year's growth per year in school or strong post-secondary outcomes	<input type="checkbox"/>	NA
<b>Strengths:</b>			
<b>Areas of Concern:</b>			
<b>Conclusions:</b>			
OYA is a DASS Certified Charter School.			

C	The Method by Which Pupil Progress in Meeting Outcomes Will be Measured	Evidence	Addressed in Petition	Page
	At least one assessment method or tool listed for each of the exit outcomes	<input type="checkbox"/>		58-59
	Assessments include multiple, valid and reliable measures using traditional/ alternative tools	<input type="checkbox"/>		58-59
	Chosen assessments are appropriate for standards and skills they seek to measure	<input type="checkbox"/>		58-59
	Affirmation/description of how assessments align to mission, exit outcomes, and curriculum	<input type="checkbox"/>		58-59
	Describes minimal required performance level necessary to attain each standard	<input type="checkbox"/>		58-59
	Outlines a plan for collecting, analyzing and reporting student/school performance data	<input type="checkbox"/>		58-59
	Method of measuring outcomes aligns with SARC		<input type="checkbox"/>	58-59
<input type="checkbox"/>	<b>LCFF/LCAP Assurance that methods of assessment are aligned with measureable student outcomes</b>		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(A) Utilizes a variety of assessment tools that include multiple, valid and reliable measures using traditional/alternative tools appropriate to the skills, knowledge, or attitudes being assessed. Including, at a minimum tools that employ objective means of assessment.		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(B) Include the annual assessment tools as required by state and federal assessments (CAASPP, ELPAC, etc.)		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(C) Outlines a plan for collecting, analyzing, and reporting data continuously to monitor and improve the charter school's educational program.		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(D) Presents a coherent plan for using student assessments data to evaluate and inform instruction on an on-going basis		<input type="checkbox"/>	45-59
<input type="checkbox"/>	(E) Committed plan to share performance information with students, families and public agencies		<input type="checkbox"/>	45-59
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
D	The location of each charter school facility that the petitioner proposes to operate.	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Describes the actual physical location/site for the school		<input type="checkbox"/>	59-60
<input type="checkbox"/>	Provides copy of notice given to school district in which it plans to operate at least 30 days prior to decision hearing		<input type="checkbox"/>	59-60
<input type="checkbox"/>	If opening another location, provides copy of notice given to school district in which it plans to operate at least 30 days prior to decision hearing		<input type="checkbox"/>	NA
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
E	Governance Structure of School (Including Parental Involvement)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Describes what role parents have in the governance of the school		<input type="checkbox"/>	61-64
<input type="checkbox"/>	Describes key features of governing structure (usually a board of directors) such as:		<input type="checkbox"/>	61-64
	• Size/composition of board	<input type="checkbox"/>		61-64
	• Board committees or advisory councils	<input type="checkbox"/>		61-64
	• Board's scope of authority/responsibility/conflict of interest	<input type="checkbox"/>		61-64
<input type="checkbox"/>	Status as a non-profit or public school		<input type="checkbox"/>	61-64
<input type="checkbox"/>	Tax exempt status	<input type="checkbox"/>		61-64
<input type="checkbox"/>	If non-profit, provisions for liability for debts		<input type="checkbox"/>	61-64
<input type="checkbox"/>	Has set of bylaws, policies or similar documents	<input type="checkbox"/>		61-64

<input type="checkbox"/>	Initial governing board members identified by name or the process used to select them and future board members	<input type="checkbox"/>		61-64
<input type="checkbox"/>	Clear description of school's legal status and determination of whether a board member from the charter-granting agency is on the board of the charter	<input type="checkbox"/>		61-64
<input type="checkbox"/>	Demonstrates compliance with Brown Act		<input type="checkbox"/>	61-64
<input type="checkbox"/>	Annual Review and Revision of the Local Control Accountability Plan (LCAP).		<input type="checkbox"/>	61-64
<input type="checkbox"/>	Detailed description of any relationship with for profits, including CMO/EMO		<input type="checkbox"/>	61-64
<input type="checkbox"/>	Compliance with transparency and public accountability		<input type="checkbox"/>	61-64
	<ul style="list-style-type: none"> <li>Public Records Act</li> </ul>	<input type="checkbox"/>		61-64
	<ul style="list-style-type: none"> <li>Political Reform Act of 1974</li> </ul>	<input type="checkbox"/>		61-64
	<ul style="list-style-type: none"> <li>Government Code 1090 et seq.</li> </ul>	<input type="checkbox"/>		61-64
	<ul style="list-style-type: none"> <li>Brown Act</li> </ul>	<input type="checkbox"/>		61-64

