

2016

Opportunity Youth Academy
Charter Petition





June 15, 2016

Superintendent Jon R. Gundry
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, CA 95131

Dear Superintendent Gundry,

Opportunity Youth Academy (OYA) is pleased to submit this charter petition to you and the Santa Clara County Board of Education for review and approval.

We firmly believe that approval of the proposed OYA county-wide dependent charter petition will 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 21st century workforce who will benefit the greater Santa Clara County Region.

We look forward to working with you, your staff, and the Santa Clara County Board of Education in successfully implementing this new endeavor to better serve the children and young adults of Santa Clara County.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Olmos", is written over a light blue horizontal line.

Steve Olmos
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Santa Clara County Office of Education
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Table of Contents

CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS.....1

AFFIRMATIONS/ASSURANCES2

BACKGROUND5

Education’s Impact on the Economy..... 7

The Best Economic Stimulus Package Is a High School Diploma..... 7

Impact on our community..... 8

Targeted School Population..... 8

Our Partnerships..... 9

Benefits of our Partnerships..... 11

INTRODUCTION13

Santa Clara County Board of Education as Authorizer..... 13

Term of Charter..... 13

Date of Opening and Students to Be Served..... 13

Notification upon Approval..... 13

Facilities..... 13

Opportunity Youth Advisory Committee..... 14

ELEMENT A: Educational Program16

Opportunity Youth Academy Educational Program 16

Description of How Learning Best Occurs20

Subject Areas to be Taught24

Partnership between OYA and Work2Future.....24

OYA Mission and Vision25

Pathways through Post-Secondary.....26

Targeted School Population..... 31

Student Enrollment and Attendance 32

Who should apply to OYA?..... 33

Program days and hours of operation..... 34

What it Means to be an Educated Person in the 21st Century 34

English Learner Services..... 36

Meeting the Needs of Gifted Students/Proficient Students..... 40

Providing Services to Below Grade Level and Other At-Risk Students 41

Meeting the Needs of Special Education Students..... 42

LCFF/LCAP Annual Goals and Annual Actions to Achieve Goals for Subgroups 47

Transferability of High School Courses..... 55

Career and College Pathway Efforts..... 55

Professional Development..... 56

New Staff Orientation, Training and Support 56

Professional Development Plan..... 56

Motivating Reluctant/Resistant Learners 58

Mindset 58

STEM/CTE/Project-Based Learning 59

ELEMENT B: Measureable Student Outcomes.....**60**

OYA Student and Related Outcomes 60

School Exit Outcomes and Performance Goals..... 60

Description of how Curriculum Aligns to Student Performance Standards..... 62

ELEMENT C: Method by Which Pupil Progress will be Measured**65**

Methods of Assessment..... 65

Use and Reporting of Data 66

ELEMENT D: Governance Structure of School**68**

Superintendent..... 68

Conflict of Interest Regulation..... 68

OYA Principal..... 69

Opportunity Youth Advisory Committee..... 69

School Site Council..... 69

English Learner Advisory Committee..... 70

Teacher/Student Agreements..... 70

Role of the Chartering Authority..... 70

Legal Organization of the School..... 71

ELEMENT E: Qualifications to be Met by Individuals to be Employed.....72

Procedures for Background Checks 73

Principal 74

Teacher..... 74

Navigator..... 74

Community Liaison Specialist..... 75

Counselor..... 75

Para Educator 75

School Office Coordinator..... 75

ELEMENT F: Health and Safety Procedures.....76

Seismic Safety 76

Natural Disaster Emergency Preparedness..... 76

Immunizations..... 76

Drug Free/Alcohol Free/Smoke Free Environment..... 76

Role of Staff as Mandated Child Abuse Reporters 77

Emergency Epinephrine Auto-Injectors 77

Facility Safety..... 77

Comprehensive Sexual Harassment Policies and Procedures..... 77

Health Care and Emergencies..... 77

ELEMENT G: Means to Achieve a Reflective Racial and Ethnic Balance.....78

ELEMENT H: Admissions Requirements80

Student Admissions Criteria, Preferences and Priorities 80

Conditions of Enrollment..... 81

ELEMENT I: Financial Audits82

ELEMENT J: Pupil Suspension and Expulsion83

ELEMENT K: Staff Retirement System85

ELEMENT L: Attendance Alternatives.....86

ELEMENT M: Description of Employee Rights.....87

ELEMENT N: Dispute Resolution Process.....88

Dispute Resolution..... 88

Internal Dispute..... 88

Uniform Complaints 89

Employee Issues..... 89

Oversight, Reporting, and Revocation 89

Other Issues..... 89

ELEMENT O: Labor Relations90

ELEMENT P: Closure of Charter School91

Documentation of Closure Action 91

Notification to the California Department of Education, SELPA, State Board of Education..... 91

Notification to Parents and Students..... 92

Notification to Receiving Districts..... 92

Student and School Records Retention and Transfer 92

Financial Close-Out 92

Dissolution of Assets..... 93

MISCELLANEOUS CHARTER ELEMENTS94

1. *Budget and Financial Reporting* 94

2. *Oversight* 95

3. *Audit and Inspection of Records*..... 95

4. *Financial Reporting*..... 96

5. *Insurance*..... 97

6. *Administrative Services* 97

7. *Transportation* 99

8. *Attendance Accounting*..... 99

9. *Potential Civil Liability Effects*..... 99

10. *Meaningfully Interested Parties* 100

11. *Notice to Local School Districts* 100

12. *Staff Review Matrix*..... 100

CONCLUSION**101**

Appendices

Appendix A: OYA Pilot Summary	Pg. 102
Appendix B: A Day in the Life of Four OYA Students	Pg. 116
Appendix C: OYA Curricular Materials and Graduation Requirements	Pg. 119
Appendix D: Partnership between the OYA, SIATech, and Work2Future	Pg. 121
Appendix E: California Guidelines for Independent Study ADA Ratios	Pg. 128
Appendix F: OYA Student Attendance Agreement	Pg. 129
Appendix G: Evidence of the Effectiveness of SIATech Curriculum	Pg. 130
Appendix H: OYA Job Descriptions	Pg. 135
Appendix I: OYA Staff Organization Chart	Pg. 157
Appendix J: Santa Clara County Office of Education Board Policy 5114	Pg. 158
Appendix K: Budget Assumptions	Pg. 161
Appendix L: Multi-Year Projection	Pg. 171
Appendix M: Cash-Flow Analysis	Pg. 173
Appendix N: Signature Page	Pg. 176
Appendix O: Letters of Support	Pg. 177
Appendix P: Notice to Local School Districts	Pg. 181
Appendix Q: Student, Family, and Staff Handbook	Pg. 187
Appendix R: School Safety Plan	Pg. 226
Appendix S: Course Catalog	Pg. 541
Appendix T: Professional Development Plan	Pg. 569
Appendix U: School Calendar	Pg. 575
Appendix V: Daily Schedule	Pg. 576
Appendix W: Governance Organization Chart	Pg. 577
Appendix X: English Learner Instructional Plan	Pg. 578

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 of the Act.

AFFIRMATIONS/ASSURANCES

As the authorized lead petitioner, I, Steve Olmos, hereby certify that the information submitted in this petition for a California public charter school to be 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(c)(1)]
- OYA shall follow all provisions of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- OYA shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- OYA shall not charge tuition. [Ref. Education Code Section 47605(d)(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(d)(2), admission to OYA shall not be determined according to the place of residence of the student or his or her parents within the county. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). 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(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- 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 or association with an individual who has any of the aforementioned characteristics). [Ref.

Education Code Section 47605(d)(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, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities in Education Improvement Act of 2004.
- OYA shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- OYA shall ensure that teachers in the Academy hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- 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(d)(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(c)]
- The OYA shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Sections 47605 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.



Steve Olmos, Chief Schools Officer
Lead Petitioner

6/15/16

Date

BACKGROUND

The staff and leadership team of the Opportunity Youth Academy (OYA) are pleased to submit this charter school petition to replicate and extend the OYA program that began in August 2015, to address the needs of high school dropouts in Santa Clara County. OYA will re-engage disconnected and overwhelmingly economically disadvantaged students through an innovative curriculum that integrates technology with academics and provides the opportunity to earn a high school diploma¹.

The Santa Clara County Office of Education (SCCOE) will partner with the School for Integrated Academics and Technologies (SIATech), a network of WASC and AdvancED accredited public charter high schools with campuses in Arkansas, California, and Florida, in this proposed, dependent charter. In the process of developing this charter petition, the petitioners met with community stakeholders including parents, students, Workforce Innovation and Opportunity Act (WIOA) Agencies, industry partners, and community non-profit agencies in the greater Silicon Valley region, through regularly scheduled Opportunity Youth Advisory Committee meetings over the last 3 years. 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 is warranted as a county wide petition because the needs of students who would attend OYA cannot be served as well by a charter school that operates in only one school district in the county. Specific economic and high school graduation data that highlights the need for approval of the OYA petition for a county-wide charter are included in the later sections of this document.

America has a dropout crisis, and it is measured in many ways. There are 1.8 million young adults ages 16–21 who neither are enrolled in school nor have completed a high school education. More than 7,000 students drop out of high school every school day, adding up to more than 1 million students each year.² One in five high school students does not graduate with his/her peers.³ Whichever statistic is used, the dropout crisis is gaining momentum as an area of focus for America's public school system. Federal-level initiatives are pushing states and counties to implement myriad strategies to prevent students from falling through the cracks and dropping out. Most of these strategies focus on keeping students in school and on track to boost graduation rates.

However, dropout prevention strategies cannot reach a critical subset of students—those who have disconnected from education. Some students will invariably fall through the cracks, leaving states, counties and local communities, in need of options that work for struggling students who are looking for a way back into public education.⁴ Referred to as over-age and under-credited (OU), these students share a common academic

background of struggling in traditional schools and failing to keep up with their intended graduating cohort.

OYA schools target populations are OU students, who are more inclusively defined as Opportunity Youth. 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 schools are designed as small, individualized, and relevant to today's workforce needs. The 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. Caring staff creates an Individualized Learning Plan, which students know as My Action Plan (MAP) 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. The SIATech Curriculum has been used in a number of reengagement programs. Between 1998-2013, more than 13,000 students (all previously designated as "dropouts"), have earned an accredited high school diploma using the SIATech curriculum. Pre- and post-test scores in areas of math and reading have shown significant growth in students' academic skills:

- In math, students gain an average grade equivalency of 2.5 grade levels after a year in the SIATech curriculum.
- Reading scores improved by an average of 1.5 grade levels after a year in the SIATech curriculum.

California State Assembly Speaker Toni Atkins recognizes the importance of dropout recovery schools and the students that they serve. Atkins sponsored the 2014 CA Assembly Concurrent Resolution 166 which recognizes that California needs to lead the way in developing alternatives for "opportunity youth" - those 16 to 24 who are out of school and out of work. Atkins recognizes the national role California's education system plays in solving the dropout crisis.

The resolution identifies solutions to this seemingly intractable problem. Colin Powell's America's Promise Alliance 2014 annual report identified at least two solutions to the nation's dropout crisis that require California action and are part of Assembly Speaker Atkins' resolution. The report points out that the 20 percent gap in California graduation

rates between white students and African American students is the 10th-worst in the nation. The report calls on California to increase its Latino and African American graduation rate and to provide greater investment in dropout recovery.

While Toni Atkins recognizes that more needs to be done, her resolution also celebrates the schools, staff and students throughout California working hard to provide a high school diploma opportunity. One of the most significant opportunities is provided to students over 19 who re-engage through career training partnerships between public charter schools and Job Corps, Youth Build and other Workforce Innovation and Opportunity Act (WIOA) programs.

Education's Impact on the Economy

With a high school diploma, former high school dropouts are able to dramatically improve their lives. According to the U.S. Departments of Labor and Education, research indicates the following facts:

- The current unemployment rate for adults who lack a high school diploma is nearly twice as high as those who have a high school diploma.
- GED/HiSET recipients earn an average of 5 to 10 percent more than high school dropouts, but *considerably less than those with a high school diploma.*

The Best Economic Stimulus Package Is a High School Diploma

On average, a high school graduate in California earns **\$9,367** more each year than a high school dropout does.⁴ Roughly 139,400 students in California did not graduate from high school in 2011; the lost lifetime earnings for that class of dropouts alone total **\$21 billion**.

If just half of California's dropouts had graduated, they would likely have provided the following economic benefits to their state:

- **\$4.5 billion** in increased home sales and **\$131 million** in increased annual auto sales
- **8,700** new jobs and a **\$1.9 billion** increase in the gross state product
- **\$167 million** in increased annual state tax revenue

If California's high schools were to graduate all students ready for college, the state would likely save as much as **\$1.1 billion** in college remediation costs and lost earnings.

A June 18, 2003 article in *USA Today* stated that the difference in earning power for graduates with a high school diploma rather than a GED was more than \$500,000.00 over a working lifetime.

Impact on our community

According to an April 2011 report by the Alliance for Excellent Education, in the San Jose-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area (MSA), an estimated 6,400 students dropped out from the class of 2010 at great costs to themselves and their communities. Cutting that number of dropouts in half for this single high school class could result in tremendous economic benefits to the region. Below are the contributions that these 3,200 “new graduates” would likely make to the San Jose–Sunnyvale–Santa Clara economy:

- \$80 Million in increased earnings
- \$42 Million in increased spending
- \$18 Million in investment
- \$209 Million in increased home sales
- \$3.2 Million in increased auto sales
- 250 New Jobs;\$77million in Economic Growth
- \$6.8 Million in increased Tax Revenue

Targeted School Population

The number of “disconnected” young adults – 18-24 year olds who are not in school, lacking a postsecondary degree, and not employed full-time – has grown to 5 million, up from 4.3 million nationwide. (According to the latest Annie E. Casey Kids Count report).

Our students are:

- **Low-Income:** The vast majority of OYA’s students are low-income and eligible for free and reduced lunch.
- **Ethnically Diverse:** OYA serves a population that is over 90% students of color.

- **Dropout Recovery:** OYA students served in 2015-2016 had been out-of-school for anywhere from several months to 5 years.
- **First in their Family to Graduate:** The majority of OYA students did not have either parent complete high school.

According to the California Department of Education⁵, for each of the last five years over 2200 students in Santa Clara County have dropped out of school. Table 1 shows overall outcome data for the Santa Clara County Class of 2014-15, the latest year for which data are available. There were a total of 2290 dropouts for the school year, resulting in a cohort dropout rate of 11.1. The cohort dropout rate is defined as the rate of students that leave the 9-12 instructional system without a high school diploma, GED, or special education certificate of completion and do not remain enrolled after the end of the 4th year.

Table 1: Cohort Outcome Data for the Santa Clara County Class of 2014-15

Name	Cohort Students	Cohort Graduates	Cohort Graduation Rate	Cohort Dropouts	Cohort Dropout Rate
Santa Clara	20,563	17,196	83.6	2,290	11.1

Table 2 shows the same cohort outcomes by race and ethnicity. For the Santa Clara County Class of 2014-15, nearly 75% of dropouts were classified as Hispanic or Latino of any race, while nearly 9% were classified as White not Hispanic, and slightly more than 7% were classified as Asian not Hispanic.

Table 3 shows the cohort data by program participation. For the 2014-15 school year, nearly 81% of Santa Clara County dropouts were socioeconomically disadvantaged, nearly 55% were English learners, and over 11% were students enrolled in Special Education.

Our Partnerships

OYA students will 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), Work2Future, San Jose/Evergreen Community College district, The Robotics Education & Competition (REC) Foundation, and TechShop San Jose, OYA and its partners will offer students the opportunity to earn a OYA WASC accredited CA High School Diploma while garnering cutting edge STEM knowledge, industry recognized manufacturing, Information Computer Technology and Digital Media (ICT/Digital Media),

Table 2: Cohort Outcome Data for the Santa Clara County Class of 2014-15 by Race/Ethnicity

Race/Ethnicity	Cohort Students	Cohort Graduates	Cohort Graduation Rate	Cohort Dropouts	Cohort Dropout Rate
Hispanic or Latino of Any Race	8,216	5,750	70.0	1,711	20.8
American Indian or Alaska Native, Not Hispanic	53	37	69.8	13	24.5
Asian, Not Hispanic	5,496	5,232	95.2	168	3.1
Pacific Islander, Not Hispanic	102	83	81.4	16	15.7
Filipino, Not Hispanic	1,037	954	92.0	48	4.6
African American, Not Hispanic	557	439	78.8	83	14.9
White, Not Hispanic	4,509	4,172	92.5	203	4.5
Two or More Races, Not Hispanic	569	518	91.0	35	6.2

Table 3: Cohort Outcome Data for the Santa Clara County Class of 2014-15 by Program

Program Name	Cohort Students	Cohort Graduates	Cohort Graduation Rate	Cohort Dropouts	Cohort Dropout Rate
English Learners	4,595	2,857	62.2	1,249	27.2
Migrant Education	243	183	75.3	35	14.4
Special Education	2,247	1,525	67.9	263	11.7
Socio-economically Disadvantaged	10,064	7,353	73.1	1,844	18.3
All Students	20,563	17,196	83.6	2,290	11.1

training and certifications, College and Career pathway options, along with college credits through articulation and co-enrollment agreements with local Community Colleges.

An October 15, 2013 publication, *Advancing Underrepresented Minorities in STEM Education and Careers*, by Richard Kazissenior, Vice President of Jobs for the Future, and Carol A. Lincoln, Senior Vice President of Achieving the Dream, Inc., notes that STEM employment opportunities have doubled from 10 to 20 percent of total U.S. employment in the past century. Over the coming decade, STEM jobs are predicted to continue to grow far more quickly than non-STEM employment fields. STEM wages are far higher on average than wages in other fields. The average salary in STEM employment in 2009 was just under \$78,000, compared to \$43,000 for non-STEM workers.⁶ For Latinos and African Americans, whose average household incomes are \$40,000 and \$33,000 respectively, increasing their proportion in STEM employment would help reduce racial income inequality in the United States.

Unfortunately, African Americans, Latinos and Native Americans are significantly underrepresented in STEM professions. According to the National Academy of Sciences, these groups comprised 28.5 percent of the U.S. population in 2006 but only 9.1 percent of college-educated individuals employed in science and engineering occupation.⁷ In order to match their share of the overall population, the proportion of underrepresented minorities in STEM careers would need to triple.⁸

Recent research from the Brookings Institution argues that most analyses of STEM employment in the United States have not differentiated sufficiently among STEM jobs by educational requirements. They therefore have missed an important fact about STEM employment: one-half of all STEM jobs are available to workers *without* a four-year college degree—and these jobs pay \$53,000 on average, 10 percent higher than other jobs with similar educational requirements.⁹ Many of these jobs can also be stepping stones to higher-skilled positions, many of which require going back to school for further education: over 40 percent of STEM Bachelor's or Master's graduates attended a community college at some point.¹⁰ In manufacturing, health care, and construction, a significant number of technical and production jobs require STEM knowledge. This “second” or “hidden” STEM economy, comprising well-paying middle-skill jobs, draws its employees from career technical schools and, in particular, from community colleges.

Benefits of our Partnerships

Through partnership with the San Jose/Evergreen Community college district, Robotics Education and Competition (REC) Foundation, Work2Future and TechShop San Jose, OYA will offer students the opportunity to earn a high school diploma and, if they

choose, to prepare for the priority Industry Sector Career and college pathways of Advanced Manufacturing, and ICT/Digital Media. An inventory of Industry priority sectors, along with economic regions identified through the community college regional consortia, shows that Advanced Manufacturing and ICT/Digital Media are priority Industry Sectors for Silicon Valley. Students enrolled in the OYA Advanced Manufacturing, and/or ICT/Digital Media College/Career pathways will be co-enrolled in the OYA and the partner community colleges, earning concurrent high school and college credits, and industry recognized stackable certifications, as they progress through the Advanced Manufacturing or ICT/Digital Media College and Career pathways.

It is the belief of OYA program leadership team, and its Opportunity Youth Advisory Committee, that a student's home school, with the vast range of academic offerings and multiple extra-curricular options for students, by and large, provides excellent educational options for students. Students not realizing success, for a myriad of reasons and/or exigent circumstances, warrant alternatives in a non-traditional high school setting like the OYA schools of Santa Clara County. The petitioners believe that approval of the proposed OYA county-wide dependent charter petition will provide access to a quality education pathway to students who previously did not find success in their home schools which will prepare each graduate to be a successful member of the 21st century workforce and benefit the greater Santa Clara County Region.

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- 1 http://www.siatech.org/about/about_story.php
 - 2 Parker, S.D. (2013, May 31). A 'neglected' population gets another chance at a diploma. *Education Week*. Retrieved from www.edweek.org/ew/articles/2013/06/06/34overview.h32.html?intc=EW-DPCT13-EWH; Grad Nation. (2014). Grad rate data. Retrieved from <http://gradnation.org/channels/grad-rate-data>.
 - 3 Alliance for Excellent Education. (2011, June 13). *Helping students get back on track: what federal policymakers can learn from New York City's multiple pathways to graduation initiative*. Washington, D.C.: Author; Grad Nation. (2014). Grad rate data. Retrieved from <http://gradnation.org/channels/grad-rate-data>.
 - 4 Grad Nation. (2014). Grad rate data. Retrieved from <http://gradnation.org/channels/grad-rate-data>.
 - 5 <http://dq.cde.ca.gov/dataquest/> (accessed 05/31/16).
 - 6 Reyna, R. (2011). *State policies to reengage dropouts*. National Governors Association Center for Best Practices.
 - 7 B. Cover, J. Jones, & A. Watson. 2011. "Science, Technology, Engineering and Mathematics (STEM) Occupations; A Visual Essay." *Monthly Labor Report*. May: 3-15.
 - 8 National Research Council. 2011. *Expanding Underrepresented Minority Participation: America's Science and Technology Talent at the Crossroads*. Washington, DC: The National Academies Press.
 - 9 A.P. Dodson. 2013. "STEM Education is Important to Our Future." *Diverse: Issues in Higher Education*. Vol. 29, No. 26: 16.
 - 10 American Association of Community Colleges. *Community Colleges Can't Deliver for Us Unless We Deliver for Them*. Not dated. <http://www.aacc.nche.edu/Advocacy/toolkit/>

INTRODUCTION

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 where appropriate.

Term of Charter

The Petitioners request a new charter school pursuant to Education Code Section 47605 for a term of five years from July 1, 2016 through June 30, 2021.

Date of Opening and Students to Be Served

On approval of the charter petition, the Petitioners plan to open Opportunity Youth Academy (OYA) for instruction by no later than September 30, 2016, with authorization to offer instruction for youth aged 16 through 24.

Notification upon Approval

Upon approval of the charter petition, the Petitioners will provide a written notice of the approval to the State Superintendent of Public Instruction and the State Board of Education.

Facilities

Governing Law: *The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. Education Code Section 47605(g).*

OYA will be located at five sites, within the boundaries of Santa Clara County, for the 2016-2017 school year and will expand sites in subsequent years. Opportunity Youth Academy (OYA) shall operate its primary administrative offices at 749 Story Rd, San Jose, CA 95122. 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 initial charter, it is anticipated that OYA will open additional academies in other parts of Santa Clara County to meet the needs of our students. Expansion to other areas does not constitute a material revision.