**Strengths:**

**Areas of Concern:**

**Conclusions**

F	Qualifications to be Met by Individuals to be Employed by The School	Evidence	Addressed in Petition	Page
	Identifies roles and functions of staff members (including...) <ul style="list-style-type: none"> <li>Job Descriptions for Positions</li> <li>Identifies key staff positions with the charter school</li> </ul>	<input type="checkbox"/>		65-68
	Process for staff selection	<input type="checkbox"/>		65-68
	Procedure for adequate background checks	<input type="checkbox"/>		65-68
	Salaries and benefits for all employees	<input type="checkbox"/>		65-68
	Measures of assessment of performance	<input type="checkbox"/>		65-68
<input type="checkbox"/>	Describes specific key qualifications (knowledge, experience, education, certification, etc.) sufficient to ensure the health and safety of pupils and staff.	<input type="checkbox"/>		65-68
<input type="checkbox"/>	Defines "core, college preparatory" teachers/affirms they will hold appropriate credentials (Commission on Teacher Credentialing Certificate/Permit) <ul style="list-style-type: none"> <li>Identifies whether these teachers will teach only within the restrictions of their credentials</li> </ul>		<input type="checkbox"/>	65-68
<input type="checkbox"/>	Identifies any non-core, non-college prep teaching positions staffed by non-certified teachers and their qualifications, understanding that no flexibility is given to countywide charter schools on credentialing requirements – ALL teachers must have appropriate credentials during school day for instructional minutes	<input type="checkbox"/>		65-68
	The credentials/qualifications of other charter school staff (e.g., counselors, librarians, administrators, nurses and others)	<input type="checkbox"/>		65-68
	Statement of acknowledgment that all employees, even if not public, are subject to state and federal employment laws	<input type="checkbox"/>		65-68
	Explains how teachers will learn the curricula	<input type="checkbox"/>		65-68

**Strengths:**

**Areas of Concern:**

**Conclusions**

G	Health and Safety Procedures	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Affirms that each employee will furnish the school with a criminal record summary		<input type="checkbox"/>	69-71
<input type="checkbox"/>	Outlines specific health and safety practices addressing such key areas as:	<input type="checkbox"/>		69-71
	• Seismic safety (structural integrity and earthquake preparedness)	<input type="checkbox"/>		69-71
	• Natural disasters and emergencies	<input type="checkbox"/>		69-71
	• Immunizations, health screenings, administration of medications, employee TB testing	<input type="checkbox"/>		69-71
	• Tolerance for use of drugs and/or tobacco	<input type="checkbox"/>		69-71
	• Staff training on emergency and first aid response	<input type="checkbox"/>		69-71
	• Description of the charter school's safety plan and disaster preparedness plan	<input type="checkbox"/>		69-71
	References/accompanied by more detailed set of health and safety related policies/procedures	<input type="checkbox"/>		69-71
<input type="checkbox"/>	Method for conducting criminal background checks in potential employees, contractors, and volunteers as required by law to ensure that the charter does not hire any person who has been convicted of a violent serious felony		<input type="checkbox"/>	69-71
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
H	Means to Achieve a Reflective Racial and Ethnic Balance	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Lists several specific practices/policies likely to lead to a diverse applicant pool/enrollment: practices and policies appear to be selected to target relevant racial and ethnic, special education, and English Learner groups	<input type="checkbox"/>		71-72
	• Describes the means by which the school will achieve, or has achieved, racial and ethnic balance which is reflected of the district/COE's general student population	<input type="checkbox"/>		71-72
<input type="checkbox"/>	Renewal: Includes racial and ethnic make-up data and identifies means charter will use to address any underrepresented populations	<input type="checkbox"/>		71-72
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
I	Financial Audit	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Procedure to select and retain independent auditor	<input type="checkbox"/>		72-73
<input type="checkbox"/>	Qualifications of independent auditor	<input type="checkbox"/>		72-73
<input type="checkbox"/>	Audit will employ generally accepted accounting procedures	<input type="checkbox"/>		72-73
<input type="checkbox"/>	Describe specific scope of audit	<input type="checkbox"/>		72-73



<input type="checkbox"/>	Timing of audit and to whom it will be sent	<input type="checkbox"/>		72-73
<input type="checkbox"/>	Process for resolving audit exceptions and deficiencies to satisfaction of granting agency	<input type="checkbox"/>		72-73
<input type="checkbox"/>	Describes manner in which the audit will be made public	<input type="checkbox"/>		72-73
<input type="checkbox"/>	Describes manner in which the charter school will keep track of financial data and compile information in the prescribed format needed for the annual statement of receipts and expenditures for the prior fiscal year that is due to the authorizing board by Sept. 15 of each year		<input type="checkbox"/>	72-73
<input type="checkbox"/>	Proof of knowledge of requirement and the process by which charter school will submit quarterly financial reports to its chartering authority and the county superintendent of schools (required by AB 1137)		<input type="checkbox"/>	72-73
<input type="checkbox"/>	Describes services the charter intends to contract out to the district/SCCOE or another provider (if not included in a memorandum of understanding)	<input type="checkbox"/>		72-73

**Strengths:**

**Areas of Concern:**

**Conclusions**

J	Pupil Suspension Expulsion	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Includes new legal language in header and throughout the section	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Student code of conduct and process by which this information is given to students and parents/guardians	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Procedure for involving parents, students and staff in designing and implementing a discipline policy	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Detailed process by which student may be suspended or expelled or involuntarily removed for any reason		<input type="checkbox"/>	73-74, Appendix G
<input type="checkbox"/>	Describes disciplinary steps to be taken prior to suspension or expulsion	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Identifies the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Identifies the detailed procedures by which pupils can be suspended or expelled.		<input type="checkbox"/>	73-74, Appendix G
<input type="checkbox"/>	Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.		<input type="checkbox"/>	73-74, Appendix G
<input type="checkbox"/>	Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion, including by providing specific additional or special procedures applicable to pupils with disabilities or for whom the charter school has a basis of knowledge the student might be disabled.		<input type="checkbox"/>	73-74, Appendix G
<input type="checkbox"/>	Outline how detailed policies and procedures regarding suspension and expulsion will be periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion, with clear understanding that any modifications are permitted only through the material revision process.	<input checked="" type="checkbox"/>		73-74, Appendix G

<input type="checkbox"/>	What educational alternative, if any, will be provided to students who were suspended or expelled	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Describes who or what body will be responsible for final suspension/expulsion decisions	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Describes appeal procedures	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Identifies process by which the charter school will notify the superintendent of the school district of the expelled student's last known address within 30 days and send a copy of student's cumulative record, including transcripts of grades and health records to the school district		<input type="checkbox"/>	73-74, Appendix G
<input type="checkbox"/>	Outlines or describes strong understanding of relevant laws protecting constitution rights of students, generally, and of disabled and other protected classes of students	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Policies balance students' rights to due process with responsibility to maintain a safe learning environment	<input type="checkbox"/>		73-74, Appendix G
<input type="checkbox"/>	Explains how the charter school will comply with federal and state constitutional procedural and substantive due process requirements consistent with: <ol style="list-style-type: none"> <li>1. Suspension of less than 10 days includes notice of the charges, an explanation of the evidence supporting the charges, and an opportunity for the pupil to present his/her side of the story.</li> <li>2. For suspensions of more than 10 days and all expulsions: <ol style="list-style-type: none"> <li>a. Timely written notice of the charges and the pupil's rights.</li> <li>b. A hearing before a neutral officer within a reasonable number of days, including a fair opportunity for the pupil to present testimony, evidence, and witnesses; confront and cross-examine adverse witnesses, and bring legal counsel or advocate.</li> <li>c. Contain the statement required by Education Code concerning requirements for involuntary removal for any reason.</li> </ol> </li> </ol>		<input type="checkbox"/>	73-74, Appendix G
<input type="checkbox"/>	Explains how resident school district or COE will be involved in disciplinary matters	<input type="checkbox"/>		73-74, Appendix G