OYA operated as a pilot program of the Santa Clara County Office of Education during the 2015-2016 school year with four locations in operation in Santa Clara County (please see **APPENDIX A** for a summary of the pilot year). OYA will notify districts prior

to opening additional sites and will notify adjacent COEs and districts if a resource center will be opened in adjacent counties. 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. Some facilities may also provide space for child care.

The Hub OYA
 591 North King Rd., Suite 1
 San Jose, CA 95133
 San Jose Unified School District

South County OYA
 7680 Monterey Road Suite 101
 Gilroy, CA 95020
 Gilroy Unified School District

Washington United Youth Center OYA
 921 S. First Street, Suite B
 San Jose, CA 95110
 San Jose Unified School District

Milpitas OYA
 512 Valley Way
 Milpitas 95135
 Milpitas Unified School District

East San Jose OYA
 749 Story Rd
 San Jose, CA 95122
 East Side Union High School District

Opportunity Youth Advisory Committee

The Opportunity Youth Advisory Committee was formed in 2014 from a group of stakeholders representing the community with the purpose of advising the SCCOE administration on the design and implementation of the OYA. The Advisory Committee continues to meet regularly, and is comprised of the OYA Principal, Santa Clara County Office staff members, a SIATech representative, and selected agencies and service providers which may include the Santa Clara County Opportunity Youth Partnership, Kids in Common, Silicon Valley Children's Fund, Work2Future,

TeenForce, Santa Clara County Foster Youth Services, Santa Clara County Probation Department, Bill Wilson Center, Catholic Services-Washington United Youth Center, the Sobrato Foundation and other dedicated partners including OYA parents and students. The Advisory Committee was formed to serve as an advisory body to school leadership, to include various perspectives and evidence about the needs of Opportunity Youth in our county, represent partner interests, as well as to identify resource and services to support program goals. Participation on the Advisory Committee is voluntary and no remuneration is provided for participation.

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 21st 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(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(b)(5)(A)(ii).*

Opportunity Youth Academy Educational Program

The Opportunity Youth Academy (OYA), 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.

A dropout crisis exists in our county, state, and country and its impact is expanding for multiple reasons. Fifty years ago, dropping out of high school was less important in an economy that produced living wage jobs with lower competition for those jobs. Today, students who give up or are pushed out diminish their chances for a good job and upward mobility. Not only does their decision hurt them, but it also puts a financial and social burden on their communities, states, and the nation. Consider the following information:

- The percentage of fastest growing high-wage jobs that require post-secondary education is 81%.

- The rate of unemployment for students who quit/drop out of school is 3 times those with college degrees.

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.

“Just as the nation has focused its attention on boosting high school graduation rates in low-performing schools, we need additional efforts to help students within all schools who need greater support.” (*Building a Grad Nation Annual Update*; February 2013) OYA offers an innovative integrated approach to education – an ecosystem that helps students, teachers, and schools thrive. OYA provides the environments, tools, and techniques that re-engage and motivate students to complete high school and earn their diplomas. The OYA ecosystem focuses on three areas essential for student success: a proven, CA State standards-based curriculum integrating academics and technology; a comprehensive professional development program for teachers, support staff, and administrators; and extensive supports to keep students engaged through graduation to college and career.

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 Community Advisory Committee, 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.

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, traditional texts and subject-specific packets), 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 will have opportunities to access teachers by agreeing to a daily attendance program; this choice will be highly suggested 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 meeting 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.

Each OYA site has classroom space or “learning labs”, where students can work 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. Providing access to learning labs, which grew from a classroom-based model, allows students to attend academics full-time, if desired, and time where they work with teachers in a classroom on a daily basis 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.

In the OYA program, desktop workstations are available for student in the learning labs. Laptops and/or tablet PCs with cellular internet access are made available to students who lack the appropriate hardware to facilitate completion of schoolwork while away from the classroom. As an example of a growing part of its curriculum delivery model, a fully online Spanish course leverages an online teacher to instruct students in real-time as they navigate through their OYA online course. A virtual tutoring program, with a small team of certificated virtual instructors, is available to provide targeted, supplementary instruction in academic core content areas to all students.

Highly qualified, subject-certified teachers and their paraprofessional assistants are physically present in the learning labs as students work both online and offline to complete their courses. OYA aims to maintain a lower than state average adult-to-

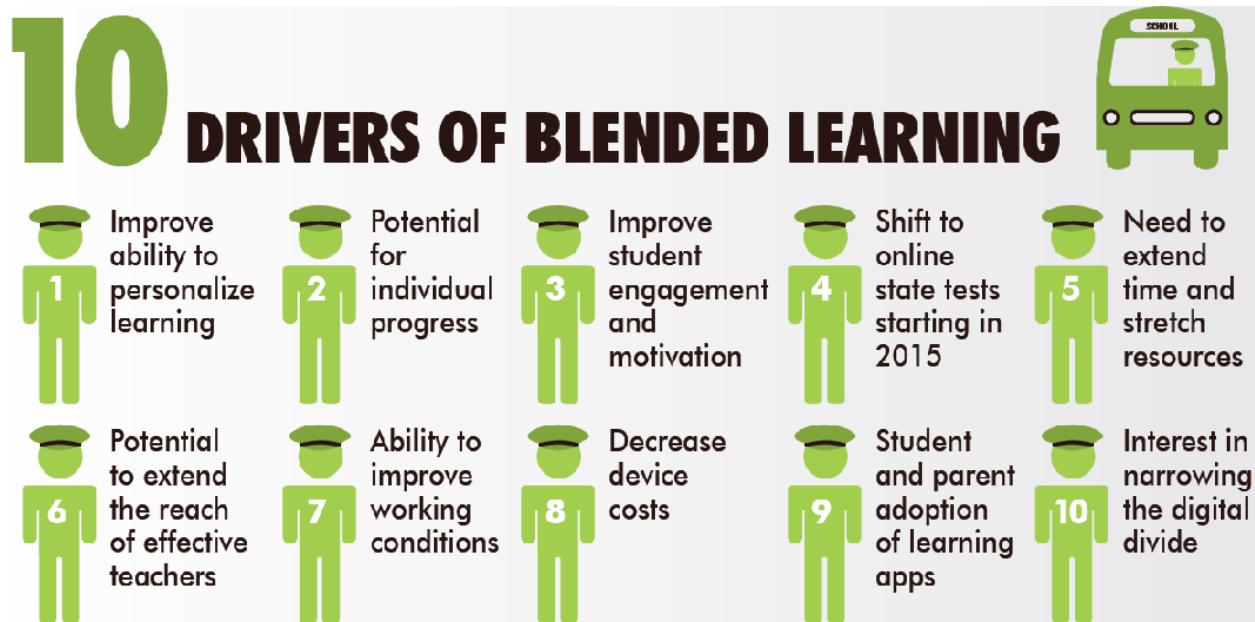


Figure 1: The rationale, or “drivers”, for the Opportunity Youth Academy Blended Learning Model.

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.

Students complete the program at an individually determined pace, tracked by students on their “My Action Plan” (MAP) individual course record documentation, which is part of each student’s learning plan and goals documentation. 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 benchmark 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 Best 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 graduations requirements. Simultaneously, our OYA Navigators and Liaisons are working with our students to identify and foment possible career pathways and supporting them on their quest to pursue college and university goals. The Navigators and Liaisons initiate a multistep case-management process which is known as the My Action Plan (MAP) document.

The MAP process engages the student in identifying their existing high school credit profile, which is analyzed by the counselor and teacher, and results in proposed academic goals setting a detailed path to graduation. This first step is then followed by a resource mapping session which helps the student and Navigator or Liaison visualize the student's support network. An accompanying needs assessment 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) that

informs a My Action Plan (MAP) student agreement

- 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.

During the 2015-16 school year, OYA, as a program of the SCCOE, 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 will employ centers on every student having developed a MAP 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 will use content-specialists who will collaborate together on the design of the program content, combining the best and most appropriate elements from myriad content sources. OYA will also outsource some of the online development of these courses where designers use Flash-based components to make the content highly interactive. Every OYA pupil will have access to standards-aligned instructional materials that are updated and refined on an ongoing basis.

Each core content area will have a plethora of online instructional materials and resources specific to each course. Each content area course will be housed in a Learning Management System. Each content area course will utilize 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 will focus 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 21st 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/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 will provide high-quality professional development. Teachers and staff learning will be 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 will include 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.

For a detailed description of "a day in the life" of four typical OYA students, please see **APPENDIX B**. Please see **APPENDIX U** for school calendar and **APPENDIX V** 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 C** for OYA curricular materials and graduation requirements, and **APPENDIX S** for a course catalog).

Partnership between OYA and Work2Future

One of the most significant opportunities the OYA will provide 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.

Work2Future 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 Conceptual Summary of the young adult co-enrollment partnership between the OYA and Work2Future is provided in **APPENDIX D**.

OYA Mission and Vision

The Opportunity Youth Academy (OYA) strives to break the cycle of poverty by providing high school 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 dropout recovery 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 will infuse 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.

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.

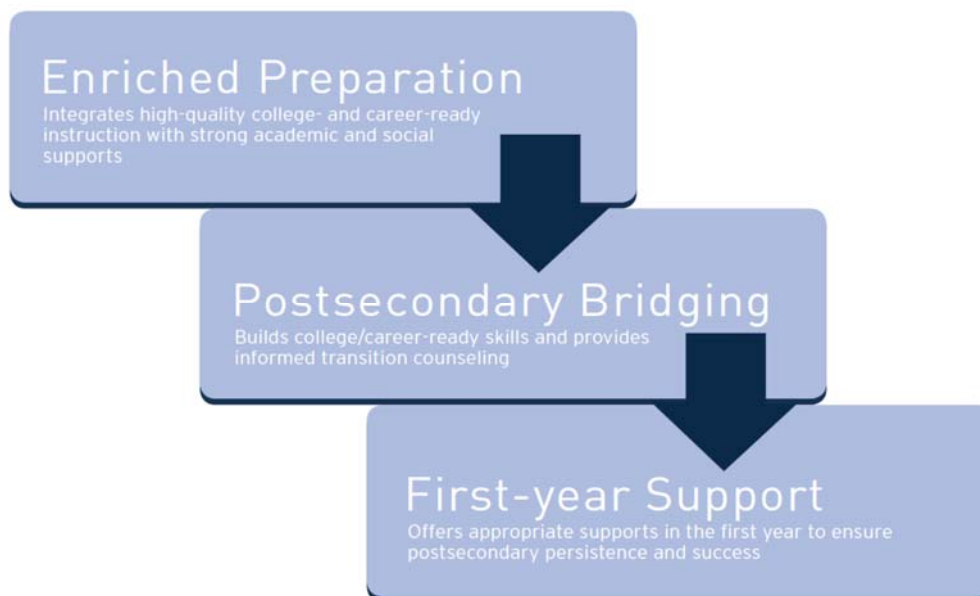


Figure 2: The Jobs to the Future three-phase *Back on Track* model will guide the future enhancement of Opportunity Youth Academy’s diploma-granting and high school equivalency programs.

- 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. The OYA Academy will be one charter operating at five 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 will have at least two teachers assigned to it, 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 E** for California Education Code guidelines for charter schools and Independent Study programs).

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.

The Opportunity Youth Academy (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 School Act and federal Law. The overall enrollment for the five sites is estimated to be 418 students for the 2016-2017 school year. Four sites established in the 2015-2016 school year are currently being piloted and are already in operation, and another site will be opened during the 2016-17 school year (please see **APPENDIX A** for an OYA pilot year summary). 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 600 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 will specifically recruit Opportunity Youth which include but are not limited to the following subgroups:

- 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 attendance agreement upon enrollment (See **APPENDIX F**).

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 8 hours per day.
- Evening hours and weekend 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 21st 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 21st century.

The 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 will leverage the proven success of the SIATech blended learning instructional model and curriculum to prepare our OY population to successfully transition to the 21st 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 (CCSS and 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 21st 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 21st 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, which OYA students call "My Action Plan" or (MAP).

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 21st 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 California English Language Development Test (CELDT) or the English Language Proficiency for California (ELPAC).
- OYA develops a customized ELD program for each student as part of their individualized learning plan which is detailed in their My Action Plan (MAP). 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.
- EL students are scheduled into the regular high school academic classes as soon as they show evidence of growth in English Language Acquisition, with additional support and services so they may better access the curricula and successfully complete the program.

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 Branch.

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 CELDT or ELPAC.

Assessments

All students who indicate that their home language is other than English will be administered the CELDT or 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 a CELDT or 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 CELDT or ELPAC. The minimum expectations are Level 4 or 5 on CELDT with no individual language domains less than a Level 3.
- 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 CELDT or ELPAC testing under the ESSA for annual English proficiency testing. CELDT or 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 X** 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 and will be documented in their MAP. 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.

The MAP shall be accessible to each of the student’s teachers who are responsible for the implementation. Each teacher of the student shall be informed of specific responsibilities related to implementing the student’s MAP.

If a student enrolls with an IEP indicating that he/she was previously identified as “gifted/talented” under IDEA, 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.

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-Risk Students

Students enrolled in OYA who are identified as below grade level will have a My Action Plan (MAP) 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 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.

The MAP shall be accessible to each of the student’s teachers who are responsible for the implementation. Each teacher of the student shall be informed of specific responsibilities related to implementing the student’s MAP.

OYA will provide 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 include PLATO Foundational 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 Special Education Students

Upon enrollment, OYA provides all IEP services that are agreed upon in an existing IEP, and 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 will adopt SCCOE's special education policies as a guide in providing a continuum of specialized support and services while maintaining full compliance with district, 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. It is understood that 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 will deliver 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

The OYA's policy is to comply with applicable federal and state laws and regulations. Pursuant to this policy, there will be a board-adopted complaint policy and procedure to provide a uniform system of complaint processing for the

following types of complaints:

1. Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; 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, Section 504 of the Rehabilitation Act, consolidated categorical aid, migrant education, career technical and technical education training programs, childcare and development programs, child nutrition program.

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, 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 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, 2016-17. 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, 2017-18 to 2020-21. Monitor student progress toward targets using formative and summative assessments.
- ANNUAL ACTION 4Aiv, 2017-18 to 2020-21. 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, 2017-18 to 2020-21. Establish benchmark and target English proficiency rates.

E. The English learner reclassification rate

- ANNUAL GOAL 4E, all years, English learner students. Set and achieve targets and metrics for English proficiency.
 - ANNUAL ACTION 4Ei, all years. Implement and refine English language development services
 - ANNUAL ACTION 4Eii, 2017-18 to 2020-21. 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, 2016-17, Provide all students guidance and experiences that enable them to determine their level of interest in preparing for college admission.
- ANNUAL ACTION 4Gii, 2017-18 to 2020-21. 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, 2016-17. 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, 2016-17. Establish baseline and target attendance rates and implement strategies to encourage consistent attendance.
 - ANNUAL ACTION 5Aii, 2017-18 to 2020-21. 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, 2016-17. Establish baseline and target rates of chronic absenteeism.
 - ANNUAL ACTION 5Bii, 2016-17 to 2020-21. 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, 2016-17. Develop targets and metrics for school connectedness and safety.
- ANNUAL ACTION 6Cii, 2017-18 to 2020-21. 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. Through its partnership with SIATech Charter High School, OYA will be WASC accredited. The curriculum will be fully accredited upon opening through AdvancED.

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

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.

New Staff Orientation, Training and Support

New Staff Orientation (NSO) orients new staff to learn more about 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 open 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 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 Plan

OYA teachers will be provided professional development opportunities geared toward individual experiences as well as site experiences which provide growth to the staff member(s). A catalogue of professional opportunities for learning is available for OYA staff from which a site or individual can choose for their growth (Please see **APPENDIX T**).

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 dropouts. 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. The 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 Student Outcomes

Governing Law: *The 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 subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. 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(b)(5)(B).*

OYA Student and Related Outcomes

Opportunity Youth Academy (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 CA high school diploma. All courses and curriculum utilized by OYA are aligned with CA State standards and its teaching staff meets California Commission on Teacher Credentialing (CCTC) requirements. As a school of the Santa Clara County Office of Education and through its use of the SIATech curriculum, OYA will be 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.¹
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.¹

¹<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 Clearinghouse² 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.
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.³
 - 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

²http://www.studentclearinghouse.org/about/what_we_do.php

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

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 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 will 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 with a final Senior Project of their choice using critical thinking skills and mathematical knowledge in a mathematics design and modeling project in drafting, robotics, or rocket projectiles.

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 21st 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.

Any modification of these outcomes or expectations will be submitted to the Santa Clara County Board of Education as an amendment of this charter. In such a case, the County Board of Education agrees to hear and render an amendment decision pursuant to the timelines and processes as specified in the Education Code Section 47605(b).

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(b)(5)(C).*

Methods of Assessment

To measure the progress of the students at Opportunity Youth Academy (OYA) 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 MAP 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 21st 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. The Academy 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.

For examples of evidence supporting the effectiveness of the SIATech curriculum, please see **APPENDIX G**.

ELEMENT D: 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(b)(5)(D).*

Opportunity Youth Academy (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 race, ethnicity, national origin, gender, or disability.

Through its role of long-range policy development and other critical functions and responsibilities, Santa Clara County Office Board of Education works with the Santa Clara County Superintendent of Schools to offer the most effective educational programs and services available.

The Santa Clara County Board of Education will retain roles and responsibilities as defined in Education Code 1040 – 1047 for the Opportunity Youth Academy Charter.

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. OYA will comply with all applicable federal laws, and state and local laws that are applicable to public charter schools. Please see **APPENDIX W** for the OYA Governance Organizational Chart.

Conflict of Interest Regulations

OYA will be fully in compliance with the conflict of interest regulations of the Political Reform Act Government Code Section 1090.

Superintendent

The Santa Clara County Superintendent of Schools shall have sole authority for all aspects of OYA's operation and education program related to curriculum, enrichment and extracurricular educational activities, student evaluation, personnel, professional development, budget and finance, facilities and maintenance, admissions, scheduling, community relations, classroom usage, use of the school site, safety, discipline, proposals for charter revision and renewal, dispute resolution, and interactions with the granting agency.

OYA Principal

The overall vision of the program and instructional leadership will be provided by the Principal. The Principal shall be employed by SCCOE under a contract of employment approved by the Superintendent of Schools. The Principal's central governance role is to act as manager of OYA as outlined in the position's job specification. The SCCOE shall adopt a job specification for the position of Principal that further defines the day-to-day job responsibilities for the Principal. The Principal shall be supervised and evaluated by the Chief Schools Officer.

Opportunity Youth Advisory Committee

Parent and community involvement in the operation of the school is an integral factor in ensuring that OYA addresses the needs, concerns and expectations of the families and communities of our students. The Opportunity Youth Advisory Committee has been in existence for three years and will continue to make recommendations to the County Superintendent and Chief Schools Officer on design and other pertinent requirements of the operations of the school. The Advisory Committee may consist of the Principal, Chief Schools Officer, or designee, a SIATech representative, parents, teachers, staff, students, and community members that will be representative of all OYA sites/locations. Other partners include; the Santa Clara County Opportunity Youth Partnership (OYP), Kids in Common, Silicon Valley Children's Fund, Work2Future, TeenForce, Santa Clara County Foster Youth Services (The Hub), Santa Clara County Probation Department, Bill Wilson Center, Catholic Services-Washington United Youth Center, The Sobrato Foundation and other dedicated partners.

The Opportunity Youth Advisory Committee has been established to ensure the school program is aligned to the charter elements, the Local Control Accountability Plan (LCAP) goals and action/strategies, and the Single Plan for Student Achievement (SPSA) goals. The Opportunity Youth Advisory Committee will approve the SPSA, monitor its implementation, and evaluate the effectiveness of the planned activities at least annually.

The Opportunity Youth Advisory Committee will meet quarterly and provide input to the Santa Clara County Superintendent of Schools on general school issues, policies, and other charter school interests and activities.

School Site Council

The School Site Council will be an advisory group to the 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 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 Q** 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. 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.

ELEMENT E: 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(b)(5)(E).*

Opportunity Youth Academy (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(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 or association with an individual who has any 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. Classroom or parent volunteers, speakers, outside experts and others may support student learning. They may volunteer their services, be paid as independent contractors or be hired as SCCOE employees. 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 the School'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 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 Principal. Volunteers who will volunteer outside the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

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

- A valid and current California State Teaching Credential for core academic teaching staff
- State and federal fingerprint clearance as required by law
- Criminal record summaries, which will be maintained by the Principal in a confidential secured file separate from personnel files, as required under the law
- I-9 Proof of American citizenship 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

The following key staff job descriptions define the qualifications of OYA employees for the positions of Principal, Teacher, Navigator, Community Liaison Specialist, Counselor, Para-Educator, and School Office Coordinator.

For a full set of OYA staff job descriptions please see **APPENDIX H**. For an OYA staff organizational chart, please see **APPENDIX I**.

Principal

The Principal is responsible for planning, organizing, leading, and directing the educational operations, activities, and services of the OYA at all sites. 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.

Teacher

OYA Teachers are responsible for providing general education (core academic subjects) and special education instructional services for students (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. 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 principal for day-to-day operations and program implementation and a special education administrator for guidance regarding IDEA regulations/ compliance. Internships and project- based learning will be featured components.

Navigator

The OYA Navigators uniquely facilitate 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.

Community Liaison Specialist

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.

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.

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. This position is distinguished from the Para Educator-Special Education classification in that it assists in academic teaching and support.

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.

ELEMENT F: Health and Safety Procedures

Governing Law: *The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237. Education Code Section 47605(b)(5)(F).*

Opportunity Youth Academy (OYA), as a dependent charter, will adhere to the adopted health, safety, and risk management policies of the Santa Clara County Office of Education (SCCOE). Please refer to **APPENDIX R** for the draft OYA school safety plan. This plan is under development and its structural frame will be based upon the existing SCCOE Alternative Education Department's Comprehensive School Safety Plan for Community Schools. 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 Q**).

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

Seismic Safety

OYA assures 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 the following 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 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, or disability. OYA has a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Academy (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the SCCOE's sexual harassment policy.

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.

ELEMENT G: Means to Achieve a Reflective Racial and Ethnic Balance

Governing Law: *The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district to which the charter petition is submitted. Education Code Section 47605(b)(5)(G).*

Opportunity Youth Academy’s (OYA’s) population racial 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 and Black African American students make up the preponderant numbers of students who have not met the criteria to obtain their high school diploma, White and Asian student populations are also represented (please refer to Figures 3 and 4).

Figure 3: Santa Clara County and California 2014-15 reported drop-out student population by ethnicity.

Santa Clara and California Cohort Demographics

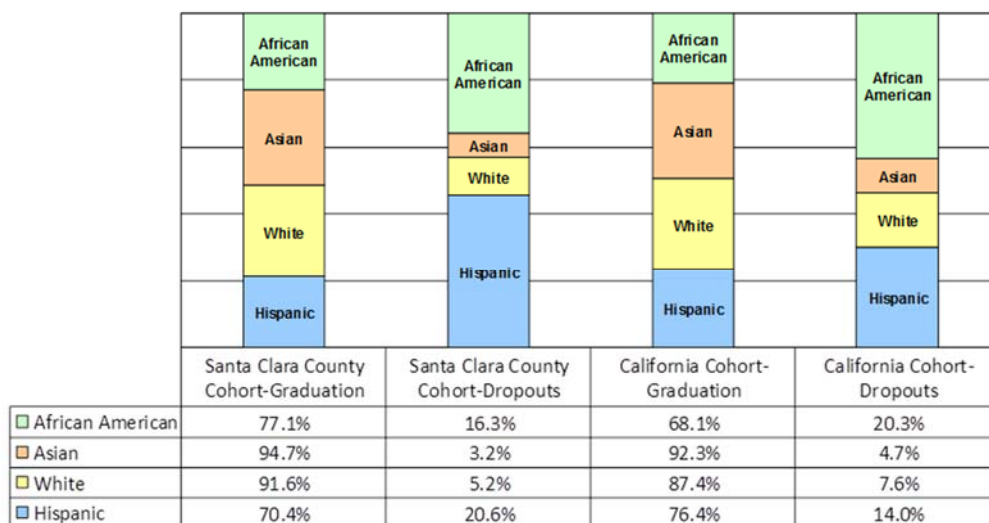


Figure 4: Opportunity Youth Academy 2015-16 student enrollment by ethnicity.