**Strengths:**

**Areas of Concern:**

**Conclusions**

K	Staff Retirement System	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Statement of whether staff will participate in STRS, PERS, or Social Security (if STRS, then all teachers must do so)		<input type="checkbox"/>	75-76
<input type="checkbox"/>	Specifies which retirement system for each position		<input type="checkbox"/>	75-76
<input type="checkbox"/>	Identifies the position responsible for ensuring appropriate arrangements for coverage have been made and complied with		<input type="checkbox"/>	75-76
	Relationship between teachers and district/county bargaining unit	<input type="checkbox"/>		75-76
	Process by which salaries, benefits, working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined	<input type="checkbox"/>		75-76
	Labor procedures which will be applied to employees	<input type="checkbox"/>		75-76
	Process for resolving complaints/grievances	<input type="checkbox"/>		75-76
	Process for ensuring due process	<input type="checkbox"/>		75-76
	Manner by which staff members will be covered by STRS, PERS, Social Security or Medicare	<input type="checkbox"/>		75-76
	Process for staff recruitment, selection, evaluation and termination	<input type="checkbox"/>		75-76
	Procedure for processing and monitoring credentials if required	<input type="checkbox"/>		75-76
<input type="checkbox"/>	Establish compliance with Ed Code 4761.1		<input type="checkbox"/>	75-76

**Strengths:**

<b>Areas of Concern:</b>				
<b>Conclusions</b>				
L	Dispute Resolution Process	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Outlines a simple process for charter and granting agency to settle disputes	<input type="checkbox"/>		76-77
	Process indicates whether it is binding on school or granting agency/fair process	<input type="checkbox"/>		76-77
	Step by step process for identifying/framing dispute points	<input type="checkbox"/>		76-77
	<ul style="list-style-type: none"> <li>Whether internal charter disputes may be brought to granting agency</li> </ul>	<input type="checkbox"/>		76-77
	<ul style="list-style-type: none"> <li>Identifies specific parties to be involved at each step</li> </ul>	<input type="checkbox"/>		76-77
	<ul style="list-style-type: none"> <li>Basic rules at each step</li> </ul>	<input type="checkbox"/>		76-77
	<ul style="list-style-type: none"> <li>Which results are binding</li> </ul>	<input type="checkbox"/>		76-77
<input type="checkbox"/>	Includes SCCOE's required dispute resolution process – <b>should be updated for renewals to include SCCOE's process)</b>	<input type="checkbox"/>		76-77
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
M	Admissions Policies and Procedures Consistent with 47605.6(e)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Mandatory assurances regarding non-discriminatory admission procedures		<input type="checkbox"/>	77-82
<input type="checkbox"/>	<p>Clearly describes admissions procedures, including any preferences</p> <ul style="list-style-type: none"> <li>Identifies that the charter school will give preference to pupils who reside in the district and how the charter school will employ this preference</li> <li>Preferences will be approved at a public hearing and cannot be changed without a material revision</li> <li>Preferences consistent with federal, state law</li> </ul> <p>Preferences will not result in limiting access for students with disabilities, academically low-achieving, English Learners, neglected or delinquent pupils, homeless pupils, economically disadvantaged pupils, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation</p>		<input type="checkbox"/>	
	Includes a copy of an annual parent/student contract and/or handbook, if available	<input type="checkbox"/>		77-82
<input type="checkbox"/>	Includes detailed description of the admissions procedure, including how any public random drawing is implemented, including the steps in the process and how any preferences are applied.		<input type="checkbox"/>	77-82
	Provides application and admission timelines	<input type="checkbox"/>		77-82
<input type="checkbox"/>	Specifies all information to be requested on any application		<input type="checkbox"/>	77-82
<input type="checkbox"/>	Specifies when and how parents will be notified on application and annually that volunteerism is not required for acceptance to or continued enrollment at the charter School		<input type="checkbox"/>	77-82
<p><i>Note that with regard to student recruitment, charter schools cannot recruit students in any way that discriminates against students on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in 422.55 of the Penal Code, including immigration status, or association with such persons. In advertising for students, charter schools are required by federal law to distribute materials in ways that effectively reach all segments of the parent community. Charter schools must also be sure to safeguard the rights of parents/guardians who are limited-English proficient, providing materials in languages other than English in order to communicate effectively with all parent groups. Similarly, in recruiting students of parents/guardians with disabilities, outreach materials should be available upon request in various alternative formats (such as Braille or large print, or in public meetings where interpreters are available).</i></p>				
<b>Strengths:</b>				