OYA 2015-16 Student Population Demographics

	OYA enrollment	OYA %age
African-American	5	3%
Asian	1	1%
White	15	9%
Hispanic	142	87%

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 district.
- 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.

ELEMENT H: Admissions Requirements

Governing Law: *Admission requirements, if applicable. Education Code Section 47605(b)(5)(H).*

The County Superintendent of Schools shall determine all processes and procedures governing application, admission, and enrollment at Opportunity Youth Academy (OYA). All students attending OYA must follow the application, admission, and enrollment procedures.

The application packet for admission to OYA shall include information that allows students to be informed about the schools 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 OYA My Action Plan (MAP) to establish needed credits and guide student academic goals.
- 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, and 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.

Student Admissions Criteria, Preferences and Priorities

Assessments shall not be administered prior to acceptance or enrollment. All students will be considered for admission without regard to nationality, race or ethnicity, religion, sexual orientation, gender, gender identity, gender expression, disability, perceived disability or any other characteristic.

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: Siblings of students admitted to or attending OYA who are also 16–24 years of age and disengaged from school without having earned a high school diploma.

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.

Conditions of Enrollment

To enroll in OYA, 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.

ELEMENT I: Financial Audits

Governing Law: *The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. Education Code Section 47605(b)(5)(l).*

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(b)(5)(l) and 47605(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.

The Santa Clara County Superintendent of Schools will annually approve the selection of an independent auditor. The OYA 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 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 Board along with an anticipated timeline for the same. Any disputes regarding the resolution of audit exceptions and deficiencies will be addressed using the dispute resolution process contained in this Charter.

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(b)(5)(J).*

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 (see **APPENDIX J** for BP 5114). These policies clearly describe the OYA's expectations regarding, among other things, attendance, mutual respect, substance abuse, violence, safety, and work habits.

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.

OYA's policies will provide all students with an opportunity for due process and will be developed to conform to applicable federal law regarding students with exceptional needs. OYA will notify the Santa Clara County Office of Education of any expulsions and will include suspension and expulsion data in its annual performance report.

Prior to suspension or expulsion, appropriate disciplinary steps will be taken, including, but not limited to, denial of privileges or access to activities. In certain cases, students may be allowed to continue limited independent studies while under suspension. Students, and in applicable cases, parents or guardians, will be informed of the reasons for any disciplinary action in writing, and of their due process rights and appeal procedures.

In accordance with California Education Code 48900, an OYA student may be suspended from school or recommended for expulsion if the OYA Principal or the County Superintendent of Schools determines that the student has committed any of the following acts while on school grounds, or while going to or coming from school:

- Caused, attempted to cause, or threatened to cause physical injury to another person;
- Willfully used force or violence upon the person of another, except in self-defense.
- 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.

- Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance, an alcoholic beverage, or an intoxicant of any kind.
- Unlawfully offered, arranged, or negotiated to sell a controlled substance, 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.
- Committed or attempted to commit robbery or extortion.
- Caused or attempted to cause damage to school property or private property.
- Stolen or attempted to steal school property or private property.
- Knowingly received stolen school property or private property.
- Committed an obscene act or engaged in habitual profanity or vulgarity.
- Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia.
- Possessed an imitation firearm.
- Committed or attempted to commit a sexual assault.
- Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

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(b)(5)(K).*

Opportunity Youth Academy (OYA) 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 Office of Education (SCCOE). 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 Superintendent. All employer contributions required by STRS, PERS, and Social Security, as applicable, will continue to be made by the Superintendent. The Superintendent 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: Attendance Alternatives

Governing Law: *The public school attendance alternatives for pupils residing within the school district who choose not to attend The Charter School. Education Code Section 47605(b)(5)(L).*

No pupil shall be required to attend Opportunity Youth Academy (OYA). Students who opt not to attend OYA may attend other district schools or adult schools, as allowed.

ELEMENT M: Description of Employee Rights

Governing Law: *A description of the rights of any employee of the school district upon leaving the employment of the school district to work in The Charter School, and of any rights of return to the school district after employment at The Charter School. Education Code Section 47605(b)(5)(M).*

No public school employee shall be required to work at Opportunity Youth Academy (OYA). 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 and will 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. The SCCOE payroll department will be responsible for the payment of social security and applicable taxes for OYA employees.

Employees of a local 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. The OYA shall not have any authority to confer any rights to return on a local educational agency's employees.

ELEMENT N: Dispute Resolution Process

Governing Law: *The procedures to be followed by The Charter School and the entity granting the charter to resolve disputes relating to the provisions of the charter. Education Code Section 47605(b)(5)(N).*

The Opportunity Youth Academy (OYA) and the Santa Clara County Office of Education (SCCOE) agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. All parties shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Dispute Resolution

The intent of this dispute resolution process is to (1) ensure a fair and timely resolution to disputes, and (2) minimize the oversight burden on the Santa Clara County Board of Education, (3) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters. OYA and the Santa Clara County Board of Education agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section.

If a dispute arises between the Santa Clara County Board of Education, as granting entity, and OYA relating to provisions of this Charter, the following procedures will be followed: The President of the Santa Clara County Board of Education and the OYA, or their respective designees, will meet to discuss the area of dispute. If the dispute is not resolved informally, the parties may, by agreement, engage the assistance of a third-party mediator to assist in resolving the dispute. Nothing herein shall interfere with the authority of the Santa Clara County Board of Education to issue a written notice of violations or initiate revocation proceedings in accordance with the provisions of Education Code Section 47607.

Internal Dispute

Issues between students, teachers, parents/caregivers, applicant families, volunteers, advisors, workforce partners, and other community members associated with the school should be resolved in-house in an amicable and fair manner whenever possible. The principal is responsible for resolving all conflicts through a process that emphasizes the common goals and interests of the parties involved. The Santa Clara County Chief Schools Officer is the appellate body.

Except for those matters to which the Parties mutually agree pursuant to Education Code Section 47611.5, any dispute related to the provisions of OYA shall be resolved as follows:

Uniform Complaints

Complaints alleging (1) unlawful discrimination; or (2) failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid program, migrant education, career technical and technical education, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements shall be investigated pursuant to the Uniform Complaint Procedures used by the Santa Clara County Office of Education. (5 CCR Section 4600)

Employee Issues

For disputes involving employees, the principal of OYA and the Santa Clara County Chief Schools Officer shall meet with OYA employee representative to discuss any issue or disagreement related to one or more OYA employees. After a full discussion of any such issue, the Chief Schools Officer or his/her designee shall have ten (10) working days to render a final and binding written decision setting forth the resolution of the issue.

Oversight, Reporting, and Revocation

The Santa Clara County Office of Education may inspect or observe any part of the school at any time. The inspection, observation, monitoring, and oversight activities shall be performed by SCCOE. If the Santa Clara County Board of Education believes it has cause to revoke this charter, the board agrees to notify OYA in writing, noting the specific reasons for which the charter may be revoked, and grant OYA reasonable time to respond to the notice and take appropriate corrective action.

Other Issues

In all other matters, any disagreement not resolved by the principal and the Santa Clara County Chief Schools Officer, may be appealed to the Santa Clara County Superintendent of Schools or designee through a formal written statement. After a full discussion of any such issues with the complaining party and the Chief Schools Officer, the County Superintendent or designee shall have ten (10) working days to render a final and binding written decision setting forth the resolution of the issue.

ELEMENT O: 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(b)(5)(O).*

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 SCCOE for the purposes of the Education Employment Relations Act (EERA), unless otherwise mutually agreed in writing. Applicable leave balances shall be transferred with the employee as per SCCOE policy. Years of service credit will be approved by the Superintendent and will follow applicable SCCOE collective bargaining unit agreements. Employment by OYA provides rights to employees as outlined in the applicable collective bargaining agreement. OYA shall comply with the EERA.

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(b)(5)(P).*

Documentation of Closure Action

The decision to close Opportunity Youth Academy (OYA), for any reason, will be documented by an official action of the Santa Clara County Board of Education 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 his 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.

OYA will provide advance notice to the Santa Clara County Board of Education, involved community members and partners, students, teachers, independent contractors, and community of any consideration for Board action of school closure of at least nine months prior to any action, unless it is unfeasible to do so.

Notification to the California Department of Education, SELPA, and State Board of Education

OYA will send a notice of the school closure to the Charter Schools Unit at the California Department of Education, and the State Board of Education. The notification will include the following information:

- Charter school name, charter number, and CDS code
- Date of closure action;

- 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 may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

Notification to Parents and Students

Students of OYA will be notified as soon as possible when it appears school closure is imminent. The notification will include information on assistance in transferring the student to another appropriate school, and a process for the transfer of all student records.

Students 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 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 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, or at least within 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 the School. 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 in the form and 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.

Dissolution of Assets

Upon completion of the closeout audit, OYA administration and the Superintendent will develop a plan for the repayment of any liabilities in conformity with the Suggested Process for Charter School Closures (11/19/01), published by the California Department of Education.

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.

MISCELLANEOUS CHARTER ELEMENTS

1. *Budget and Financial Reporting*

Governing Law: *The petitioner or petitioners shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. Education Code Section 47605(g).*

The Opportunity Youth Academy (OYA) will ensure that it operates using a sound financial model. Attached, as **APPENDIX K** Budget Assumptions, **APPENDIX L** Multi-Year Projection, and **APPENDIX M** Cash-Flow Analysis, please find the following documentation:

- Budget assumptions
- A projected first-year budget including startup costs and cash flow
- Financial projections for the first three years of operation

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(g) 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(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 County. 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.

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 their 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 the County Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the Charter agreement.
- 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 upon 30 days’ notice to OYA. When 30 days’ notice may defeat the purpose of the audit, the SCCOE may conduct the audit upon 24 hours’ notice.

In addition, if the county receives an allegation of waste or fraud or abuse related to OYA’s operation, OYA will be expected to cooperate with any investigation undertaken by the Office of the Inspector General, Investigation Unit.

4. Financial Reporting

OYA will draft a complete set of fiscal control policies and procedures for the

Academy's operation. OYA shall comply with all financial reporting requirements of Education Code Section 47604.33 and shall comply fully with Education Code Section 47604.3.

5. Insurance

As a dependent charter of the SCCOE, OYA shall either acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance, or be added to the appropriate policies of the SCCOE. Coverage amounts will be based on recommendations provided by insurer.

Toward this end and during the initial term of this charter, OYA shall pay for and maintain in full force and effect with an insurance company or companies admitted by the California Insurance Commissioner to do business in the State of California, the following policies of insurance:

- COMMERCIAL GENERAL LIABILITY insurance, which shall include contractual, products and completed operations, corporal punishment and sexual misconduct and harassment coverage, and bodily injury and property damage liability insurance with combined single limits of not less than \$1,000,000.00 per occurrence.
- WORKERS' COMPENSATION INSURANCE, as required by the California Labor Code, with not less than statutory limits.

The Santa Clara County Board of Education shall be named as an additional insured on all policies of OYA. Prior to opening, OYA will provide evidence of the above insurance coverage to the County.

As a dependent charter, these provisions may be met by existing SCCOE insurance provisions. To the extent appropriate, the SCCOE may provide the coverages required or add OYA as an insured school under existing policies.

6. Administrative Services

Governing Law: *The manner in which administrative services of the school are to be provided. Education Code Section 47605(g).*

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 a 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;
- District purchasing contracts;
- Environmental health/safety consultation;
- Field trip transportation;
- School mail;
- Student information system;
- Food services;
- Risk management; and
- Attendance accounting.

Pursuant to Education Code Section 47604.32, 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 exchange, OYA shall pay the SCCOE an oversight fee of up to 1% of revenue in accordance with Education Code Section 47613.

7. 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 for students with disabilities in accordance with a student's IEP.

OYA is committed to ensure students from across Santa Clara are able 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.

8. 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.

9. Potential Civil Liability Effects

Governing Law: *Potential civil liability effects, if any, upon the school and upon the District. Education Code Section 47605(g).*

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by/as a non-profit public benefit corporation shall not be liable for the debts or obligations of OYA or for claims arising from the performance of acts, errors or omissions by OYA if the authority has complied with all oversight responsibilities required by law. 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, wherein OYA shall indemnify the SCCOE for the actions of OYA under this charter.

The corporate bylaws of OYA shall provide for indemnification of the OYA Board, officers, agents, and employees, and OYA will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure

against financial risks.

As stated above, insurance amounts will be determined by recommendation of the SCCOE and OYA's insurance company for schools of similar size, location, and student population. The SCCOE shall be named an additional insured on the general liability insurance of OYA.

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.

10. Meaningfully Interested Parties

In keeping with California Education Code 4605(a)(1)(B), OYA has gathered the requisite signatures of teachers who are meaningfully interested in teaching at the school and has included these as **APPENDIX N**.

Please find letters in support of the establishment of the charter school in **APPENDIX O**.

11. Notice to Local School Districts

Pursuant to Education Code Section 47605.6(a) (1)(A)-(B), OYA has notified all Santa Clara County school districts that it is petitioning the SCCOE to operate a county-wide dependent charter school. This notice, and record of delivery, is included as **APPENDIX P**.

12. Staff Review Matrix

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

CONCLUSION

By approving this charter for the establishment of the 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 eager to work independently, yet cooperatively with the County to establish 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 and to present the SCCOE with the strongest possible proposal requesting a five year term to begin operation in September 2016. Upon the granting of this charter, OYA will provide written notice of the approval and a copy of the petition to the California Department of Education and the State Board of Education.

APPENDIX A: OYA Pilot Year Summary

Opportunity Youth Academy Pilot Year Summary

OYA Planning Phase and Beginnings

In the fall of 2013, SCC Board of Education members requested that the SCCOE study existing programs to reengage youth who had not earned a high school diploma. One of the programs studied was Come Back Kids operated by the Riverside County Office of Education. In 2014, staff from the SCCOE visited the Come Back Kids program to observe the program in action. At approximately the same time, the SCCOE became a member of the Santa Clara County Opportunity Youth Partnership managed by Kids in Common. An advisory team comprised of a diverse group of representatives was formed to study the needs of Santa Clara County dropouts and to advise the office about possible program design.

The advisory team met monthly over the course of the 2014-2015 school year and in collaboration with the SCCOE, designed a model based upon the Come Back Kids program that would meet the unique needs of Santa Clara County youth who had not yet earned a high school diploma and were not engaged in school. Staff from the Student Services Branch worked closely with the Human Resources team, SEIU and ACE to develop job descriptions and to recruit staff. The Opportunity Youth Academy was launched in the fall of 2016 as a program of the SCCOE and supported by the Student Services Branch. The advisory team continued to meet periodically in 2015-2016.

Reports to the Santa Clara County Board of Education (SCCBOE) were made periodically at regular board meetings. One of those reports was made in July 2015, at which time the Opportunity Youth Academy's planned launch for August 2015 was discussed. In the 2015-16 LCAP, the implementation of the Opportunity Youth Academy was identified as a strategic action of the SCCOE. At the board's retreat in the fall of 2015, the SCC Board of Education identified Opportunity Youth Academy as a priority.

In August of the 2015-16 school year the first staff members (founding teacher and principal) were hired and began the process of identifying four suitable OYA sites. Appropriate furnishings, technology hardware and educational software were provided to the sites. Next, recruiting, interviewing and hiring qualified staff to carry out the program objectives began and was ongoing throughout the year. The first of the sites was the Washington United Youth Center (WUYC) location which was to house our pilot daily attendance pilot program and an independent study /blended learning instructional model. This site was provided via a partnership with Catholic Charities and is located in area with very limited access to educational options for

youth. This site began operations in mid-September offering students a choice of an independent study/blended learning instructional program and daily attendance program. The goal was to assess what the interests and needs of students in our area would be and to help us gather data about which model or models should be continued in the long term. Enrollment at this site was slow to grow. Most students did not choose the daily attendance program. . At the end of this school year this site had 44 students enrolled in the daily program of whom over half attended daily on a regular basis.

The second location to enter into operation was the OYA at The Hub site which is hosted by the Department of Family and Children's Service of the Santa Clara County Department of Social Services. This site started enrolling students in mid-October. The Hub is a resource center for Foster youth in the valley and the current enrollment reflects a high number of this population. The last week of October the OYA program hired its third and fourth teacher along with two Navigators. One of these teachers began the Blended Learning/Independent Study program at WUYC in November. At that same time a Liaison/Recruiter was hired and soon after enrollment numbers began increasing noticeably. The third OYA site, Gilroy, celebrated the program wide OYA Ribbon Cutting Ceremony and began enrolling students in the second week of that month. The two permanent teachers for that site did not start until February 1st, for the first, and March 1st for the second. Our most recent site opened in Milpitas at the Sobrato Foundation campus and started operations in the third week of April. On average each of the four sites has been in operation for just over six months and three weeks. A fifth site is scheduled to start operation the 2016-17 school year and a sixth site will begin operation in the third year of the charter school.

Only one of four proposed paraprofessionals was hired. This staff member worked on an itinerant manner providing support to all sites. OYA counseling needs were met by existing AED counseling staff. The two navigators have been essential in keeping students engaged and helping out at our sites with coaching, tutoring, and monitoring student progress. These two OYA navigators are greatly aided by the support of three additional educational navigators supported by a Social Innovation Fund (SIF) grant provided by the Opportunity Youth Partnership of which the SCCOE is a leading member. Further, as a result of the SIF grant, a community of learners is provided for the navigators and the OYA leadership to develop the knowledge and skills of the team and to apply evidence best practices for reengaging and sustaining the engagement of youth who may have previously been reluctant learners. The collaboration with the Opportunity Youth Partnership has provided support with student recruitment and access to national conferences and leading research in the area of drop reengagement.

Current Enrollment and ADA attendance

The table below shows the current enrollment by each of the four sites. The Washington site shows a count of 39. Alongside these Blended Learning/Independent Study program students 25 additional students partook of a daily attendance pilot program carried out by our collaborative partner, SIATech. Presently, the 25 students in the daily attendance pilot program are registered under the SIATech charter school and CDS number. These students are in the process of being transferred to the OYA student rolls for the new school year. This will bring our total current enrollment to 187.

This following set of data –ADA Attendance- shows the number of students at each site that qualify to draw ADA. The 61 identified students represent 37.4% of the student population (from the 163 students enrolled at the SCCOE). As stated above the SIATech daily attendance program maintained its own ADA accounting. SIATech drew ADA on its entire student population because of its workforce development program designation. The majority of OYA Blended Learning/Independent Study students are over 18 and do not qualify for ADA. This is one of the reasons why establishing OYA as a charter school was pursued.

	Milpitas	The Hub	South County	Washington	TOTALS
Current Enrollment	12	70	42	39	163
ADA Attendance	4	29	11	17	61
This current enrollment does not reflect the 25 SIATech students that will be enrolled into the OYA Blended Learning/Independent Study program at the beginning of the 2016-17 school year.					

The questions may be asked if it is possible for OYA to meet its projected enrollment of 436 in the 2016-17 school year. The existing student to teacher ratio paints a positive picture. Currently, OYA operates with five teachers and an enrollment of 163 (not counting 25 SIATech enrolled students). This is a 32.6 student to one teacher ratio (32.6:1). The expected student to teacher ratio, by job description and in agreement with ACE, is 38:1. OYA came very close to meeting its expected student to teacher ratio in spite of a staggered start at its sites, staggered start of staff, not starting recruitment efforts until the liaison/recruiter was hired and trained well into the month of November and its sites being in operation for an average of less than seven months.

Total Registrations and Student Attrition

At first glance a 42.5% attrition rate for registering OYA students appears to be a negative rather than a positive. These are students who registered at OYA sites and then were enrolled but either failed to attend

the school after enrollment or attended for a time and then disengaged from the school. However, the fact that 360 students were reached, went through a registration process and engaged with OYA, even for a brief time, demonstrates the great capacity for OYA site staff and especially the Liaison/Recruiter and School Office Coordinator to, in a very brief period, perfect the registration and enrollment process. This was accomplished with relatively little formal advertising. Considering the average, less than seven months of operation per site, this represents just over 52 students that on average were registered and enrolled by OYA staff members monthly. This is also a positive harbinger of being able to reach our enrollment numbers for the 2016-17 school year. Also, the total number was already decreased by the 12 OYA graduates (dis-enrolled) that participated in the AED graduation ceremony this past May.

	Milpitas	The Hub	South County	Washington	TOTALS
Total Registration	22	131	95	68 + 44=112	360
Attrition	10	61	53	29	153
Attrition rate	45.5%	46.7%	55.8%	42.6%	42.5%
The Washington site reflects 68 students registered under the SCCOE's Blended Learning/Independent Study program and 44 students enrolled in the SIATech Daily Attendance Pilot Program					

Lessons learned in relation to attrition rates and how to ameliorate them will be discussed in the “Lessons Learned” section below.

Students Disaggregated by Designation

The following chart reflects that the student population registered and enrolled at OYA sites is reflective of overall California dropout populations. The number reflect the demographic breakdown for the 61 high school aged students and the 102 out of school students who enrolled during the first year of operation.

Students 16-18 (in high school) Disaggregated by Ethnicity					
Ethnicity	Milpitas	The Hub	South County	Washington	TOTALS
American Indian	0	0	0	0	0
Black	1	0	0	0	1
Asian	0	0	0	0	0
Hispanic	2	26	11	14	53
White	1	3	0	3	7
TOTAL	4	29	11	17	61

Students 18-24 Disaggregated by Ethnicity					
Ethnicity	Milpitas	The Hub	South County	Washington	TOTALS
American Indian	0	1	0	1	2
Black	0	2	2	0	4
Asian	0	0	0	0	0
Hispanic	5	35	27	19	86
White	3	3	2	2	10
TOTAL	8	41	31	22	102

And following this the same two populations reflecting those identified as English Learners and Special Education students.

Students 16-18 (in high school) Disaggregated by SpEd & EL Designation					
Ethnicity	Milpitas	The Hub	South County	Washington	TOTALS
SpEd	0	13	2	2	17
EL	1	5	2	6	14

Students 18-24 Disaggregated by SpEd & EL Designation					
Ethnicity	Milpitas	The Hub	South County	Washington	TOTALS
SpEd	1	6	5	3	15
EL	3	10	7	8	28

Work completed and Graduates

The next two sets of data show the number of student completing work and the number of graduates for the 2015-16 school year. The first row of data shows students that have completed, reported and submitted work samples to meet Independent Study compliance criteria. The 53 students reflects that about 33% of our students (out of a possible 163 enrolled on the SCCOE’s AERIES system) are engaged academically and have accrued credits. However, this number does not reflect the actual number of students that attend OYA sites or are working online independently. Also, some students take some time to establish a work cadence and start producing credits regularly.

Our proposed budgets and budget narrative detail that although the OYA student/teacher ratio is 38:1, we are allowed, by Independent Study - Ed Code, to draw ADA on only 25 (66%) of these 38 students. The current rate of students producing work signifies that our teachers need to double the number of students producing work to be on track to meet our revenue projections. A number of reasons can be cited to support the expectation that the 66% ADA threshold will be met; Teachers are becoming more adept at applying the Independent Study compliance criteria to student work to be able to capture ADA; not all teachers started at

the same time and some of them have only been with OYA for several months; the current AERIES system is not set up to handle students ages 18 to 24 and the OYA SOC had been challenged to accurately reflect work completed and credits accrued by students of all ages; and the SIATech curriculum and integrated data systems OYA will use during its first year of charter operation has attained an 80% attendance rate at sites that have used it.

	Milpitas	The Hub	South County	Washington	TOTALS
Percentage completing work	1	33	9	11	53
Graduates	0	9	1	2	12

And the last row of data shows that we proudly saw our first twelve graduates participate in the AED/OYA graduation ceremony hosted last May at the Santa Clara County Office of Education. We anticipate they were the first cadre of many OYA graduates to follow. It is important to note that those graduates who agreed to still benefit from OYA navigator support will still be provided with guidance and linkage to engage in further educational or career development goals post-graduation and potentially for up to one year.

Lessoned Learned

Positive Outcomes:

- OYA experienced success by nearly meeting its projected 38:1 student/teacher ratio
- OYA experienced success by nearly enrolling 360 students in its first partial year of operation
- OYA experienced success in attracting and hiring qualified staff members and developing them in an accelerated manner to foment and put into practice program processes and systems that have yielded positive recruitment, retention, academic engagement and graduation of OYA students
- OYA experienced success in quickly preparing the classrooms and supporting staff in the building of four operational sites at non-traditional locations throughout the county
- OYA experienced success in adopting a Blended Learning/Independent Study model to offer various academic engagement options to OYA students
- OYA experienced success in working with various community partner agencies such as the Probation Department, Department of Family and Children Services, Kids in Common, Catholic Charities, ConXion and many other partners in the Opportunity Youth Partnership and Advisory Group.

Challenges:

- OYA was greatly challenged by the staggered start dates of its four sites and current personnel. We plan to open a fifth site in the first year of charter school operation and then a sixth in the third year and will be able to avoid the staggered start dates by addressing staff recruitment in as an ongoing process. Further, these new sites will greatly benefit from the experience of the first year of operation and the many systems and processes which have been defined and are being perfected.
- OYA was greatly challenged by being short staffed for the most of its pilot year. Currently, we are in the process of securing teachers, a counselor and paraprofessional to being the first year as a charter school fully staffed. We were able to accomplish very evident, positive outcomes with a limited staff. This is an indication that this success will continue and only improve once fully staffed.
- OYA staff met the challenge of learning a new online learning system (Odysseyware) and learn and adhere to a Blended Learning/Independent Study compliance criteria model. The Odysseyware curriculum used in the first year only minimally met the needs of our students. The SIATech curriculum has been found to better meet the needs of reengaged youth and offers a full continuum of courses. Our partnership with SIATech and the use of its online curriculum, accountability support and the professional development that accompanies it will present enhanced learning for our OYA staff. Our OYA staff will very capably engage the new professional development and curriculum and adopt it into its existing knowledge base and skill set.
- Our biggest challenge appears to be the current 42.5% attrition rate experienced in the first year. We have already detected that justice- engaged (who tend to be younger students), and Foster youth have a tendency to disengage at a higher rate than other OYA students. During the first year of charter school operation we will work closely with our Probation Department and Foster youth (DFCS) partners to dovetail our efforts and communication to better reach out to these students. A great part of this effort will be the perfection of a case-management system that had been provided by the Opportunity Youth Partnership and bringing it to full implementation by OYA charter school and SIF navigators. Expectations are that with existing behavior and attendance compacts, a full staff to identify students who flounder or disengage soon after enrollment, and a solid case-management system to bring these students into re-engagement, a significant drop in the attrition rate will be achieved.

Santa Clara County  Office of Education

Opportunity Youth Academy: A Reengagement Center

July 29, 2015

1

Who are Opportunity Youth?



2

Programs, Resources, and Partnerships

Santa Clara
County
Opportunity
Youth
Partnership



*Santa Clara County Office of
Education
Opportunity Youth Advisory
Committee*

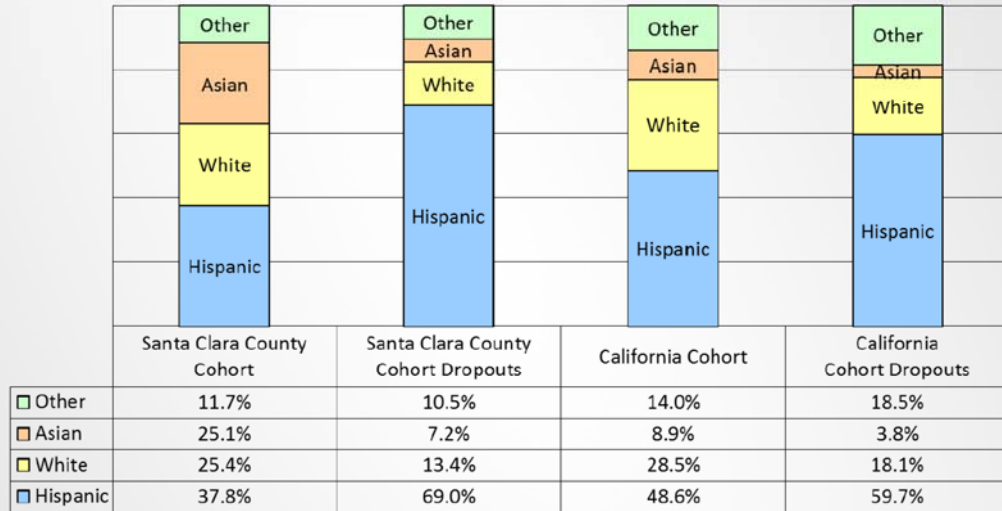


Come Back Kids

*Established in 2008 to reengage student
who have not yet completed high school
and offer an opportunity
to complete high school.*



Santa Clara County and California Classes of 2011-12 Percent of Cohort Students and Dropouts by Ethnicity



Student Pathways



Rationale

- **Expanding** critical services to nearly 8,000 County dropouts
- **Filling** a gap left by reduction in adult education programs and community college high school diploma programs from state funding cutbacks
- **Assisting** school districts as an additional resource for their credit-deficient seniors and improving graduation rates
- **Providing** a program for young adults that need to work, are parenting, or have transportation issues, and are in need of a flexible schedule to receive an education
- **Preparing** students who need another chance to be competitive within the workforce and post-secondary education



Research: Recommendations

- Provide targeted, intensive interventions for academic support and enrichment
- Provide rigorous and relevant instruction
- Create connections to the real world
- Personalize the learning environment and instructional process
- Involve families and establish family friendly policies





OPPORTUNITY YOUTH ACADEMY:

OPENING AUGUST 24, 2015

The Model

- Classrooms co-located within the community
 - Teacher
 - Paraprofessional
- Support Resources
 - Principal
 - Counselor
 - Navigator
 - Special Education Services
 - Opportunity Youth Partnership

Features

- Non-traditional locations
- Non-traditional hours
- Career Pathways Connections
- Collaboration with providers and community agencies



Registration Information

1-408-453-6999



Ribbon Cutting

Save the Date

November 6, 2015

10:00



APPENDIX B: A Day in the Life of Four OYA Students

Opportunity Youth Academy provides a blended learning environment where students from 16 to 24 years of age can work toward meeting their graduation criteria to obtain their high school diploma. Our students found themselves disengaged from a typical high school setting for a variety of life's circumstances. And so we take a varied approach to provide for them a non-traditional, yet accessible, onramp to educational re-engagement. Below are four examples of options that students may choose as they partner with us to pursue the endeavor of obtaining their high school diploma.

1. Melody: (Daily Program Student*)

This student came to OYA with a high number of credits still needed to graduate. She is a 16 year-old Foster youth and the site's teacher, program counselor, and principal worked with her case-manager to document the needed criteria to qualify her for an AB 167 designation. This allows her a quicker path to graduation by decreasing her required credits. She is entirely devoted to completing her program by the end of her 12th grade and she, her case-manager, and OYA teacher charted out her proposed **My Action Plan (MAP)** to show her what work pace she must maintain to reach her goals. They have all agreed that for Melody a daily attendance program is best to keep her on track. You can usually find her arriving at about 8:15 am to class and her favorite spot in the classroom is being tucked away on the sofa working on a pen-and-paper packet. She prefers drinking tea as opposed to coffee and usually accompanies it with a granola or fruit bar. She prefers working with packets, although, recently she tried an online history class and she said she liked it; she may try a few more courses online. She doesn't feel too comfortable with her typing skills but she is getting better. She usually leaves before 1 pm and her case-manager says the OYA class has given her a predictable routine to life that she was sorely lacking. The OYA Navigator carried out an initial needs assessment, but since Melody has a case-manager and wrap around services are coordinated by her, not much other than a periodic check is needed on our part to assure that she is receiving all her services.

(Daily students are usually younger or may have scored lower in the pre-assessments than other students. Case-managers, parole officers or parents may also guide the decision to have a student attend daily.)*

2. Luis: (Independent Study Student*)

Luis had given up on getting his diploma until he saw an OYA flyer posted at his little girl's school where she attends kindergarten. He became a father at an early age but he is a loving and devoted husband and father. Recently he was offered a promotion at work but did not qualify because he did not meet the minimum requirement of possessing a high school diploma. That and the fact that one day he would have to explain to his little daughter why "Daddy didn't graduate high school," impressed upon him the need to pursue OYA as an option. Due to his workload and responsibilities at home, Luis and the OYA teacher decided that it would be best for him to enroll in a classic Independent Study Program. Once a week, on

Tuesday evenings, he meets with the OYA teacher and provides all the evidence of his work necessary to meet the established Independent Study program compliance criteria. On occasion Luis seeks some work clarification during the course of the week or some quick phone tutoring from his teacher. He usually calls during his scheduled breaks during work. When he met with the program Navigator he conveyed that he wasn't interested in navigation services so a needs assessment was not carried out. However, in a recent conversation the Navigator convinced him to plan on a few mock-interview practices to get him ready to vie for his promotion. If he sticks to his **MAP** course outline Luis should meet his credit requirements for graduation in about six months.

(Not all students requesting Independent Study will be afforded this option. Independent Study is provided to students that demonstrate that they have the academic capacity to work and advance upon their goals independently.)*

3. Richard: (Combination Independent Study and Small Group Attendance Student*)

Richard was introduced to the program by his probation officer (PO). He says that he is ready to "settle down" and at his last court school he progressed quite visibly through their online credit accrual program. He was excited when we told him that OYA also provided online credit accrual and although his MAP shows that he has quite a bit of ground to cover, he, his PO, and teacher all agreed on a robust class load for him to pursue. Richard's PO and OYA Navigator were even able to work together to find him an opportunity for employment. Richard also happens to be an important source of income for his single mother and his two younger siblings, so he realizes that maintaining his course work and goals is essential to keeping the work permit that OYA will be providing for him. His biggest concern is that he will not understand the Algebra class for which he enrolled, so his teacher gave him the option of coming to class on Wednesday afternoons from 1:00 pm to 3:30 pm for the OYA Algebra group that meets at that time. After the group ends Richard has set his Independent Study's reporting appointment to share with his teacher his progress on his online work and to print out work samples to attach to the week's attendance report. Like about 15% of his OYA classmates, Richard has an Individualized Education Program (IEP) which was developed for him at his previous court school. And much like many of his classmates, the IEP was lapsed when he joined OYA. His teacher, who is dually credentialed with a both a multiple-subject and a Special Education credential, in conjunction with the OYA sponsored psychologist, agreed that OYA was a beneficial placement for him and could meet his specific needs. An IEP meeting was held and his services were updated to reflect his Independent Study placement.

*(*Justice-engaged students also have the option of pursuing an AB 167 designation and graduating with 130 credits.)*

4. Charlene: (Online Learner*)

Charlene is the proud mother of an 11 month old, bouncing baby boy. Becoming a mother at 17 was not exactly in her plans, but that did not derail her original goal of becoming the first person in her family to go to college. During her 11th grade year in high school, she was placed in a Foster home, which qualifies her for AB 167 and achieving a diploma with only 130 credits. However, she desires to attend San Jose State University and wants to graduate with a full diploma that will allow her to go straight to a California State University. She made this decision after the OYA counselor explained to her that an AB 167 designation would allow her to start her college career at a community college but not at a state university. An influence upon this decision was the fact that even though her life has not been exactly ideal the last couple of years, she has managed to maintain her credits near their expected grade level. She only needs 32.5 remaining credits to graduate. As the OYA teacher spelled out her program options, Charlene decided that pursuing credit accrual online would make the most sense to also be able to keep up with the demands that a child places upon a young mother. She has greatly benefited from having been taken in by her aunt, who has signed on as her legal guardian until she turns 18. The home she provides has been a haven for Charlene and her baby, and has offered great encouragement for her educational pursuits. Charlene, like many of her OYA classmates, has made great use of the Educational Navigators. Because of them she has been able to access a loaner computer, low cost internet access at home, community baby clothes closet, local food pantry, low cost medical checkup for mom and baby and even a campus excursion to San Jose State University (her future alma mater).

*(*Online students, like all other OYA students, will meet their teacher a minimum of once a week for the purpose of reporting work completed and providing work samples to meet Independent Study compliance criteria. This is a minimum time requirement and does not include group time, scheduled or drop-in tutoring times.)*

APPENDIX C: OYA Curricular Materials and Graduation Requirements

Subject	Textbooks and instructional materials/year of adoption
Reading/Language Arts	Character based Literacy -2012 Write Source-2011 EDGE and INSIDE-2012
Mathematics	Pearson, Integrated Math I, II and III - 2015
Science	Holt, Physical and Earth Science - 2010 Prentice, Hall Biology - 2010 Holt Earth Science
History-Social Science	Prentice Hall, The Modern Era and World History - 2012 Prentice Hall, United States History: Modern - 2012
Foreign Language	N/A
Health	Glencoe, Health, A Guide to Wellness - 2009
Visual and Performing Arts	N/A
Science Laboratory Equipment (grades 9-12)	Multiple programs online as well as on CD: Some titles include: * Forensic Science Labs * Earth Science Labs * Biology Science Labs

GRADUATION REQUIREMENTS

SUBJECT	Credits Required for Students Graduating 2013 and beyond
English	40
Mathematics	10
Algebra	10
World History	10
U.S. History	10
Government/Econ	10
Visual/Performing Fine Arts	10
Career Tech Education	10
Life Science	10
Physical Science	10
Physical Education	20
Service Learning	10
Life skills	10
Computer Applications	10
Service Project	10
Electives	30
TOTAL	220

In addition to earning all credits towards graduation, all students must pass both the English/Language Arts and Math portions of the California High School Exit Examination. Students are given multiple opportunities to take the exam in grades 10-12.

EARNING SCHOOL CREDIT FOR GRADUATION

It is the Alternative Education Department policy to calculate credits based on clock hours of instructional time. One semester credit is earned for each twelve hours of instructional time. If an instructional period is less than one hour in duration, it will take more than twelve instructional periods to earn a semester credit. The chart below is offered for ease in calculation from time to credits:

<u>Class Period- Instructional Minutes</u>	<u>Instructional Periods Needed Per Subject</u>
60	12 periods = 1 credit
55	13 periods = 1 credit
50	15 periods = 1 credit
45	16 periods = 1 credit
40	18 periods = 1 credit

Reference: California Administrative Code, Title 5, Chapter 7 § 1600a(2)

Students do not automatically earn credit simply by being enrolled. Students must 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 days attended, the quality of student work, and the amount of effort put into the work by the student.

APPENDIX D: Partnership between OYA, SIATech, and Work2Future

CONCEPTUAL SUMMARY

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

Background

Encouragement for co-enrollment linkages between Workforce Innovation and Opportunity (WIOA) Programs such as Work2Future’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/SIATech
2. Work2Future, the local WDB
3. The Work2Future Foundation, the provider of youth recruitment, enrollment, work readiness, basic skills remediation, placement, and case management services for the WDB.

1. Recruitment:

- A. WIOA recruitment will occur as scheduled by the mutual agreement of the Work2Future Foundation and Opportunity Youth Academy/SIATech by means of:
 - Outreach orientations by Work2Future Foundation case managers at Opportunity Youth Academy/SIATech location.
 - Enrollment, including CASAS pre-testing by Work2Future Foundation case managers, at Work2Future facilities
- B. Opportunity Youth Academy/SIATech graduates or pending participants targeted.
 - Young adults 18-24, who are eligible for WIOA services, may co-enroll in WIOA based on eligibility, interest and fit.
 - Young adults 18-24 who are eligible for WIOA services and who are being prepared for charter high school enrollment in Opportunity Youth Academy/SIATech 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/SIATech 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/SIATech staff.
- Work2Future 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/SIATech at any point *after* that individual’s enrollment in the State CalJobs system is verified.

3. Work readiness module including two certifications:

- Completion of work readiness and ServSafe/NRF customer service certification is critical for Work2Future and Work2Future Foundation performance attainment.
- Work readiness will be delivered by Work2Future Foundation staff at suitable Opportunity Youth Academy/SIATech facility or at Work2Future, as mutually agreed. B.
- The following are work readiness course details and required training hours:

NRF Customer Service and Sales Training

<u>Components:</u>	<u>Training Hours</u>
Retail Industry Overview	4
Customer Service	4
Selling and Service	4
Store Operations	4
Test Review and Proctoring	4
	NRF Hours <u>20</u>

ServSafe California Food Handler Training

<u>Components:</u>	
Food Safety is Important	0.67
Good Personal Hygiene	0.67
Controlling Time and Temperature	0.67
Preventing Cross-Contamination	0.67
Cleaning and Sanitizing	0.67
Job Specific Guidelines	0.67
Content Review	1.0
Test Proctoring	3.0
	ServSafe Hours <u>8.0</u>

Work Readiness Elements

<u>Components:</u>	
Finding your Place in the Labor Market	4
Finding Your Job through Networking and Internet	4
Resumes	4
Interview Skills	4
Work Retention	2
Financial Literacy	2
Workbook Assembly	
	Work Readiness Hours <u>20</u>

<u>TOTAL TRAINING HOURS</u>	<u>48</u>
------------------------------------	------------------

4. Cohort Training (selected by the Work2Future workforce board by industry sector):

- Following completion of work readiness and attainment of initial certifications, co-enrolled youth may apply to take any one of the following WIOA youth cohort courses if they are able to meet the prerequisites established by the training providers:

Certified Logistics Associate -- 8 student minimum cohort size/20 maximum

Training provider: Workforce Institute at San Jose City College

80 classroom hours plus 40 hours online and homework

Certification available: CLA Certified Logistics Associate

(Students must pass test to obtain the certification)

Prerequisites

Reading and math educational functioning level 7 on the CASAS test

(Equal to or above Reading and Math CASAS test scores of 236)

Course curriculum

Week 1 – Global supply chain, logistics lifecycle, logistics environments

Week 2 – Using computers, safety principles, quality control

Week 3 – Safe material handling and equipment operation, workplace communication, material handling equipment

Week 4 – Certification preparation and testing.

Sample entry level jobs related to Certified Logistics Associate course include freight, stock and material mover, or Assistant material moving worker, and more.

Certified Production Associate – 8 student minimum cohort size/20 maximum

Training provider: Workforce Institute at San Jose City College

80 classroom hours plus 55 hours online and homework

Certification available: Final certification is the Certified Production Associate *Note: See Curriculum below to see about weekly certifications available in this course.* (Students must pass tests to obtain each certification)

Prerequisites

Reading and math educational functioning level 7 on the CASAS test (Equal to or above Reading and Math CASAS test scores of 236)

Course curriculum

Week 1 – Quality practices and measurement (Certificate available)

Week 2 – Manufacturing process and production (Certificate available)

Week 3 – Maintenance awareness (Certificate available)

Week 4 – Certification preparation and testing (For full Certified Production Associate certification).

Sample entry level jobs related to Certified Production Associate course include assistant assembly tech, or assistant planning & expediting clerk, and more.

Computer User Support -- 6 student minimum cohort size/15 maximum

Training provider: Workforce Institute at San Jose City College

80 classroom hours plus 40 hours online and homework

Certification available: CompTIA IT Fundamentals, or Certified Guest Services Professional (Students must pass test to obtain the certification)

Prerequisites

Reading and math educational functioning level 7 on the CASAS test (Equal to or above Reading and Math CASAS test scores of 236)

Course curriculum

Week 1 – Hardware fundamentals, processing components, and input/output devices, basic circuitry, and chips

Week 2 – Software fundamentals, data analysis, quality assurance, training manuals, upgrades, peripherals, and storage devices

Week 3 – Customer service, time management, ticketing, and problem solving
Week 4 – Maintenance, and certification preparation and testing.

Sample entry level jobs related to Computer User Support course include computer support specialist, or computer technician.

TechBridge Career Path with introduction to Coding – 10 student minimum cohort size/20 maximum

Training provider: Foothill College with Henkels & McCoy

80 classroom hours (Course may be delivered at Foothill M-Th 1-5pm, or at any acceptable alternate location, or evenings or weekends)

Certification available: 4 CEU's from Foothill College Extension (Students must pass test to obtain the certification)

Prerequisites

Reading and math educational functioning level 7 on the CASAS test (Equal to or above Reading and Math CASAS test scores of 236)

Course curriculum

Note that this course involves the hands-on building of PC desktop tower computer from components which after the class are disassembled for reuse.

- a. Introduction to personal computer technology
- b. Hands-on assembly of a working desk top personal computer, including loading and use of basic office software applications
- c. Computer peripheral devices
- d. Installing motherboards, video cards, power supply, memory, and storage o Loading operating systems
- e. Introduction to cyber security, and introduction to coding – Python

Sample entry level jobs related to Computer User Support course include computer user support, or Helpdesk support (as with other cohort courses, the hope is that students will continue their education and training as they see viable career options).

5. Case Management:

- Each youth co-enrolled in WIOA has a case manager who will develop, in cooperation with Opportunity Youth Academy/SIATech, an Individual Service Strategy with goals and benchmarks for progress to program completion and goal attainment.
- Case managers maintain case notes and other documentation on each client per WIOA guidelines.
- WIOA case managers may approve the following:
 - a. Incentives:** One-time incentive payments to clients for meeting milestones:
 - i. \$100 for earning their first industry-recognized certification, which will be either the NRF customer service certificate, or the ServSafe California food handler certificate.
 - ii. \$25 for the second industry-recognized certificate attained.
 - iii. \$125 for attaining a tested improvement of one educational functioning level on a CASAS post-test in either math or reading from a pre-test base level which was basic skills deficient (below 9th grade level—a 235 or below score). Note that if an individual is basic skills deficient on the CASAS pre-test in both reading and math, the incentive is for the first EFL gain only.
 - iv. \$150 for a verified placement. A placement incentive requires documentation of:
 - Employment: Documentation of employment for 30 or more days
 - Post-secondary: Documentation of participation for 30 or more days
 - Advanced training: Documentation of participation for 30 or more days in a program such a Job Corps, Year Up, a trades apprenticeship, etc.
 - Military: Documentation that the individual is on active duty.

b. Support Services: Payments, reimbursements to clients, or cash value items provided to assist a client toward goal attainment.