<b>Areas of Concern:</b>				
<b>Conclusions</b>				
<b>N</b>	<b>Attendance Alternatives</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
<input type="checkbox"/>	States that students may attend other district schools or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence or description of other attendance alternatives		<input type="checkbox"/>	82
<input type="checkbox"/>	Specifies that attendance at charter does not grant right of attendance in district or SCCOE schools or programs		<input type="checkbox"/>	82
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
<b>O</b>	<b>Description of Employee Rights</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
<input type="checkbox"/>	Description of employee rights upon leaving school district		<input type="checkbox"/>	82-83
	<ul style="list-style-type: none"> <li>Acknowledgment whether collective bargaining contract in sponsor district will be controlling</li> </ul>	<input type="checkbox"/>		82-83
	<ul style="list-style-type: none"> <li>Whether and how charter school staff may resume employment within the district</li> </ul>	<input type="checkbox"/>		82-83
	Sick/vacation leave (ability to carry it over to and from charter school)	<input type="checkbox"/>		82-83
	<ul style="list-style-type: none"> <li>Whether charter school staff will continue to earn service credit (tenure) in district while at charter school</li> </ul>	<input type="checkbox"/>		82-83
	<ul style="list-style-type: none"> <li>How employees will be paid (e.g. salaried, hourly, etc.)</li> </ul>	<input type="checkbox"/>		82-83
	<ul style="list-style-type: none"> <li>Describes employee benefits</li> </ul>	<input type="checkbox"/>		82-83
	<ul style="list-style-type: none"> <li>Identifies intended employment status of charter school employees</li> </ul>	<input type="checkbox"/>		82-83
	<ul style="list-style-type: none"> <li>Identifies whether the charter school will be responsible for the payment of social security and applicable taxes for charter school employees</li> </ul>	<input type="checkbox"/>		82-83
	<ul style="list-style-type: none"> <li>Describes how rights will be communicated to prospective employees</li> </ul>	<input type="checkbox"/>		82-83
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
<b>P</b>	<b>Closure of Charter School</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
<input type="checkbox"/>	Outlines an adequate process to be used if the charter school closes		<input type="checkbox"/>	83-85
<input type="checkbox"/>	Process includes a final audit of the charter school that includes specific plans for disposition of all assets and liabilities of the charter school and for the maintenance and transfer of public records, including pupil records (per code)		<input type="checkbox"/>	83-85
<input type="checkbox"/>	Process must, at a minimum, comply with all requirements of Cal. Code of Regs., title 5, section 11962.	<input type="checkbox"/>		83-85
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
<b>REQUIRED SUPPLEMENTAL INFORMATION: Education Code § 47605.6(h)</b>				
<b>i</b>	<b>Administrative Services</b>	<b>Evidence</b>	<b>Addressed in</b>	<b>Page</b>