- i. Payments and prior approved reimbursements up to a total of \$100 per client –
 - Work Clothing
 - Post secondary or apprenticeship fees
 - Work Tools
 - Payment of fines or other similar fees
 - Other expenses approved by the Case Manager
- ii. Cash value items approved and provided to clients by a case manager
 - Gas cards: A total of two \$50 cards may be awarded by case managers
 - Bus passes: Monthly VTA passes with monthly approval
 - Connections to other services and resources in the community

c. Work Experience:

- i. Clients, who complete WIOA work readiness training, attain either the NRF customer service or ServSafe food handler certificate, and may qualify for a work experience placement with an agency or organization that has an approved worksite agreement with the Work2Future Foundation.
- ii. Work experience placements are for 6-12 weeks, 20 hours per week based on 16 hours at work and 4 hours in work retention training or basic skills remediation.
- iii. Client may earn \$10.30 an hour based on documented full participation at the work site or in training/remediation, up to 20 hours per week.

d. Internships:

- i. Clients, who complete work readiness training, attain either a ServSafe food handler or NRF customer service certificate, and successfully complete a WIOA Cohort Training Course may qualify for an internship.
- ii. Internships must provide documented learning experiences linked directly to the relevant WIOA cohort training course.
- iii. Internship placements are for 6-12 weeks, 20 hours per week based on 16 hours at the internship and 4 hours in work retention training or basic skills remediation.
- iv. Client may earn \$10.30 an hour based on documented full participation at the work site or in training/remediation, up to 20 hours per week.

e. Placement services:

- i. **Job placement:** Job Developers provide employment support for WIOA clients, coordinating with the clients, case managers, work readiness instructors, trainers, other staff and employers to create job fairs, employer recruitment activities, and referrals to job opportunities.
- ii. **Post-secondary and other placement:** WIOA case managers provide support to WIOA clients, coordinating with their clients, other case managers, trainers and others to assist with post-secondary enrollment, advanced training applications or referrals to military recruiters.

f. Exit:

- i. WIOA clients can remain in active status and eligible for WIOA benefits and services for up to one calendar year, but may exit active status earlier based on attainment of completion of program goals or loss of participation.

g. Follow up services for one year from date of exit from active status in CalJobs:

- i. After a client exits from active status, they receive one year of follow up services from their case manager. This includes regular contact and referrals as needed to community resources and services, or individualized assistance with issues.
- ii. Placement assistance continues during the follow up period
- iii. *Once per quarter*, case managers may approve support services based on their assessment of a client's continued active participation in seeking placement in employment, post-secondary, advanced training, or the military. Available support services include bus passes and gas cards.

APPENDIX E: California Guidelines for Independent Study ADA Ratios

Under [Charter School Regulations](#), charter schools may use one of two methods for computing A.D.A. ratios for IS programs:

1. They may follow the instructions for school districts, using as the base the unified school district with the greatest a.d.a 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. EC 51745.6(e)

LEA-wide ratios

3. Recent legislation, Chapter 13, Statutes of 2015 (Assembly Bill 104), enacted June 24, 2015, changed the independent study ratios calculations back to a local educational agency (LEA)-wide calculation, rather than a calculation by grade span.
4. In 2014-15, the independent study ratios were required to be calculated by grade span. However, due to the late timing of the 2014 legislation and late availability of the requisite instructions for making the calculations, LEAs had the option to calculate ratios by grade span or on an overall LEA-wide basis. Beginning fiscal year 2015–16, LEAs will be required to calculate the ratio only on an LEA-wide basis. Please refer to *Education Code* Section 51745.6 for the current language.

County Offices of Education (COEs) prior year comparative ratio

5. Assembly Bill 104 also changed the comparative ratio for COEs. 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 F: OYA Student Attendance Agreement



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 nd 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 rd Notice	At the end of the two week period a letter will be mailed to notify student that they have been un-enrolled from OYA.

Should you not meet attendance program expectations or reply to our contacts OYA will be forced to put you on “un-enrolled” status. If you choose to return, you will have to re-enroll and your re-admission will be based on space availability.

Student Signature

Date

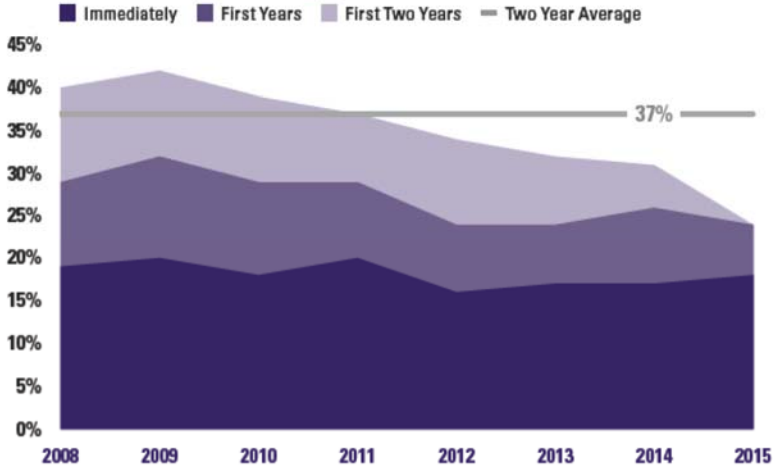
APPENDIX G: Evidence of the Effectiveness of SIATech

SIATech’s college going information as reported by National Student Clearinghouse.

On average, 37% of graduates enroll in college within two years.



College Enrollment

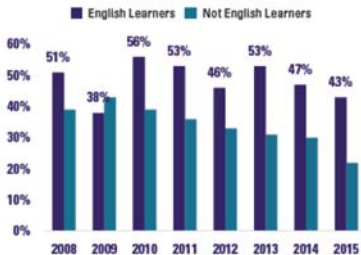


National Student Clearinghouse provided data disaggregated by demographics.

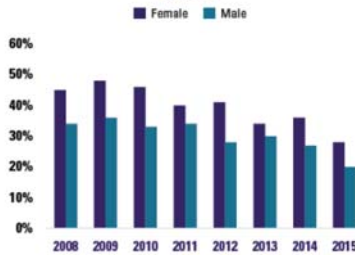
Interesting Results:

- SIATech English Learners enrolled in college at higher than average rates.
- SIATech female graduates enroll more often than male graduates.
- African-American and Hispanic SIATech graduates enroll more often than white graduates.

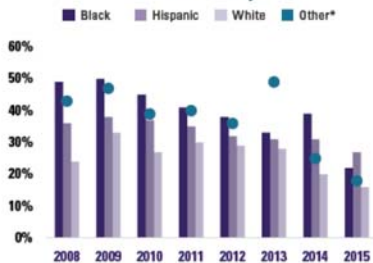
English Learners



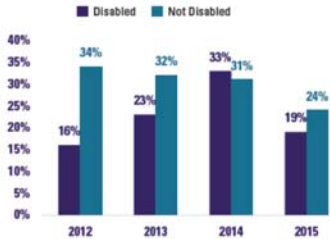
Gender



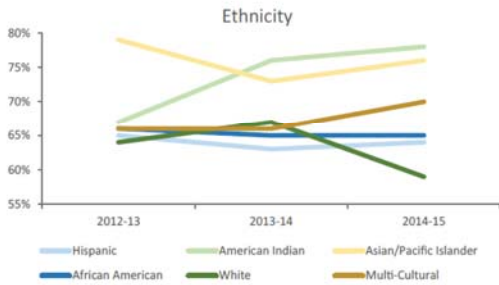
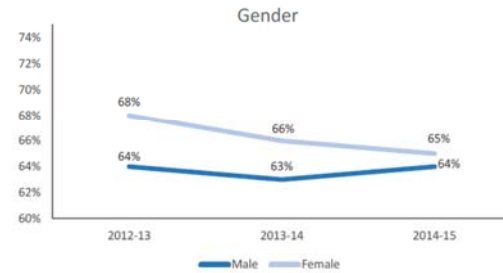
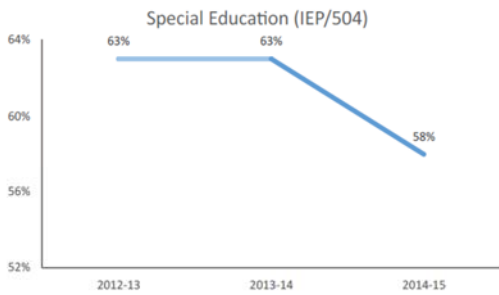
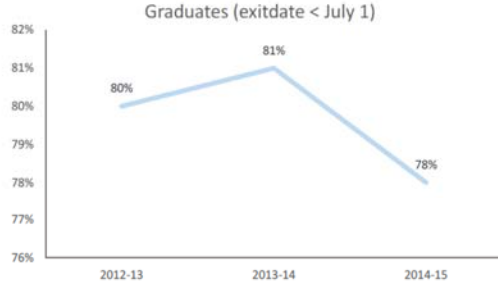
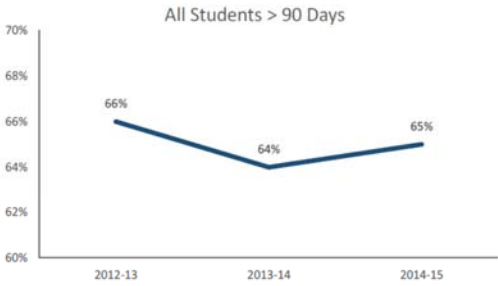
Race-Ethnicity



Disability

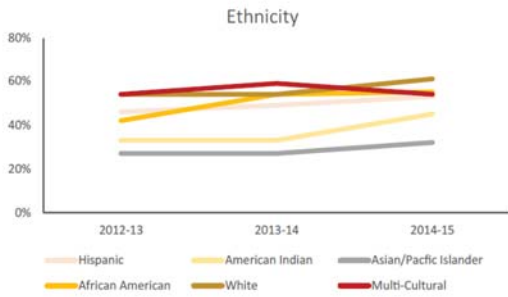
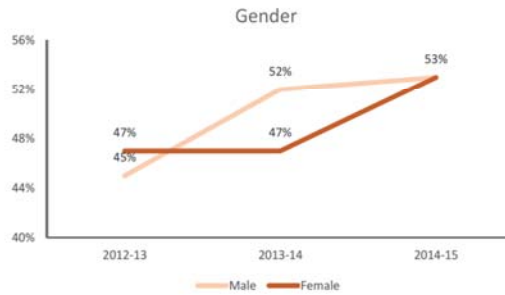
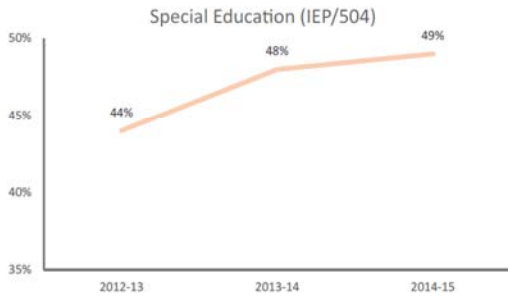
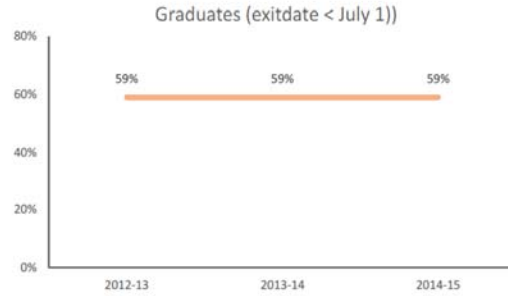
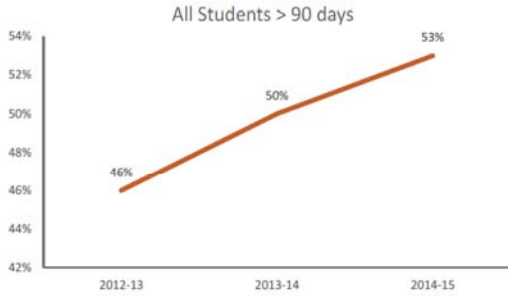


SIATech California | AdvancED
Math Value Added Analysis



Category	2012-13			2013-14			2014-15		
	Participation in CAS STAR Assessments	Students that Met Growth Expectation		Participation in CAS STAR Assessments	Students that Met Growth Expectation		Participation in CAS STAR Assessments	Students that Met Growth Expectation	
	n	n	%	n	n	%	n	n	%
All Students >90 days	1803	1198	66%	1804	1162	64%	1396	912	65%
Graduates (exitdate < July 1)	460	369	80%	404	329	81%	353	275	78%
ELL							263	167	63%
Special Education (IEP/504)	431	273	63%	397	250	63%	290	168	58%
Gender									
Male	1050	675	64%	1044	661	63%	848	545	64%
Female	822	558	68%	818	536	66%	659	429	65%
Ethnicity									
Hispanic	1056	683	65%	1105	693	63%	885	565	64%
American Indian	18	12	67%	17	13	76%	18	14	78%
Asian/Pacific Islander	96	76	79%	86	63	73%	74	56	76%
African American	361	240	66%	363	235	65%	289	187	65%
White	196	126	64%	171	114	67%	152	90	59%
Multi-Cultural	145	96	66%	120	79	66%	89	62	70%

SIATech California | AdvancED
Reading Value Added Analysis



Category	2012-13			2013-14			2014-15		
	Participation in CAS STAR Assessments	Students that Met Growth Expectation		Participation in CAS STAR Assessments	Students that Met Growth Expectation		Participation in CAS STAR Assessments	Students that Met Growth Expectation	
	n	n	%	N	n	%	n	n	%
All Students >90 days	1745	801	46%	1852	922	50%	1369	731	53%
Graduates (exitdate < July 1)	452	266	59%	405	240	59%	352	208	59%
ELL							237	89	38%
Special Education (IEP/504)	423	187	44%	408	196	48%	284	138	49%
Gender									
Male	1002	453	45%	1069	552	52%	813	433	53%
Female	817	382	47%	857	407	47%	654	349	53%
Ethnicity									
Hispanic	1033	477	46%	1144	555	49%	870	461	53%
American Indian	18	6	33%	21	7	33%	20	9	45%
Asian/Pacific Islander	75	20	27%	75	20	27%	60	19	32%
African American	357	151	42%	380	205	54%	285	158	55%
White	198	106	54%	184	100	54%	147	89	61%
Multi-Cultural	138	75	54%	122	72	59%	85	46	54%

GALLUP Student Poll Results Summary: 2015-2016

SIATech All Sites

Overview: The Gallup Student Poll measures hope, engagement, entrepreneurial aspiration, and career/financial literacy. SIATech administered the poll in Fall 2015 along with more than 800,000 other high school students nationwide.

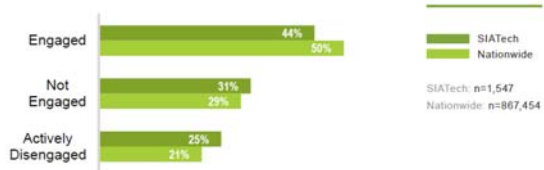
SIATech students frequently give higher responses than student responses in the nationwide sample. The poll reflects the many ways SIATech provides an excellent educational environment for its students.

ENGAGEMENT

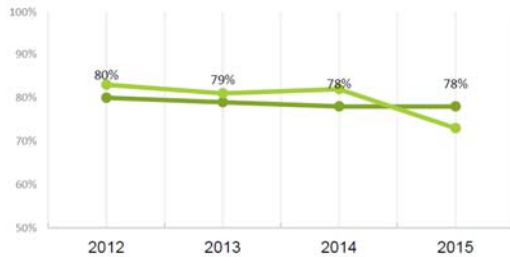
The involvement and enthusiasm for school. According to Gallup, engagement scores separate high performing from low-performing schools.

In 2015-2016, 44% of SIATech students were engaged in school.

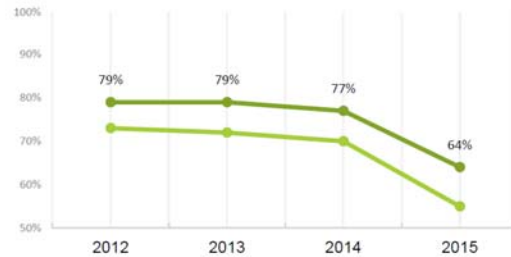
More than 60% of SIATech students agreed or strongly agreed to the following engagement indicators: school provides an opportunity to do their best (64%), schoolwork is considered important (78%), school is safe (66%), receipt of praise for school work (67%), learned something interesting at school (69%), adults at school care (65%), and that a teacher makes them excited about the future (74%).



My teachers make me feel my schoolwork is important.
Percent who agree or strongly agree



At this school, I get to do what I do best every day.
Percent who agree or strongly agree

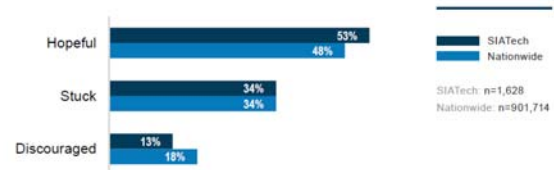


HOPE

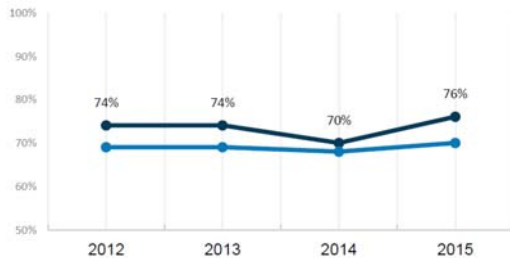
The ideas and energy we have for the future. Hope drives attendance, credits earned, and high school GPA, and is a predictor of college GPA and retention.

The majority of SIATech students were hopeful (53%) in 2015-2016.

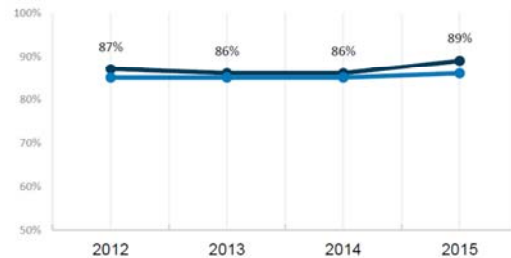
More than 80% of SIATech students agreed or strongly agreed to the following hope indicators: confidence in graduation (91%), having a great future ahead (89%), capacity to get good grades (80%), having set goals (85%) and post-graduation job outlook (89%).



I can find many ways around problems.
Percent who agree or strongly agree



I know I will find a good job in the future.
Percent who agree or strongly agree



To learn more, visit www.siatech.org or email info@siatech.org

ENTREPRENEURIAL ASPIRATION

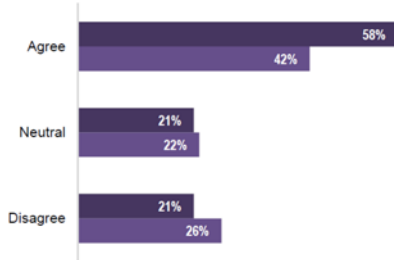
Entrepreneurial aspiration is the talent and energy for building businesses that survive, thrive, and employ others. According to Gallup, by identifying and nurturing students' innate entrepreneurial talent, educators can empower the next generation of innovators to spur and sustain long-term economic energy.

The majority of SIATech students plan to start their own business (58%) and many students felt they are learning what they need to start and run a business while at SIATech (38%). Many students believe they will invent something that changes the world (39%).

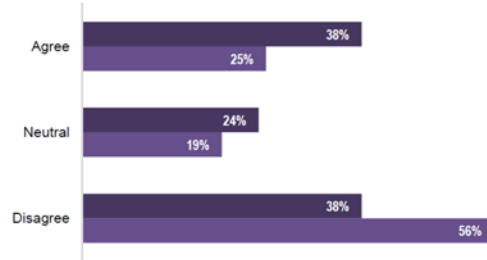


SIATech: n=1,271
Nationwide: n=684,180

I plan to start my own business.



I am learning how to start and run a business.



CAREER/FINANCIAL LITERACY

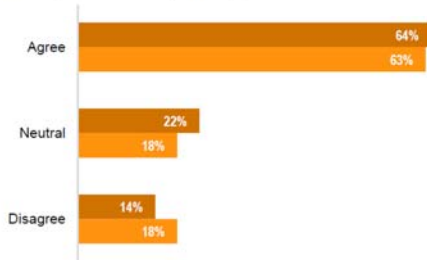
Career / financial literacy includes the information, attitudes, and behaviors that students need to practice for healthy participation in the economy. Wise economic choices can contribute to a thriving life.

The majority of SIATech students expressed that they are learning how to save and spend money (64%), and many students have a bank account (40%) and paying job (29%).

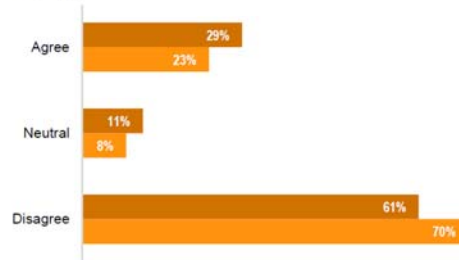


SIATech: n=1,543
Nationwide: n=817,732

I am learning how to save and spend money.



I have a paying job now.



GALLUP STUDENT POLL METHODOLOGY AND LIMITATIONS OF POLLING

The annual Gallup Student Poll is offered at no cost for U.S. schools and districts in the United States. The online poll is completed by a convenience sample of schools and districts each fall. Schools participating in the annual Gallup Student Poll are not randomly selected and are neither charged nor given any incentives beyond receipt of school-specific data. Participation rates vary by school. The poll is conducted during a designated survey period and available during school hours Monday through Friday only. The Gallup Student Poll is administered to students in grades 5 through 12. The primary application of the Gallup Student Poll is as a measure of non-cognitive metrics with links to student success in academic and other youth development settings. The overall data from the annual administration of the Gallup Student Poll may not reflect responses from a nationally representative sample of students, and the overall data are not statistically weighted to reflect the U.S. student population; thereby, overall data and scorecards should be used cautiously by local schools and districts as a data comparison. School and district data and scorecards provide meaningful data for local comparisons and may inform strategic initiatives and programming, though the results are not generalizable beyond the universe of the participating school or district.



APPENDIX H: OYA Job Descriptions

SANTA CLARA COUNTY OFFICE OF EDUCATION

CLASS TITLE: PRINCIPAL – OPPORTUNITY YOUTH ACADEMY

BASIC FUNCTION:

Under the direction of the Director of Alternative Education and the Chief Schools Officer of the Student Services Branch, the Principal-Opportunity Youth Academy (OYA) is responsible for planning, organizing, leading, and directing the educational operations, activities, and services of the OYA. 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. This position is designated as a certificated management position and is part of the Leadership Team.

REPRESENTATIVE DUTIES:

ESSENTIAL DUTIES:

Plans, directs, assigns, and supervises educational services conducted at the OYA for the purpose of ensuring effective and efficient operations of one or more assigned sites; implements sustains and assures compliance with the Santa Clara County Office of Education (SCCOE), California Department of Education, safety, ELL and other mandated requirements;

Oversees classrooms and program staff located at various sites in Santa Clara County;

Provides leadership and training such that program staff effectively meets the needs of young adults aged 16-24 who were previously separated from school; designs and provides professional development opportunities to maintain a highly qualified workforce;

Serves as an instructional leader for students, staff, and the educational program for the purpose of ensuring student success; leads and monitors the implementation of blended learning, project-based learning and other evidence on based practices;

Formulates and develops policies, procedures and programs in collaboration with the Chief Schools Officer and Director of Alternative Education;

Communicates with students, teachers, law enforcement, probation department, social services, parents, special education administrators, and other school officials for the purpose of discussing a variety of educational, behavioral or other school-related issues, problems or concerns;

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;

Selects, trains, supervises and evaluates teachers, classified, and other personnel as assigned to ensure effective and efficient operations; recommends transfers, reassignments, terminations and disciplinary actions; designs and participates in staff development and training; conducts site visitations and responds to needs as appropriate;

Develops long-and short-range plans, and facilitates communication between the SCCOE, community resources and related agencies to promote student success;

Manages a wide variety of programs for the purpose of ensuring compliance with state, federal, and/or county regulations;

Participates in meetings, and leads workshops and Professional Learning Community (PLC) sessions for the purpose of conveying, planning and/or gathering information required to increase staff and student performance;

Facilitates communication between personnel, students, and/or parents for the purpose of evaluating situations, solving problems, and/or resolving conflicts;

Serves as liaison and networks with community agencies and other SCCOE departments; coordinates and collaborates with various outside agencies including probation, mental health, police and other professionals;

Oversees, reviews, and participates in the development and design of curriculum; establishes and administers curriculum priorities in accordance with state standards;

Manages school administrative functions such as facilities and budgets to ensure compliance with SCCOE policies and procedures; plans, prepares and monitors the program budget; analyzes and reviews budgetary and financial data; controls and authorizes expenditures in accordance with established limitations; manages assigned grants; ensures appropriate adopted and approved instructional materials are provided to meet the needs of all students;

Prepares and maintains a variety of narrative and statistical reports, records and files related to personnel and assigned activities.

Creates master schedules; organizes standardized testing schedules;

Represents the county office within community forums for the purpose of establishing community support and partnerships;

Coordinates and adheres to testing policies and procedures to assure compliance with local, state and federal requirements;

Attends Individualized Education Plan (IEP) meetings and ensures appropriate services are available and offered;

Establishes open communication with parents/caregivers for the purpose of creating opportunities for parent involvement;

Ensures that students develop a plan for transition to college and career;

Operates a computer and assigned software programs; operates other office equipment as assigned; drives a vehicle to conduct work as assigned;

Attends and conducts a variety of meetings as assigned; serves on assigned committees

OTHER DUTIES:

Performs other duties as assigned

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

Principles, theories, practices, methods, and techniques used in alternative education classroom instruction;
 Applicable federal, state, and local laws, codes, ordinances and regulation as they pertain to public school instruction;
 Evaluation and assessment techniques used in determining proper teaching and instructional methods;
 School physical plant design, upkeep, and long term maintenance;
 Probation and lock down facility procedures and protocols;
 Management and supervision principles and practices;
 Financial administration principles and practice including budgeting and purchasing;
 Records retention including systems and maintenance;
 Standardized testing processes and procedures;
 Report writing;
 Presentation techniques and processes;
 Microsoft Office Suite.

ABILITY TO:

Assume primary and direct responsibility for the operation and administration of one or several school sites;
 Provide effective evaluation, administration and educational leadership to assigned teachers, clerical, and facilities staff;
 Respond to difficult questions, inquiries, and complaints from parents, students, teachers, school officials, and other governmental agencies;
 Communicate effectively orally and in writing;
 Establish and maintain an effective working relationship with staff, school district and county personnel, and other agency personnel;
 Effectively supervise and evaluate staff;
 Work with data of different types and utilize a variety of job related equipment and computer software;
 Perform basic math;
 Read technical information;
 Compose and deliver presentations;
 Facilitate group discussions;
 Understand complex multiple-step instructions;
 Compose a variety of documents;
 Facilitate group discussions;
 Meet the travel requirements of the job including driving to various assignments and travel by commercial carrier both inside and outside of the state;
 Perform multiple non-technical tasks and occasionally upgrade skills in order to meet changing job conditions;
 Supervise, organize, and implement programs related to the assignment;
 Effectively analyze complex procedures/issues and understand and interpret laws and regulations;

PRINCIPAL – OPPORTUNITY YOUTH ACADEMY- continued

Page 4

Develop and administer multiple budgets and a wide variety of income sources;
Perform bilingual skills (Spanish) desirable in some locations.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: Master's degree from an accredited college/university in Educational Administration or closely related field, Doctorate degree from an accredited institution in a related field desirable; three (3) years of successful public school teaching or student support services experience, preferably in Alternative Education or related programs, and two (2) years of recent secondary administrative experience in a public school setting with experience preferably in Alternative Education.

LICENSES AND OTHER REQUIREMENTS:

Valid California Multiple or Single Subject Teaching Credential or Educational Services Credential
Valid California Administrative Services Credential
Valid California Driver's license

WORKING CONDITIONS:

ENVIRONMENT:

Office environment with minimal temperature variations and in a clean atmosphere;
Hazards include potential exposure to communicable diseases, contact with blood and other body fluids and potential exposure to physical injury from aggressive student behavior;
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 conduct inspection of data and school sites;
Some lifting, carrying, pushing, and/or pulling is required;
Some climbing, balancing, stooping, kneeling, and crouching;
Generally the job requires 60% sitting, 25% walking, and 15% standing.

Approved: Philip J. Gordillo 5/19/2015
Philip J. Gordillo Date
Chief Human Resources Officer

SANTA CLARA COUNTY OFFICE OF EDUCATION

**CLASS TITLE: TEACHER-OPPORTUNITY YOUTH ACADEMY
(SPECIALIZED ACADEMIC INSTRUCTOR)**

General Description

The position of SAI Teacher is responsible for providing general education (core academic subjects) and special education instructional services for students (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 special education regulations, court orders, etc., and processing new students in accordance with requirements. This position may provide lead support to instructional aides and is under the general supervision of the principal for day-to-day operations and program implementation and a special education administrator for guidance regarding IDEA regulations/compliance. Internships and project-based learning will be featured components.

FUNCTIONS

- Instructing general education and special education students in special areas as assigned;
- 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 21st 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. The English Learner certification 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. Online Blended Teacher Certification Preferred.

TEACHER-OPPORTUNITY YOUTH ACADEMY, SPECIALIZED ACADEMIC INSTRUCTOR

Page 3

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.

Approved:  _____ 4/20/2015
Philip J. Gordillo Date
Chief Human Resources Officer

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)*

**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, 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



Norma Gonzales
Director-Classified Personnel Services

6/10/15
Date

**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, 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


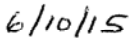
ENVIRONMENT:

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

Norma Gonzales Date
Director-Classified Personnel Services

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.

Counselor - continued

Page 2

Approved:  _____ 6/01/15
Philip J. Gordillo Date
Chief Human Resources Officer

Approved: 9/8/86 by Assistant Superintendent, Personnel
Revised: 2/24/11, 5/17/11, 6/14/11 (Updated Working Conditions and Physical Demands)
Revised: 5/29/15 Under the direct supervision of the Principal-Special Education..... removed *Special Education*.

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:

- Practical learning patterns and behavior
- 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 TITLES: ADMINISTRATIVE ASSISTANT III
 ADMINISTRATIVE ASSISTANT III - RESTRICTED
 OFFICE COORDINATOR
 OFFICE COORDINATOR - RESTRICTED

BASIC FUNCTION:

Performs a wide variety of complex responsible administrative, secretarial/clerical, and office functions in support of a department or major work/service unit of the Santa Clara County Office of Education. 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. This job class requires an advanced use of initiative, organizational skills, problem solving skills, and independent judgment in the processing of administrative details.

DISTINGUISHING CHARACTERISTICS:

The regular and restricted classes of Administrative Assistant III and Office Coordinator are distinguished from the lower alternate class (regular and restricted) series of Administrative Assistant I/II and in that employees in that latter alternate class series provide responsible clerical/secretarial support to, and receive general to limited supervision, from a lower level manager. The lower job class is further distinguished by the limited to general use of discretion, initiative, problem-solving skills, and independent judgment.

The regular and restricted classes of Administrative Assistant III and Office Coordinator are distinguished from the higher classification of Administrative Assistant IV in that employees in the latter job class exclusively provide responsible administrative/secretarial support to, and receive minimal supervision, from a senior (executive) manager. The higher job class is further distinguished by the advanced use of discretion, initiative, problem-solving skills, and independent judgement in the processing of administrative details relating both to the assigned department and County Superintendent of Schools.

ESSENTIAL/TYPICAL 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.

Performs highly responsible administrative, secretarial/clerical, and office functions; assists in arranging and coordinating department assignments and activities.

Receives, processes, facilitates, and disseminates information between the department and other COE departments, school district representatives, and the general public; maintains the confidentiality of sensitive information; ensures timely responses as necessary

Page 2 of 4
Administrative Assistant III
Administrative Assistant III - Restricted
Office Coordinator
Office Coordinator - Restricted

Directs and assigns work to other office clerical personnel; serves as a resource regarding applicable rules, regulations, and policies and procedures; serves as a back-up for other department secretarial/clerical positions

Establishes and maintains records, filing systems, and logs; maintains staff calendars as assigned; monitors and records staff attendance; prepares department attendance reports for payroll

Assists in the development and monitoring of the department budget; establishes open accounts, prepares purchase requisitions; maintains equipment inventory; orders equipment, warehouse and other supplies; resolves invoice discrepancies; initiates, prepares, and submits budget revisions and corrections

Schedules meetings and appointments; reserve meeting sites; makes travel arrangements; contacts and confirms appointments and meetings; attends meetings and takes minutes as necessary

Interprets and explains department procedures and policies to school district representatives and the general public; refers callers to the appropriate staff member

Operates a computer, typewriter, duplicating machine, fax machine, calculator, and other peripheral office equipment in the course of assigned functions

Utilizes a variety of accounting, word-processing, graphic/presentation, and data base software applications programs

Composes, types, edits, and distributes a variety of correspondence, reports, memorandums, forms, and department publications

Receives, opens, and distributes incoming mail; initiates and/or or transmits inter-office memorandums and notices

Performs all other related duties as required.

EMPLOYMENT STANDARDS:

Knowledge of:

Effective office principles, procedures, and practices including indexing, filing systems and maintenance, telephone techniques, and report writing

Correct English usage, grammar, punctuation, vocabulary, and spelling

Proper document construction and editorial enhancement techniques

Basic financial record-keeping, budgeting, and mathematics

Office software application programs for accounting, word-processing, graphics, and data base system purposes

Applicable state and federal laws, rules, and regulations

Ability to:

Follow and understand oral and written instructions without immediate supervision

Interpret and apply applicable state and federal laws, rules, regulations, and procedures, and policies

Use advanced discretion in organizing activities and setting priorities to meet established deadlines

Establish and maintain a wide variety of records and filing systems

Perform a variety of simultaneous administrative secretarial/clerical support work with speed and accuracy

Collect, assemble, and interpret information and data using sound judgment and discretion when appropriate

Compose, transcribe, type, edit, and distribute a variety of correspondence, memorandums, forms, reports, and department publications with clarity and precision

Maintain staff calendars, schedule meetings, prepare meeting agendas, and take meeting minutes

Operate a variety of office equipment including, but not limited to, a personal computer, copy machine, fax machine, calculator, and other peripheral equipment

Keyboard at a rate that ensures successful job performance

Effectively use a variety of accounting, word-processing, graphic/presentation, and data base software applications programs and remain current with the advancement of office technology

Serve as a resource and back-up to other school office secretarial/clerical personnel

Establish and maintain effective working relationships with those contacted in the performance of required duties

May require:

Some positions may require the ability to speak, read, and/or write in another language other than English as designated by the County Office of Education

Possession of a valid Class 3 California Driver’s License and a driving record which meet the County Office of Education’s insurance requirement

TRAINING AND EXPERIENCE:

Generally, any combination of training and experience that provides the required knowledge, abilities, and skills is qualifying. A typical method of demonstrating these qualifications would be: completion of administrative assistant, office management, or secretarial training and two years of progressive job-related experience with demonstrated competence.

WORKING CONDITIONS:

Duties are performed in an office environment. Incumbents may be required to work a flexible schedule evening and weekend hours.

PHYSICAL DEMANDS:

Incumbents regularly stand and sit for extended periods of time, walk short distances on a regular basis; dexterity of hands and fingers to operate a computer keyboard and other office equipment; kneeling, bending at the waist, and reaching overhead, above the shoulders and horizontally, to retrieve and store files and supplies; seeing to read fine print; hearing and understanding voices over the telephone and in person; moving and transporting office materials, and lifting light objects.

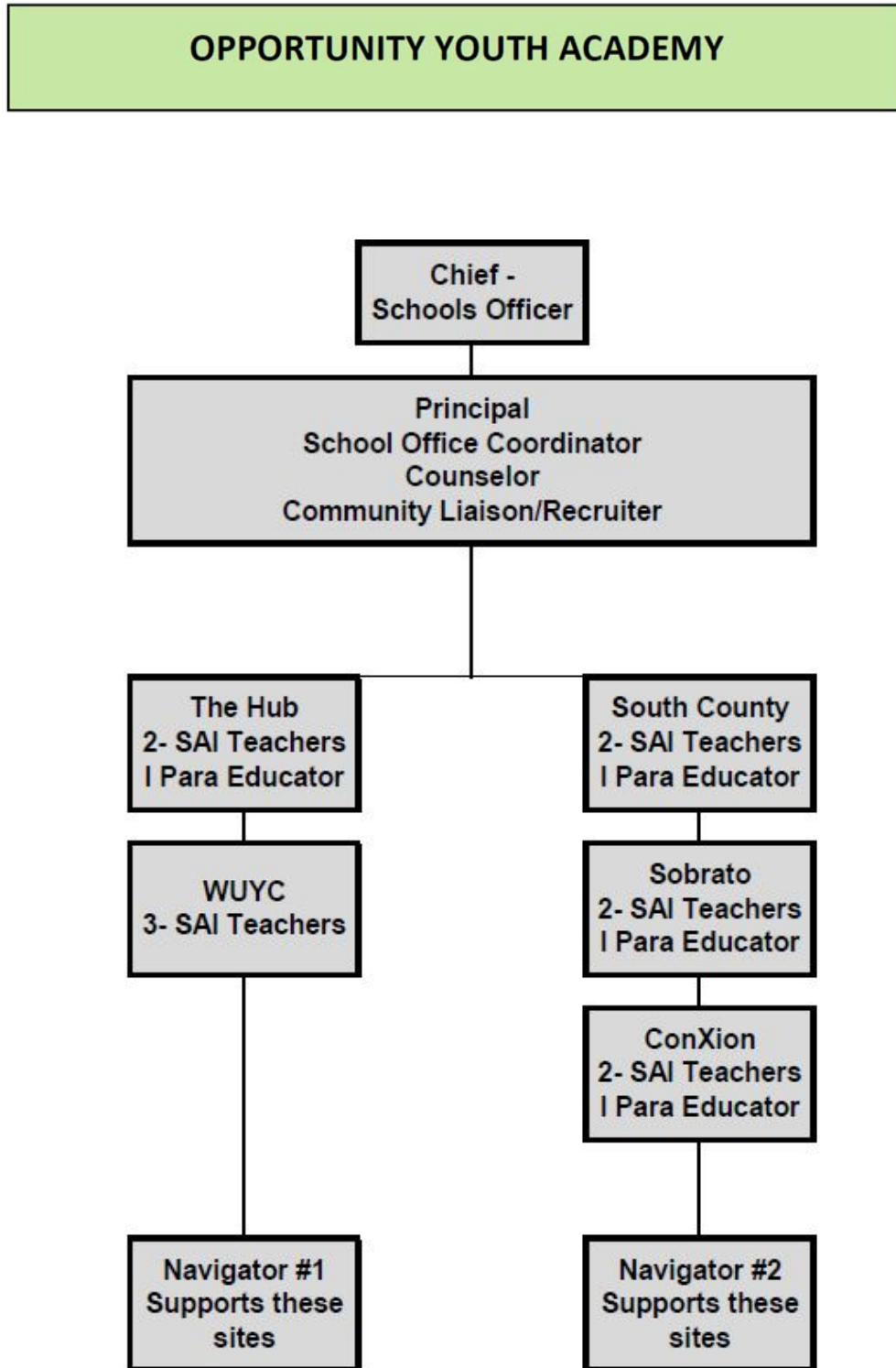
Approved by Personnel Commission: July 5, 2000; Revised Approval: May 22, 2003 (Added Restricted Class); December 13, 2007; December 9, 2015



Kristin Olson
Director-Classified Personnel Services

Date: 12/21/15

APPENDIX I: OYA Staff Organization Chart



APPENDIX J: Santa Clara County Office of Education Board Policy 5114

**Santa Clara County Office of Education
Board Policy**

Discipline

BP 5144

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
revised: February 4, 2015

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

APPENDIX K: Budget Assumptions

**Opportunity Youth Academy
Budget Narrative
3 Year Budget Assumption: 2016-17 – 2018/19**

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 five sites in the 2016-17 school year. The population it will serve is youth ages 16 to 24 who have dropped out school and have not yet earned a high school degrees. The five sites will have a total capacity for 418 students; 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 25:1 which has been calculated as a 66% unduplicated count (rounded up from 65.7%). 60% of the population is English Learners. In the 2018-19 school year a sixth site will be opened bringing the total enrollment up to 512.

Total Charter Enrollment, ADA, and Estimated Unduplicated Pupils			
	2016-17	2017-18	2018-19
Enrollment			
Milpitas	76	76	76
Gilroy	76	76	76
SJUSD- WUYC	114	114	114
SJUSD- The Hub	76	76	76
ConXion (ESUSHD/FMUSD)	94	94	94
SJUSD- Metro Ed	-	-	76
TOTAL	436	436	512
OY %age of Attendance	66%	66%	66%
OY ADA	286.84	286.84	337.92

Because this school will not operate as a daily attendance program it will not participate in the National School Lunch Program.

Sites

Five sites will be in operation during year one and two. On the third year the program will be expanded to a sixth site. With the exception of the OYA Hub, 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 Gilroy
- OYA The Hub
- OYA Milpitas
- OYA ConXion
- OYA South San Jose (Metro Ed site to be opened in the sixth year of operation)

Revenue

LCFF Revenue, including State Aid and EPA funding, for FY16/17 – FY18/19 utilizes the assumptions from the FCMAT LCFF Calculator. A conservative budget position was maintained in the formulation of the three year projection. OYA will work in tandem with the SIATech Nonprofit Educational Company. SIATech is an award-winning dropout recovery program. SIATech is a fully-accredited network of public charter high schools that operates in partnership with Job Corps, WIOA programs, and school districts. Our affiliation with this established educational entity allows us to collect ADA for all 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. Educational agencies working in collaboration in a WIOA workforce development partnership, such as the one we have established with SIATech, allows OYA to service these 16-24 year old disengaged students and collect state ADA.

LCFF Target Entitlements for School Districts and Charter Schools

The target base grants by grade span for 2016-17 are unchanged from 2015-16 because the statutory cost-of-living adjustment (COLA) is zero:

Grade Span	2015-16 Target Base Grant per ADA	0% COLA	2016-17 Target Base Grant per ADA
TK-3	\$7,083	-	\$7,083
4-6	\$7,189	-	\$7,189
7-8	\$7,403	-	\$7,403
9-12	\$8,578	-	\$8,578

Mandate Block Grants per the May 2016 Revision is \$14 per K-8 ADA and \$42 per 9-12 ADA. Lottery restricted is \$41 per ADA and unrestricted is \$140 per ADA. Additionally, the COLA rate of 0% reflect Governor’s rates from the May 2016 Revision.

Updated Assumptions tab for Governor’s May Revision:

	2015-16	2016-17	2017-18	2018-19	2019-20
COLA	1.02%	0.00%	1.11%	2.42%	2.67%
Remaining LCFF Gap Closed	52.20%	54.84%	73.96%	41.22%	75.16%

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 163 enrolled students (not counting the students from the SIATech daily attendance pilot that will be transferring to us in July), OYA has 32 students designated as Special Education which amounts to 19.6% 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 SpEd credential. Currently four teachers are dually credentialed and the other four are pursuing programs to meet this criteria.

The OYA projected budget reflects State-Special Education funds for the first year but no Federal-Special Education revenue. This funds will be awarded in the second year of OYA operation. The state funds will be utilized to offset the cost of the six existing dually credentialed teachers; .18 FTE of six OYA teachers who will have a SpEd OYA student caseload. State revenue is clearly not sufficient to cover the actual cost of these teachers.

The Special Education costs are estimated to be \$212,345. During the first year \$152,795 in revenue supports \$152,795 in Special Education expenditures. And the remaining \$60K is excess costs absorbed by the charter schools general fund and is reflected on the budget under Object Code series 5700. These excess costs are expected to be incurred from needed testing provided by SCCOE psychologist and other SpEd staff and funds will be transferred back to the County to pay for them.

Staffing

OYA employs dually credentialed teachers (multi-subject qualified and SpEd) 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 SpEd teachers cannot carry out on their own. State and federal SpEd funding is utilized to pay MOU and a portion of OYA SpEd teachers' expenditures.

Presently, we have five sites planned for the 2016-17 school year. Below is a breakdown of the staff among the sites:

Opportunity Youth Academy Staff – 2016-17 Staffing by Site					
Year	ConXion	Milpitas	The Hub	South County	WUYC
Principal	Itinerant among the five sites				
Teachers	2.5 Teaching Principal	2	2	2	3
Counselor	Itinerant among the five sites				
School Office Coordinator	Itinerant among the five sites				
Paraprofessionals	1	1	1	1	-
Liaison/Recruiter	Itinerant among the five sites				
Navigators	1 Nav=1/2 student load		1 Nav=1/2 student load		

The OYA Washington United Youth Center Site will be have three teachers assigned. The OYA ConXion site will have two teachers as well as a teaching principal with a student load of 18. On the third year a sixth site will be added with two more teachers and a paraprofessional attached to it. This is shown below in the chart showing staffing numbers for the three proposed years:

Opportunity Youth Academy Staff – Three year staffing			
Year	2016-17	2017-18	2018-19
Principal	1	1	1
Teachers	11	11	13
Counselor	1	1	1
School Office Coordinator	1	1	1
Paraprofessionals	4	4	5
Liaison/Recruiter	1	1	1
Navigators	2	2	2

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 four sites were opened and accoutered in the prior year.

Opening and setting up the fifth site 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 \$111,762 per year. Added to this is the cost of their benefits which stands at 25.4%. Below are the statutory benefits rates associated with these certificated and classified staff members as well as their projected health and welfare costs.

STRS (rate)	12.58%	14.43%	16.28%
Number of STRS employees	13	13	15
PERS (rate)	13.05%	16.06%	18.02%
Number of PERS employees	8	8	8
H and W (per FTE)	\$13,000	\$13,000	\$13,000
Number of eligible employees for H&W	21	21	22
Unemployment Insurance	.0005%	.0005%	.0005%
Workers Comp Insurance	.0151%	.0151%	.0151%

Books and Supplies:

The OYA classrooms have been accoutered with existing CDE and Board approved curriculum and textbooks from existing SCCOE stocks. Minimal textbooks amounts increases have been included in year two and three as enrollment increases (starting with \$2000 and increasing to \$4000 in year three). Minimal amounts (\$5000 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. A slight increase occurs in the third year – from \$10000 in first two years to \$13000 in third - to account for the opening of the sixth site. Minimum funds (\$7000) was left for the replacement of noncapitalized

equipment that is lost or damaged in the first year. In the second (\$17000) and third year (\$30000) of operations noncapitalized funds were increased to purchase computers, laptops and furnishings for account for increased student enrollment and the a sixth site being put into operation. 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 (\$5000 increased to \$7000).