			Petition	
<input type="checkbox"/>	Describes how charter administrative services will be acquired or provided		<input type="checkbox"/>	88
<input type="checkbox"/>	Describes how the day-to-day administrative operations will be handled	<input type="checkbox"/>		88
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
ii	Civil Liability	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Did the petitioners provide information regarding the potential civil liability effects, if any, upon the school, and the school district where the charter school operates or proposes to operate and upon the county board of education and SCCOE?		<input type="checkbox"/>	89
<input type="checkbox"/>	Appropriate insurance coverage in conformance with SCCOE risk management standards		<input type="checkbox"/>	87-88
<input type="checkbox"/>	Indemnification/defense/hold harmless of SCCOE		<input type="checkbox"/>	
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
iii	Financial Plan	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	First year operational budget includes:		<input type="checkbox"/>	NA
<input type="checkbox"/>	• Start-up costs		<input type="checkbox"/>	NA
<input type="checkbox"/>	Cash flow for first three years		<input type="checkbox"/>	NA
<input type="checkbox"/>	Financial projections for first three years		<input type="checkbox"/>	NA
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
iv	Labor Relations	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Specifies whether charter or local school district will be employer for EERA purposes		<input type="checkbox"/>	85
<input type="checkbox"/>	Specifies whether it is the charter school or the corporation that will be the employer	<input type="checkbox"/>		85
<input type="checkbox"/>	Evidences charter's clear understanding that employees are not required to engage in collective bargaining, but they have that right if they choose to do so.	<input type="checkbox"/>		85
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				

v	Planning Assumptions	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	• Number/types of students	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Number of staff	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Teacher/student ratio	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Facilities needs	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Whether the charter school will participate in the National School Lunch Program	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Costs of all major items are identified and within reasonable market ranges	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Revenue assumptions in line with state and federal funding guidelines	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Revenue from "soft sources" (e.g., donations, grants and fundraisers) less than 10% of ongoing operational costs	<input type="checkbox"/>		Appendix H
<input type="checkbox"/>	• Timeline allows window for grant applications to be submitted and funded	<input type="checkbox"/>		Appendix H
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
vi	Start-Up Costs (New petitions only)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	• Clearly identifies most major start-up costs	<input type="checkbox"/>		NA
<input type="checkbox"/>	• Staffing	<input type="checkbox"/>		NA
<input type="checkbox"/>	• Facilities	<input type="checkbox"/>		NA
<input type="checkbox"/>	• Equipment and Supplies	<input type="checkbox"/>		NA
<input type="checkbox"/>	• Professional Services	<input type="checkbox"/>		NA
<input type="checkbox"/>	• Assumptions in line with overall school design plan	<input type="checkbox"/>		NA
<input type="checkbox"/>	• Identifies potential funding source that could or would fund these costs	<input type="checkbox"/>		NA
<input type="checkbox"/>	• Timeline allows for grant and fundraising	<input type="checkbox"/>		NA
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
vii	Annual Operating Budget	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	• Annual revenues and expenditures clearly identified by source and expenditures are clearly identified by destination (i.e. object codes).	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Revenue assumptions closely related to applicable state and federal funding formulas	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Expenditure assumptions reflect school design plan	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Expenditure assumptions reflect prevailing or market costs	<input type="checkbox"/>		Appendix I

<input type="checkbox"/>	• "Soft" revenues (e.g. fund-raises and grants) are not critical to solvency	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Strong reserve or projected ending balance (the larger of 2–5% of expenditure or \$25,000)	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• If first year is not in balance, the long-term plan identifies solvency in future years and sources of capital sufficient to cover deficits until year budget is projected to balance.	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Budget clearly indicates restricted versus general operating/flexible funds.	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Expenditure for sufficient insurance to name SCCOE as also insured/hold harmless agreement	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Expenditure sufficient for reasonably expected legal services	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Expenditure for Special Education excess costs consistent with current experience in county	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Description of all insurance the charter school will purchase, complete with annual cost	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• First year budget premised on realistic year 1 ADA	<input type="checkbox"/>		Appendix I

**Strengths:**

**Areas of Concern:**

**Conclusions**

viii	Cash Flow Analysis	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	• Monthly projection of revenue receipts in line with state/federal funding disbursements	<input type="checkbox"/>		Appendix J
<input type="checkbox"/>	• Expenditures projected by month and correspond with typical/reasonable schedules	<input type="checkbox"/>		Appendix J
<input type="checkbox"/>	• Show positive fund balance each month and/or identify sources of working capital	<input type="checkbox"/>		Appendix J

**Strengths:**

**Areas of Concern:**

**Conclusions**

ix	Long-term Plan	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	• Projects revenues and expenditures for at least three additional years (in addition to first year budget).	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Revenue assumptions based on reasonable potential growth in state and federal revenues	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Revenue assumptions based on reasonable student growth projections	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Expenditure projections are inflated by reasonable cost-of-living and inflation assumptions and school growth assumptions.	<input type="checkbox"/>		Appendix I
<input type="checkbox"/>	• Projected annual fund balances are positive or likely sources of working capital are identified to cover projected deficits.	<input type="checkbox"/>		Appendix I

**Strengths:**

**Areas of Concern:**

**Conclusions**

x	District Impact Statement	Evidence	Addressed in Petition	Page
	• Does the charter include an impact statement?	<input type="checkbox"/>		10-13

	<ul style="list-style-type: none"> <li>Provides estimated numbers of students anticipated to enroll</li> </ul>	<input type="checkbox"/>		10-13
	<ul style="list-style-type: none"> <li>Identify whether or not will request district-owned facilities</li> </ul>	<input type="checkbox"/>		NA
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
<b>xi</b>	<b>Grade Level, Geographic and Site Limitations</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
	<ul style="list-style-type: none"> <li>Does the Petition demonstrate that it will operate a single charter school within the geographic jurisdiction of the school district <ul style="list-style-type: none"> <li>If not, does the Petition demonstrate any basis for an exception</li> </ul> </li> <li>Does the Petition identify where the school will operate</li> <li>Does the Petition demonstrate that it will not serve grade levels not served by this district unless it serves all of the grade levels</li> </ul>	<input type="checkbox"/>		NA
		<input type="checkbox"/>		NA
		<input type="checkbox"/>		NA
		<input type="checkbox"/>		NA
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
<b>xii</b>	<b>Annual Financial Report</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
	<ul style="list-style-type: none"> <li>Does the Petition demonstrate that the charter school shall provide the authorizer with a copy of an annual financial report in a format prescribed by the State Superintendent of Public Instruction?</li> </ul>	<input type="checkbox"/>		85
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				
<b>xiii</b>	<b>Facilities / Transportation</b>	<b>Evidence</b>	<b>Addressed in Petition</b>	<b>Page</b>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Specify where school intends to be located and describes facilities to be used by the charter school.</li> </ul>	<input type="checkbox"/>		89
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Present a written agreement (a lease or similar document) indicating the charter school's right to use the principal school site identified by the petitioners for at least the first year of the charter school's operation and evidence that the facility will be adequate for the charter school's needs. Not later than June 1, present a written agreement (or agreements) indicating the charter school's right to use any ancillary facilities planned for use in the first year of operation (any ancillary facilities or additional sites must be approved with Charter or by a material revision).</li> </ul>	<input type="checkbox"/>		89
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Present evidence that the facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities.</li> </ul>	<input type="checkbox"/>		89
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Transportation arrangements, if any, including compliance with IDEA and McKinney Vento (Note that if charter schools provide transportation to and/or from school or while at school, they may be subject to state and federal laws governing vehicles, drivers, etc.)</li> </ul>	<input type="checkbox"/>		89
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				



xiv	Insurance Coverage	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Describes minimum insurance coverage consistent with SCCOE risk management requirements	<input type="checkbox"/>		87-88
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Not later than June 1, (or such earlier time as charter school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.</li> </ul>	<input type="checkbox"/>		87-88
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Liability of district/county to handle payments if charter school defaults:               <ul style="list-style-type: none"> <li>• for schools organized pursuant to Non-Profit Benefit Corporation Law</li> <li>• for schools not covered by Non-Profit Benefit Corporation Law</li> <li>• AB 1994</li> <li>• General Assurances "Boiler Plate" Language</li> </ul> </li> </ul>	<input type="checkbox"/>		87-88
<input type="checkbox"/>	Indemnification/Defense/Hold Harmless of SCCOE consistent with SCCOE risk management requirements.	<input type="checkbox"/>		87-88
<b>Strengths:</b>				
<b>Areas of Concern:</b>				
<b>Conclusions</b>				