Services & Other Operating Expenditures:

\$7000 was left in the Subagreements for Services line item to account for the cost of printers at our sites; this amount is increased in the third year for a sixth site (\$8500). The cost of mileage for OYA itinerant staff visiting five sites is projected to be around \$18548 for each year; mileage reimbursement if for the Principal, SOC, Counselor, liaison/recruiter and navigators. Dues for Reaching At Promise Students Association (RAPSA) membership amounts to \$200 per year. For the cost of maintenance to OYA sites not covered under the lease agreements, \$2000 was projected. In the lease line item we projected the cost of lease agreements for five sites in year one at \$125500. Year two was projected at a slight increase to accommodate any increase in existing leases. And year three shows an increase to accommodate a sixth site (\$159000). 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 (\$5000 increased to \$7000). The cost of the Special Education MOU to transfer funds to County for SpEd services not able to be provided by the OYA SpEd teachers was set at \$59550 and increased to \$79550 in year 3. And, the costs of SCCOE communications and printing was projected at \$5320 for the first year, \$7320 on the second and increased to \$10320 on the third.

The one contract projected is to pay for curriculum, professional development and student software licenses (\$380000). Cost of SIATech curriculum: Customized curriculum, which offers a unique educational experience to students through an integration of core academics, workplace and college readiness skills, and industry-

standard software programs, targeting students 16 to 24 years of age. State standards are embedded throughout the curriculum; 150 licenses.

Cost of Professional development: The Technical Assistance process provided by SIATech will focus on helping the School to improve the quality of teaching and learning for all of School's students by working with teachers, counselors and administrators of the School to: Provide assistance in the implementation of curriculum as defined in the School's charter; Provide assistance in the implementation of the Blended Learning Model as described in the School's charter; Share best practices to encourage the development of professional mentoring relationships between instructional staff, counselors, administrators, and all of the School's students; Share best practices to support improved student engagement, achievement and retention; Visit the School's sites to provide support for the successful instructional program implementation, as described in School's charter, based on a mutually agreed upon schedule;

Mentor School's site leadership staff in best practices to engage community partners and encourage new partners to support the School's goals; and Assist the School in best practices related to communications with parents, employers, workforce partners, and postsecondary institutions.

Opportunity Youth Academy Budget Report Assumptions
2016/17

<u>Enrollment Assumptions</u>	<u>FY 2016-17</u>	<u>FY 2017-18</u>	<u>FY 2018-19</u>
Grades K-3			
Grades 4-6			
Grades 7-8			
<u>Grades 9-12</u>	436	436	512
Total Enrollment	436	436	512
<u>ADA%</u>	66.0%	66.0%	66.0%
Total ADA	287.8	287.8	337.9
Free and Reduced Lunch Students (FRL)	-	-	-
English Language Learners (EL)	-	-	-
Foster Youth	-	-	-
Unduplicated Count (FRL, EL, Foster Youth)	88.40%	88.40%	88.40%
Special Education Students	-	-	-
Resident LEA Unduplicated % for LCFF Concentration Grant	87.66%	87.66%	87.66%
Percentage of LCFF gap closing increment projected	0%	0%	0%
<u>Funding Rates:</u>	<u>FY 2016-17</u>	<u>FY 2017-18</u>	<u>FY 2018-19</u>
<u>LCFF Rates</u>			
Grades K-3	\$ -	\$ -	\$ -
Grades 4-6	\$ -	\$ -	\$ -
Grades 7-8	\$ -	\$ -	\$ -
Grades 9-12		\$ -	\$ -
<u>Federal Revenues:</u>			
Special Education - Federal per student:		\$ 171.78	\$ 171.78
Child Nutrition - Federal per student:	\$ -	\$ -	\$ -
Other Federal Revenue - Provide listing, including amounts			
<u>State Revenues:</u>			
Special Education - State funding per student	\$ 532.68	\$ 532.68	\$ 532.68
Child Nutrition - State per student:	\$ -	\$ -	\$ -
Lottery per ADA:		\$ 181	\$ 181
Other State Revenue - Provide listing, including amounts			
			Lottery Unrestricted \$140/ADA and restricted \$41/ADA from 2017-18 onwards. Mandate Block Grant \$42/ADA from FY 2017-18 onwards.
<u>Local Revenue</u> - Provide listing, including amounts			

Opportunity Youth Academy Budget Report Assumptions
2016/17

<u>Expenditure Assumptions</u>	<u>FY 2016-17</u>	<u>FY 2017-18</u>	<u>FY 2018-19</u>
<u>Certificated Salaries:</u>			
Number of FTEs - Teachers	11.5	11.5	11.5
Number of FTEs - Pupil Support Salaries	1	1	1
Number of FTEs - Supervisor/Admin Salaries	0.5	0.5	0.5
Number of FTEs - Other Certificated Salaries	-	-	-
COLA percentage increase		0.0%	0.0%
<i>Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP</i>			
<u>Non Certificated Salaries:</u>			
Number of FTEs - Instructional Aides' Salaries	4	4	5
Number of FTEs - Non-certificated Support Salaries	3	3	3
Number of FTEs - Supervisor/Admin Salaries	-	-	-
Number of FTEs - Clerical and Office Salaries	1	1	1
Number of FTEs - Other Non-Certificated Salaries	-	-	-
<i>Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP</i>			
<u>Benefits</u>			
STRS (rate)	12.58%	14.43%	16.28%
Number of STRS employees	13	13	15
Non-certificated retirement (rate)	13.05%	16.60%	18.20%
Number of employees non-STRS retirement	8	8	8
Health and welfare (per FTE)	\$ 13,600	\$ 13,600	\$ 13,600
Number eligible employees for health benefits	21	21	23
Unemployment insurance (rate)	0.0005%	0.0005%	0.0005%
Workers Comp Insurance (rate)	0.0151%	0.0151%	0.0151%
<u>Books and Supplies</u>			
<i>Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP</i>	OYA classroom has been accoutered with existing CDE and Board approved curriculum and textbooks from existing SCCOE stocks. Minimal amt have been		
<u>Services & Other Operating Expenditures</u>			
<i>Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP</i>	Funds were set aside for copier operating costs. Mileage for OYA staff, dues for RAPSA, housekeeping costs for rental sites, rental costs for 4 OYA sites, cost of additional Sn Ed not covered by State and Federal		
<u>Capital Outlay</u>			
<i>Provide description of significant changes from prior reporting period, including those expenditures detailed in LCAP</i>			
<u>Other Outgo</u>			
<u>Other Financing Sources</u>			
<u>Other Financing Uses</u>			

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

APPENDIX L: Multi-Year Projection

**CHARTER SCHOOL
BUDGET REPORT - ALTERNATIVE FORM MYP**

Charter School Name: Opportunity Youth Academy
 CDS #: [Enter CDS#]
 Charter Approving Entity: Santa Clara County Office of Education
 Charter #: [Enter Charter Number]
 Fiscal Year: 2016/17

Description	Object Code	FY 2016-17			Totals	Totals
		Unrestricted	Restricted	Total	FY 2017-18	FY 2018-19
A. REVENUES						
1. LCFF/Revenue Limit Sources						
State Aid - Current Year	8011	1,666,159	-	1,666,159	1,927,077	2,290,333
EPA	8012	57,368	-	57,368	57,368	67,368
State Aid - Prior Years	8019	-	-	-	-	-
Charter Schools In Lieu Property Taxes	8096	1,344,057	-	1,344,057	1,344,056	1,635,655
Other Revenue Limit Transfers	8091, 8097	-	-	-	-	-
Total, Revenue Limit Sources		3,067,584	-	3,067,584	3,328,501	3,993,356
2. Federal Revenues						
No Child Left Behind	8290	-	-	-	-	-
Special Education - Federal	8181, 8182	-	-	-	49,274	57,863
Child Nutrition - Federal	8220	-	-	-	-	-
Other Federal Revenues	8110,8260-8299	-	-	-	-	-
Total, Federal Revenues		-	-	-	49,274	57,863
3. Other State Revenues						
Special Education - State	StateRevSE	-	152,795	152,795	152,795	179,429
All Other State Revenues	StateRevAO	-	-	-	63,966	75,116
Total, Other State Revenues		-	152,795	152,795	216,761	254,545
4. Other Local Revenues						
All Other Local Revenues	LocalRevAO	-	-	-	-	-
Total, Local Revenues		-	-	-	-	-
5. TOTAL REVENUES						
		3,067,584	152,795	3,220,379	3,594,536	4,305,764
B. EXPENDITURES						
1. Certificated Salaries						
Certificated Teachers	1100	1,111,848	117,541	1,229,389	1,344,566	1,628,184
Certificated Pupil Support	1200	87,047	-	87,047	94,011	100,592
Certificated Supervisors & Administrators	1300	146,311	-	146,311	152,163	156,728
Other Certificated Salaries	1900	-	-	-	-	-
Total, Certificated Salaries		1,345,206	117,541	1,462,747	1,590,740	1,885,504
2. Non-certificated Salaries						
Non-certificated Instructional	2100	177,143	-	177,143	199,020	247,832
Non-certificated Support	2200	-	-	-	-	-
Non-certificated Supervisors & Administrators	2300	-	-	-	-	-
Clerical and Office Salaries	2400	67,025	-	67,025	69,706	73,057
Other Non-certificated Salaries	2900	195,950	-	195,950	203,788	213,586
Total, Non-certificated Salaries		440,118	-	440,118	472,514	534,474
3. Employee Benefits						
STRS	3101-3102	169,232	14,782	184,014	200,115	237,196
PERS	3201-3202	61,124	-	61,124	65,623	65,623
OASDI / Medicare / Alternative	3301-3302	33,235	1,704	34,939	37,291	41,538
Health and Welfare Benefits	3401-3402	272,000	13,600	285,600	285,600	326,400
Unemployment Insurance	3501-3502	892	59	951	1,031	1,179
Workers' Compensation Insurance	3601-3602	26,959	1,774	28,733	31,155	35,606
OPEB, Allocated	3701-3702	29,640	1,482	31,122	31,122	35,568
OPEB, Active Employees	3751-3752	37,060	1,853	38,913	38,913	44,472
Other Employee Benefits	3901-3902	-	-	-	-	-
Total, Employee Benefits		630,142	35,254	665,396	690,850	787,582
4. Books and Supplies						
Approved Textbooks and Core Curricula Materials	4100	2,000	-	2,000	3,000	4,000
Books and Other Reference Materials	4200	5,000	-	5,000	5,000	5,000
Materials and Supplies	4300	10,000	-	10,000	10,000	13,000
Noncapitalized Equipment	4400	7,000	-	7,000	17,000	30,000
Food	4700	5,000	-	5,000	2,000	7,000
Total, Books and Supplies		29,000	-	29,000	37,000	59,000

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

**CHARTER SCHOOL
BUDGET REPORT - ALTERNATIVE FORM MYP**

Charter School Name: Opportunity Youth Academy
 CDS #: [Enter CDS#]
 Charter Approving Entity: Santa Clara County Office of Education
 Charter #: [Enter Charter Number]
 Fiscal Year: 2016/17

Description	Object Code	FY 2016-17			Totals	Totals
		Unrestricted	Restricted	Total	FY 2017-18	FY 2018-19
5. Services and Other Operating Expenditures						
Subagreements for Services	5100	7,000	-	7,000	7,000	8,500
Travel and Conferences	5200	18,548	-	18,548	18,548	18,548
Dues and Memberships	5300	200	-	200	200	200
Insurance	5400	-	-	-	-	-
Operations and Housekeeping Services	5500	2,000	-	2,000	2,000	2,000
Rentals, Leases, Repairs, and Noncap. Improvements	5600	125,500	-	125,500	130,000	159,000
Transfers of direct Costs	5700-5799	-	59,550	59,550	79,550	79,550
Professional/Consulting Services & Operating Expend.	5800	385,000	-	385,000	385,000	385,000
Communications	5900	5,320	-	5,320	7,320	10,320
Total, Services and Other Operating Expenditures		543,568	59,550	603,118	629,618	663,118
6. Capital Outlay						
Sites and Improvements of Sites	6100-6170	-	-	-	-	-
Buildings and Improvements of Buildings	6200	-	-	-	-	-
Books and Media for New/Major Expansion School Libr	6300	-	-	-	-	-
Equipment	6400	-	-	-	-	-
Equipment Replacement	6500	-	-	-	-	-
<i>Depreciation Expense (for full accrual only)</i>	6900	-	-	-	-	-
Total, Capital Outlay		-	-	-	-	-
7. Other Outgo						
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	-	-	-	-	-
Debt Service:						
Interest	7438	-	-	-	-	-
Principal	7439	-	-	-	-	-
Total, Other Outgo		-	-	-	-	-
8. TOTAL EXPENDITURES		2,988,034	212,345	3,200,379	3,420,722	3,929,678
C. EXCESS OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES		79,550	(59,550)	20,000	173,814	376,086
D. OTHER FINANCING SOURCES / USES						
1. Other Sources	8930-8979	-	-	-	-	-
2. Less: Other Uses	7630-7699	-	-	-	-	-
3. Contributions Between Unrestricted and Restricted Accounts (must net to zero)	8980-8999	(59,550)	59,550	-	-	-
4. TOTAL OTHER FINANCING SOURCES / USES		(59,550)	59,550	-	-	-
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)		20,000	-	20,000	173,814	376,086
F. FUND BALANCE, RESERVES						
1. Beginning Fund Balance						
a. As of July 1	9791	-	-	-	20,000	193,814
b. Adjustments to Beginning Balance	9793, 9795	-	-	-	-	-
c. Adjusted Beginning Balance		-	-	-	20,000	193,814
2. Ending Fund Balance, June 30		20,000	-	20,000	193,814	569,900
Components of Ending Fund Balance (Mod. Accrual Basis):						
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	9750, 9760	-	-	-	-	-
d. Assigned	9780	-	-	-	-	-
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789	-	-	-	-	-
2. Unassigned/Unappropriated Amount	9790M	20,000	-	20,000	193,814	569,900
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	-	-	-	-	-

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

APPENDIX M: Cash-Flow Analysis

Opportunity Youth Academy Budget Report - Cash Flow Worksheet
2016/17

		July	August	September	October	November	December	January	February	March	April	May	June	Accruals	TOTAL
A. BEGINNING CASH	9110		(266,698)	(533,396)	(800,095)	(1,066,793)	(1,333,491)	(1,600,189)	(1,866,888)	(1,800,354)	(809,098)	(742,565)	(676,031)		
B. RECEIPTS															
Revenue Limit Sources															
Property Taxes	8096									896,038			448,019		1,344,057
Principal Apportionment - State Aid	8011-8019								333,232	361,916	333,232	333,232	361,916		1,723,527
Miscellaneous Funds	8080-92,8097														0
Federal Revenue	8100-8299														0
Other State Revenue	8300-8599												152,795		152,795
Other Local Revenue	8600-8799														0
All Other Financing Sources	8930-8979														0
Other Receipts/Non-Revenue															0
TOTAL RECEIPTS		0	0	0	0	0	0	0	333,232	1,257,954	333,232	333,232	962,730	0	3,220,379
C. DISBURSEMENTS															
Certificated Salaries	1000-1999	121,896	121,896	121,896	121,896	121,896	121,896	121,896	121,896	121,896	121,896	121,896	121,896		1,462,747
Classified Salaries	2000-2999	36,677	36,677	36,677	36,677	36,677	36,677	36,677	36,677	36,677	36,677	36,677	36,677		440,118
Employee Benefits	3000-3999	55,450	55,450	55,450	55,450	55,450	55,450	55,450	55,450	55,450	55,450	55,450	55,450		665,396
Books and Supplies	4000-4999	2,417	2,417	2,417	2,417	2,417	2,417	2,417	2,417	2,417	2,417	2,417	2,417		29,000
Services and Operating Expenditures	5000-5999	50,260	50,260	50,260	50,260	50,260	50,260	50,260	50,260	50,260	50,260	50,260	50,260		603,118
Capital Outlay	6000-6999														0
Other Outgo	7000-7499														0
All Other Financing Uses	7630-7699														0
Other Disbursements/ Non Expenditures															0
TOTAL DISBURSEMENTS		266,698	266,698	266,698	266,698	266,698	266,698	266,698	266,698	266,698	266,698	266,698	266,698	0	3,200,379
D. PRIOR YEAR TRANSACTIONS, Other															
Accounts Receivable	9200-9399														0
Accounts Payable (Liabilities, including Deferred Revenue)	9500-9630, 9650														0
TOTAL PRIOR YEAR TRANSACTIONS, Other		0	0	0	0	0	0	0	0	0	0	0	0	0	0
E. NET INCREASE/DECREASE (B - C + D)		(266,698)	(266,698)	(266,698)	(266,698)	(266,698)	(266,698)	(266,698)	66,534	991,258	66,534	66,534	696,032	0	20,000
F. ENDING CASH (A + E)		(266,698)	(533,396)	(800,095)	(1,066,793)	(1,333,491)	(1,600,189)	(1,866,888)	(1,800,354)	(809,098)	(742,565)	(676,031)	20,000		
G. ENDING CASH, PLUS ACCRUALS															20,000

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Opportunity Youth Academy Budget Report - Cash Flow Worksheet
2017/18

		July	August	September	October	November	December	January	February	March	April	May	June	Accruals	TOTAL
A. BEGINNING CASH	9110	20,000	(104,470)	(228,941)	(326,089)	(450,560)	(575,030)	(666,155)	(790,626)	(915,096)	(116,207)	(240,678)	(365,148)		
B. RECEIPTS															
Revenue Limit Sources															
Property Taxes	8096									898,037			448,019		1,344,056
Principal Apportionment - State Aid	8011-8019	160,590	160,590	174,932	160,590	160,590	174,932	160,590	160,590	174,932	160,590	160,590	174,932		1,984,445
Miscellaneous Funds	8080-92,8097														0
Federal Revenue	8100-8299												49,274		49,274
Other State Revenue	8300-8599			12,980			19,003			12,980			171,798		216,761
Other Local Revenue	8600-8799														0
All Other Financing Sources	8930-8979														0
Other Receipts/Non-Revenue															0
TOTAL RECEIPTS		160,590	160,590	187,912	160,590	160,590	193,935	160,590	160,590	1,083,949	160,590	160,590	844,023	0	3,594,536
C. DISBURSEMENTS															
Certificated Salaries	1000-1999	132,562	132,562	132,562	132,562	132,562	132,562	132,562	132,562	132,562	132,562	132,562	132,562		1,590,740
Classified Salaries	2000-2999	39,376	39,376	39,376	39,376	39,376	39,376	39,376	39,376	39,376	39,376	39,376	39,376		472,514
Employee Benefits	3000-3999	57,571	57,571	57,571	57,571	57,571	57,571	57,571	57,571	57,571	57,571	57,571	57,571		690,850
Books and Supplies	4000-4999	3,083	3,083	3,083	3,083	3,083	3,083	3,083	3,083	3,083	3,083	3,083	3,083		37,000
Services and Operating Expenditures	5000-5999	52,468	52,468	52,468	52,468	52,468	52,468	52,468	52,468	52,468	52,468	52,468	52,468		629,618
Capital Outlay	6000-6999														0
Other Outgo	7000-7499														0
All Other Financing Uses	7630-7699														0
Other Disbursements/ Non Expenditures															0
TOTAL DISBURSEMENTS		285,060	285,060	285,060	285,060	285,060	285,060	285,060	285,060	285,060	285,060	285,060	285,060	0	3,420,722
D. PRIOR YEAR TRANSACTIONS, Other															
Accounts Receivable	9200-9399														0
Accounts Payable (Liabilities, including Deferred Revenue)	9500-9630, 9650														0
TOTAL PRIOR YEAR TRANSACTIONS, Other		0	0	0	0	0	0	0	0	0	0	0	0	0	0
E. NET INCREASE/DECREASE (B - C + D)		(124,470)	(124,470)	(97,149)	(124,470)	(124,470)	(91,125)	(124,470)	(124,470)	798,889	(124,470)	(124,470)	558,983	0	173,814
F. ENDING CASH (A + E)		(104,470)	(228,941)	(326,089)	(450,560)	(575,030)	(666,155)	(790,626)	(915,096)	(116,207)	(240,678)	(365,148)	193,814		
G. ENDING CASH, PLUS ACCRUALS															193,814

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Opportunity Youth Academy Budget Report - Cash Flow Worksheet
2018/19

		July	August	September	October	November	December	January	February	March	April	May	June	Accruals	TOTAL
A. BEGINNING CASH	9110	193,814	57,202	(79,410)	(183,938)	(320,550)	(457,162)	(554,616)	(691,228)	(827,841)	158,068	21,456	(115,156)		
B. RECEIPTS															
Revenue Limit Sources															
Property Taxes	8096									1,090,437			545,218		1,635,655
Principal Apportionment - State Aid	8011-8019	190,861	190,861	207,703	190,861	190,861	207,703	190,861	190,861	207,703	190,861	190,861	207,703		2,357,701
Miscellaneous Funds	8080-92,8097														0
Federal Revenue	8100-8299												57,863		57,863
Other State Revenue	8300-8599			15,242			22,316			15,242			201,745		254,545
Other Local Revenue	8600-8799														0
All Other Financing Sources	8930-8979														0
Other Receipts/Non-Revenue															0
TOTAL RECEIPTS		190,861	190,861	222,945	190,861	190,861	230,019	190,861	190,861	1,313,382	190,861	190,861	1,012,529	0	4,305,764
C. DISBURSEMENTS															
Certificated Salaries	1000-1999	157,125	157,125	157,125	157,125	157,125	157,125	157,125	157,125	157,125	157,125	157,125	157,125		1,885,504
Classified Salaries	2000-2999	44,540	44,540	44,540	44,540	44,540	44,540	44,540	44,540	44,540	44,540	44,540	44,540		534,474
Employee Benefits	3000-3999	65,632	65,632	65,632	65,632	65,632	65,632	65,632	65,632	65,632	65,632	65,632	65,632		787,582
Books and Supplies	4000-4999	4,917	4,917	4,917	4,917	4,917	4,917	4,917	4,917	4,917	4,917	4,917	4,917		59,000
Services and Operating Expenditures	5000-5999	55,260	55,260	55,260	55,260	55,260	55,260	55,260	55,260	55,260	55,260	55,260	55,260		663,118
Capital Outlay	6000-6999														0
Other Outgo	7000-7499														0
All Other Financing Uses	7630-7699														0
Other Disbursements/ Non Expenditures															0
TOTAL DISBURSEMENTS		327,473	327,473	327,473	327,473	327,473	327,473	327,473	327,473	327,473	327,473	327,473	327,473	0	3,929,678
D. PRIOR YEAR TRANSACTIONS, Other															
Accounts Receivable	9200-9399														0
Accounts Payable (Liabilities, including Deferred Revenue)	9500-9630, 9650														0
TOTAL PRIOR YEAR TRANSACTIONS, Other		0	0	0	0	0	0	0	0	0	0	0	0	0	0
E. NET INCREASE/DECREASE (B - C + D)		(136,612)	(136,612)	(104,528)	(136,612)	(136,612)	(97,454)	(136,612)	(136,612)	985,909	(136,612)	(136,612)	685,056	0	376,086
F. ENDING CASH (A + E)		57,202	(79,410)	(183,938)	(320,550)	(457,162)	(554,616)	(691,228)	(827,841)	158,068	21,456	(115,156)	569,900		
G. ENDING CASH, PLUS ACCRUALS															569,900

APPENDIX N: Signature Page

Petition Signatures

PETITION FOR THE ESTABLISHMENT OF A CHARTER SCHOOL

We the undersigned believe that the submitted charter merits consideration and hereby petition the Santa Clara County Board of Education to grant approval of the charter pursuant to Education Code Section 47605 to enable the creation of the Opportunity Youth Academy. The Opportunity Youth Academy agrees to operate the school pursuant to the terms of The Charter Schools Act of 1992 and the provisions of the school's charter. The petitioners listed below certify that they are credentialed administrators and teachers who are meaningfully interested in teaching at the school.

By the Lead Petitioner:

<u>Steve Olmos</u>		<u>6/15/16</u>
Name (please print)	Signature	Date

The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Santa Clara County Board of Education of the Opportunity Youth Academy.

<u>Louis Smith</u>	<u>[Signature]</u>	<u>5/18/2016</u>
Name (please print)	Signature	Date

<u>Cidalia M. Aguedo</u>	<u>[Signature]</u>	<u>5/18/16</u>
Name (please print)	Signature	Date

<u>Suzanne Louie</u>	<u>[Signature]</u>	<u>5/18/16</u>
Name (please print)	Signature	Date

<u>Annia Kretznic</u>	<u>[Signature]</u>	<u>5/18/16</u>
Name (please print)	Signature	Date

<u>Bobby W. Welch</u>	<u>[Signature]</u>	<u>05/18/2016</u>
Name (please print)	Signature	Date

APPENDIX O: Letters of Support



May 2, 2016

To the Santa Clara County Board of Education,

I am writing this letter in support of the Opportunity Youth Academy (OYA) charter petition which has been proposed by the Santa Clara County Office of Education (SCCOE). In writing this letter I fully attest that the SCCOE has been a solid collaborative partner with my organization as we strive to provide services and support such high school graduation opportunities to students classified as dropouts and between the ages of 16 and 24. This is a challenging group with which to work as most students bring along with them a number or chronic life stressors. Many of them are foster youth, on probation, formerly justice engaged, pregnant or parenting or homeless students. The SCCOE's dedication to develop OYA reflects its commitment to this often overlooked student population.

I have participated on the steering committee during the planning and formation of the OYA. I have found the SCCOE management team to be thoughtful and forthright in its approach to taking on this very challenging endeavor. I believe the charter petition is the next logical step in the progression of OYA.

I am also the co-chair of the Opportunity Youth Partnership and can confirm that the OYA has been an integral part of the early success of OYP. We are quite pleased that the OYA is filling an important gap in services that had previously existed in our community. This is primarily a function of the multiple small sites, their "adult" layout and approach and the ability to be quite flexible with curriculum and study hours. The OYA is taking a unique approach and its ongoing success is vital to serving the needs of Opportunity Youth.

My organization has partnered with the SCCOE over the last three years as it planned for the establishment of this valuable academy. Since its inception we have also collaborated with OYA and felt comfortable referring our students to this reliable partner. OYA, along with my organization and several other community partners collaborate to increase the collective impact of our effort for these students that many times require wrap-arounds services. OYA's structure allows for the collaborative efforts of like-minded agencies to maximize the impact of our efforts.

I wholeheartedly support the charter petition submitted by the Santa Clara County Office of Education to establish the Opportunity Youth Academy in our community. Please feel free to contact me at 408-827-3078 or by e-mail at johnhogan@teenforce.org if you would like me to expand upon my comments.

A handwritten signature in black ink, appearing to read "John J. Hogan".

John J. Hogan, CEO



Administrative Offices
2625 Zanker Road
San Jose, CA 95134-2130
408.468.0100
fax 408.944.0275
CatholicCharitiesSCC.org

May 10, 2016

To the California Department of Education,

I am writing this letter in support of the Opportunity Youth Academy (OYA) charter petition which has been proposed by the Santa Clara County Office of Education (SCCOE). In writing this letter I fully attest that the SCCOE has been a solid collaborative partner with Catholic Charities of Santa Clara County as we strive to provide services and support such high school graduation opportunities to students classified as dropouts and between the ages of 16 and 24. This is a challenging group with which work as most students bring along with them a number or chronic life stressors. Many of them are foster youth, on probation, formerly justice engaged, pregnant or parenting or homeless students. The SCCOE's dedication to develop such an academy reflects its full intent and commitment to this often overlooked student population.

Catholic Charities of Santa Clara County has partnered with the SCCOE over the last three years as it planned for the establishment of this valuable academy. Since its inception we have also collaborated with OYA and felt comfortable referring our students to this reliable partner. OYA, along with my organization and several other community partners collaborate to increase the collective impact of our effort for these students that many times require wrap-around services. OYA's structure allows for the collaborative efforts to like-minded agencies to maximize and the impact of our efforts.

I wholeheartedly support the charter petition submitted by the Santa Clara County Office of Education to establish the Opportunity Youth Academy in our community. Please feel free to contact me at (408) 283-6150 or by e-mail at sreyes@CatholicCharitiesSCC.org if you would like me to expand upon my comments.

Sincerely,

Sara Reyes
Senior Division Director
Children, Youth, and Family Development Division
Catholic Charities of Santa Clara County

BOARD OF DIRECTORS

Chairman

Most Reverend
Patrick J. McGrath

President

Thomas J. Crotty

Vice President

Raymond J. Triplett

Secretary

Deborah Van Olst

- Mary Sue Albanese
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- Frank G. Bisceglia
- Michael Blach
- Frank Boitano
- Norman Carroll
- Jim Cashman
- Kevin DeNuccio
- Andrew Haaser
- Mona S. Masri
- Joseph P. Melehan
- Timothy O'Donnell
- David Pasek
- Gregory Staszko
- Darlene Tenes
- Patrick Waite
- Judy Watland
- Michael Yutzenka

Ex Officio

- Gregory R. Kepferle
- Rev. Brendan McGuire
- Robert Serventi



Change Lives for Good



1605 The Alameda
San Jose, CA 95126

April 29, 2016

Santa Clara County Board of Education
1290 Ridder Park Drive
San Jose, CA 95131-2304

Dear Trustees:

I am writing this letter in support of the Opportunity Youth Academy (OYA) charter petition which has been proposed by the Santa Clara County Office of Education (SCCOE). Kids in Common leads the Santa Clara County Opportunity Youth Partnership (OYP), which is focused on reconnecting disengaged youth, ages 16 – 24, to education and work. Our goal is to build a system of on-ramps and supports that will get these young people connected to education that will eventually lead to family-sustaining careers. In 2014, more than 2,200 students dropped out of Santa Clara County schools. The OYA provides an important point of re-engagement and transition to the future for these young adults.

SCCOE has been a valued and collaborative partner since the beginning of the OYP. Many of the youth who have left the education system without a high school diploma have significant barriers to re-engaging in their education. These include feeling pushed out of the education system, not seeing themselves as successful learners, and life challenges, including time spent in the foster care and justice systems or being homeless. Many of these youth are also pregnant or parenting. Brain development science tells us that these young adults are still malleable and what happens during these years can set them on a trajectory for self-sufficiency and success in life. SCCOE has made a significant and cutting-edge contribution by developing the OYA to address these barriers and support this often overlooked student population.

The OYA's structure allows for the collaborative efforts of like-minded agencies to maximize the results of all of our efforts on behalf of these students. For example, Kids in Common sought and received a Social Innovation Fund (SIF) grant from Jobs for the Future to provide "education navigators" to OYA students who have experienced homelessness or time in the foster care system. The education navigators' role is to remove barriers to learning by providing wrap-around and education support services so the students complete their secondary degree, AND are ready to move on to postsecondary education and eventually to a family-sustaining career. This partnership is certain to increase the positive results for this population.

I wholeheartedly support the charter petition submitted by the Santa Clara County Office of Education to establish the Opportunity Youth Academy in our community. Please feel free to contact me at 408-795-3772 or by e-mail at dbunnett@kidsincommon.org if you have any questions or would like me to expand upon my comments.

In community partnership,


Dana Bunnett, Director

INFO@KIDSINCOMMON.ORG | 408.795.3771 | WWW.KIDSINCOMMON.ORG

Every child safe, healthy, successful in learning, and successful in life.



Real Learning for Real Life

June 3, 2016

Dr. Mary Ann Dewan, Deputy Superintendent
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, CA 95131-2304

To the Santa Clara County Board of Education,

I am writing this letter in support of the Opportunity Youth Academy (OYA) charter petition. In writing this letter I fully attest that the Santa Clara County Board of Education (SCCOE) has been a solid collaborative partner with the School for Integrated Academics and Technologies (SIATech) as we strive to provide services and support to students between the ages of 16 and 24 who are no longer engaged in school nor working within the community. We recognize that many of them are foster or homeless youth, justice engaged, or young parents. The SCCOE's dedication to develop such an academy reflects its understanding and commitment to serve this vulnerable student population.

My organization has partnered with the SCCOE over the last three years as it planned for the establishment and initial implementation of this valuable academy. Since its opening, we have also collaborated with the Opportunity Youth Academy (OYA) and felt comfortable referring our students to this reliable partner. OYA, along with my organization and several other community partners, collaborate to increase the collective impact of our effort for these students through a coordination of services. OYA's structure allows for the collaborative efforts of like-minded agencies to maximize the impact of our efforts.

I wholeheartedly support the charter petition submitted by the Santa Clara County Office of Education to establish the Opportunity Youth Academy Charter in our community. Please feel free to contact me at (858) 449.8173 or by e-mail at kris.mallory@siatech.org if I can answer any other questions or provide further information.

Sincerely,

Kris Mallory

Kris Mallory
Chief Instructional Officer
SIATech

2611 Temple Heights Drive, Suite A
Oceanside, CA 92056
PH 760.945.1227
FX 760.631.3401

APPENDIX P: Notice to Local School Districts



June 10, 2016

Via US Mail (return receipt) and Facsimile

<<recipient name and title>>
<<organization>>
<<address>>
<<state and zip code>>

Dear Superintendent<<name>> ,

I am writing on behalf of the Opportunity Youth Academy (OYA), currently a program of the Santa Clara County Office of Education. The OYA offers a blended learning pilot program of teacher-directed instruction and online credit accrual and recovery options for students aged 16 to 24 who have not yet obtained their high school diploma due to lack of success in other educational settings. The focus is on ensuring that students leave the program with a high school diploma and, with the support of liaisons and navigators, developing a path to post-graduation college or career goals. The classes satisfy admission requirements for California public universities and military service.

OYA intends to submit a charter petition to the Santa Clara County Board of Education this summer, and with anticipated approval, plans to operate as a countywide dependent charter school beginning in the 2016-17 school year. I am providing courtesy notification to <<district>> that an OYA site may be located within or adjacent to your district boundaries. OYA will initially operate facilities at the following locations:

- | | | |
|---|--|---|
| The Hub OYA
591 North King Road, Ste. 1
San Jose, CA 95133 | South County OYA
7680 Monterey Road, Ste. 101
Gilroy, CA 95020 | East San Jose OYA
749 Story Road
San Jose, CA 9512 |
| Milpitas OYA
512 Valley Way
Milpitas, CA 95135 | Washington United OYA
921 First Street, Ste. B
San Jose, CA 95110 | |

These locations will be considered as part of the charter petition and the County Board will hold a public hearing to consider granting the charter no sooner than thirty (30) days after delivery of this letter. OYA intends to expand to additional sites within Santa Clara County in subsequent years.

Through collaborative partnerships with local school districts, SIATech, San Jose Job Corps, Work2Future, San Jose/Evergreen Community College district, the Robotics Education and Competition Foundation, and TechShop San Jose, OYA and will offer students a WASC accredited

County Board of Education: Michael Chang, Joseph Di Salvo, Darcie Green, Rosemary Kamei, Grace H. Mah, Claudia Rossi, Anna Song
1290 Ridder Park Drive, San Jose, CA 95131-2304 (408) 453-6500 www.sccoe.org

Committed to serving, inspiring and promoting student and public school success




California High School Diploma, STEM knowledge, tech-industry training and certifications, as well as college credit. OYA is a member of the Opportunity Youth Partnership, an important entity supporting cohesive, county wide systems for education and workforce development for opportunity youth in Santa Clara County. Thank you for supporting this collaborative effort.


Sincerely,

Jon R. Gundry
County Superintendent of Schools


OPPORTUNITY YOUTH ACADEMY CHARTER PETITION


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Bhavana Shah</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Bhavana Shah</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Cary Matsuoka Milpitas Unified School 1331 E. Calaveras Blvd. Milpitas, CA 95035</p>  <p>9590 9401 0067 5071 9719 87</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500) <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6317</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Steve M</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Steve M</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Steve Betando Morgan Hill Unified School 15600 Concord Circle Morgan Hill, CA 95037</p>  <p>9590 9401 0067 5071 9719 70</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500) <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6317</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Kathy Brinkman</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Kathy Brinkman</p> <p>C. Date of Delivery 5-16-16</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Dr. Stanley Rose Santa Clara Unified School 1889 Lawrence Road Santa Clara, CA 95051</p>  <p>9590 9401 0067 5071 9719 32</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500) <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6362</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	


OPPORTUNITY YOUTH ACADEMY CHARTER PETITION


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Kim Engelson</p> <p>C. Date of Delivery 5-16-16</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Bob Mistele Los Gatos-Saratoga Joint 17421 Farley Road West Los Gatos, CA 95030</p>  <p>9590 9401 0067 5071 9719 94</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500) <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6294</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Mueco J. Trejo</p> <p>C. Date of Delivery 5/16/16</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Chris D. Funk East Side Union High School 830 N. Capitol Avenue San Jose, CA 95133</p>  <p>9590 9401 0067 5071 9719 25</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500) <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6355</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Frank Biller</p> <p>C. Date of Delivery 5-10-16</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Tanya Krause Campbell Union High School D 3235 Union Avenue San Jose, CA 95124</p>  <p>9590 9401 0067 5071 9720 21</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500) <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6379</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery</p> <p><i>USA PostNet</i> <i>5/16</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Dr. Jeff Harding Mountain View-Los Altos 1299 Bryant Avenue Mountain View, CA 94040</p>  <p>9590 9401 0067 5071 9719 63</p>	<p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0006 0792 6324</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><input checked="" type="checkbox"/> <i>[Signature]</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery</p> <p><i>Mr. Jimenez</i> <i>5/16/16</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Nancy Albarran San Jose Unified School 855 Lenzen Avenue San Jose, CA 95126</p>  <p>9590 9401 0067 5071 9719 49</p>	<p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0006 0792 6348</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><input checked="" type="checkbox"/> <i>[Signature]</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery</p> <p><i>Daniel Ortega</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Dr. Max McGee Palo Alto Unified Sch 25 Churchill Avenue Palo Alto, CA 94306</p>  <p>9590 9401 0067 5071 9719 56</p>	<p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0006 0792 6331</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Frank Almeida</p> <p>C. Date of Delivery 5/18/16</p> <p>D. Is delivery address different from item 1? If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Polly M. Bove Fremont Union High Sch 589 W. Fremont Avenue Sunnyvale, CA 94087</p>  <p>9590 9401 0067 5071 9720 14</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6270</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) CINDY A. TAVERA</p> <p>C. Date of Delivery 5/18/16</p> <p>D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Dr. Deborah Flores Gilroy Unified School 7810 Arroyo Circle Gilroy, CA 95020</p>  <p>9590 9401 0067 5071 9720 07</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0006 0792 6287</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

APPENDIX Q: Student, Family, and Staff Handbook

Santa Clara County  Office of Education
Student Services Branch

Opportunity Youth Academy

**Student, Family & Staff Handbook
2016-2017**

ConXion OYA
Gilroy OYA
Milpitas OYA
The Hub OYA
Washington United Youth Center OYA

Site Administrator
Gerry Lopez, Principal

Central Office Administrators
Steve Olmos, Chief Schools Officer

County Superintendent of Schools
Jon R. Gundry

County Board of Education
Michael Chang
Joseph Di Salvo
Darcie Green
Rosemary Kamei
Grace H. Mah
Claudia Rossi
Anna Song, President

1290 Ridder Park Drive, San Jose, CA 95131 - 2304

Table of Contents

Vision and Mission.....	1
Enrollment Process	3
Intake Process	3
Introduction.....	3
School Office Procedures.....	4
Attendance.....	6
Student Use of Technology.....	8
Graduation Requirements.....	9
Progress and Grade Reporting	10
Returning to District of Residence.....	10
Additional Opportunities for Credit Covery.....	10
Alternatives to a Traditional High School Diploma	11
Student and Family Support Services	12
Confidentiality.....	13
Parent Involvement	13
Student Dress Codce.....	14
Smoking and Use of Tobacco Products	14
Student Cell Phones and Electronic Devices.....	14
Loitering	15
Grafetti/Tagging.....	15
Language/Profanity/Slurs.....	15
Public Displays of Affection.....	15
Searches on School/Center Premises.....	16
Off Limit Areas	16
Visitors	16
Discipline.....	17
Emergency Information	18
Community Resources	19
Parent Annual Notification.....	20
School Parent Compact	37



Our Mission...

Our students will learn in a personalized environment that fosters human dignity and promotes academic, social, emotional and personal success.

COMMUNITY SCHOOLS

The Alternative Education Department provides educational programs for students who are under court supervision or who are not attending school for a variety of reasons. The program includes independent study and four community schools sites throughout the county. The educational program emphasizes academic success and supports behavioral health.

The educational program (grades 7-12) is for youth who have been unsuccessful in traditional school. Also offered through our community school program is the EDGE/PEAK program for youth who may have committed a crime, but have not been fully adjudicated and have been placed under probation jurisdiction. These programs serve as a transition from institutions to district schools for students who have been expelled or referred from the district's Student Attendance Review Board or other student study teams. Approximately 350 students are enrolled in the program at any given time.

ENROLLMENT PROCESS

The following steps must be completed prior to enrollment at any School in the Alternative Education Department of the Santa Clara County Office of Education:

1. Presentation of a statement verifying referral from the district of residence and a release from said district.
2. Presentation of an appropriate document indicating that the student falls under the provisions of Sections 300, 601 or 602 of the California Welfare and Institutions Code.
3. Presentation of an immunization record consistent with current California law.
4. Presentation of the most recent transcript of high school course work, attendance and exit grades, the student's IEP (if one is currently in effect), and Section 504 accommodations documentation if any.
5. Meeting with Alternative Education Department staff at the Transition Center (3550 Snell Ave, San Jose) to complete forms contained in the enrollment packet.
6. Referral to the appropriate Principal for the Intake Process—student and parent will complete and bring “The Community School Student Admission Packet” to the scheduled meeting.

INTAKE PROCESS

Upon completion of the Enrollment Process, a meeting is scheduled between the student, parent and Principal (or designee) of the assigned Community School. At this time the following items will be reviewed:

- Enrollment Packet from the Transition Center
- The Community School Student Admission Packet
- Transcripts

During the meeting, the Principal (or designee) will discuss the responses provided by the student and parent on the Admission Packet. An interview will be conducted to determine the appropriateness of and commitment to placement at the assigned Community School. If after the interview it is determined that placement is appropriate then Parent/School Compact will be signed by the student, parent and staff member conducting the interview. A class schedule will be developed for the student and a start date will be determined. Within 10 school days of enrollment, a My Action Plan (MAP) will be developed for the student and reviewed on a regular basis.

SCHOOL OFFICE PROCEDURES

School Office Hours

The school office is open Monday through Friday from 7:30 a.m. to 4:00 p.m., except when school is closed.

Change of Address/Other Info

Parents/Guardians should immediately notify the school office of any changes of 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 from a parent or guardian within 24 hours. For this reason, it is critical that the school is given updated contact information whenever changes happen.

Illnesses and Injuries

Students should not come to school when ill. If a student becomes ill or injured while at school, s/he needs to ask for a hall pass from a teacher and report to the school office.

Students may never leave the school grounds to go home because of illness or injury without checking through the school office.

No student will be allowed to leave campus due to illness or injury without parent permission.

Students who choose to leave without school/parent permission will receive an unexcused absence and discipline referral.

Medical Appointments

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 office before school or during break to secure an off campus pass. No student may leave campus without an authorized off campus pass. Parents and doctors may be called to verify off campus passes. 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.

Office Phone

Use of the office phone is allowed only with the permission of the School Office Coordinator or Principal.

Closed Campus

ALL SCHOOLS IN THE ALTERNATIVE EDUCATION DEPARTMENT ARE CLOSED CAMPUSES. A student may not leave during school hours unless s/he has an off campus pass. No passes will be issued without permission from a student's parent/guardian. Students violating the closed campus policy will be held accountable according to the progressive discipline policies.

Lost and Found

The school office serves as the location for Lost and Found. If an article is found, it should be turned into the School Office Coordinator. If a student has lost an item, s/he should inquire at the office. Students must be aware that all items that are brought to school are bought at their own risk, and that the school is not responsible for the loss of personal items.

ATTENDANCE

The need for consistent school attendance is stressed at each of the schools in the Alternative Education Department. 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 Alternative Education programs can be severely jeopardized by unexcused absences. Supplemental contracts may be drawn up to address trancies, habitual absences or tardies.

Students missing more than 10 periods of school during a school year will be referred to the School Attendance Review Board (SARB). *The School Attendance Review Board may find a student or parent in violation of mandatory attendance laws and subject to fines by the courts, imprisonment, or other penalty. In addition, families receiving Temporary Assistance to Needy Families (TANF) may have their benefits reduced or cut off if a student misses 10 periods of school in a year. Absences will be acknowledged as excused or unexcused according to the criteria set by the state of California.*

Reporting Your Child’s Absence

State law requires that absence verification be made by a parent/guardian. This verification must be done by calling the school office within 24 hours of the absence. See page 5 for phone numbers for individual schools. A parent/guardian must leave a message with the School Office Coordinator 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. The Alternative Education Department recognizes that the following activities may unavoidably impact the student’s schedule.

- Doctor appointments
- Dental/Orthodontist appointments
- Illness
- Funerals
- Court appearances (must be verified by court documents)
- At an employment conference
- 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)

A parent/guardian should telephone the school before 8:30 a.m. each day an absence occurs:

1. Parent/guardian should contact the school to verify and explain the absence by telephone.
2. Written verification should be received on the day the student returns to school.

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. A student who has three or more unexcused absences in a single semester will be declared truant. A truancy notice will be sent to the student’s parent/guardian and forwarded to the District Attorney’s office.

Tardies

Education Code defines a tardy as an absence from the time the school day starts (8:10 a.m.) until up to 30 minutes of a class period. **There is no such thing as an excused tardy.** Students who are habitually tardy will be held accountable utilizing progressive discipline, which may include consequences ranging from detentions to community service hours to schedule or placement changes.

Consequences

As a consequence of tardiness or unexcused absences, school personnel may assign any of the following consequences as appropriate:

- After school detention for up to one hour
- In-house suspension/Saturday School /School During Vacation
- Request for Parent/Guardian drop-off or pick-up at the classroom or school
- Request Parent/Guardian to accompany student during class time

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 allow teachers to have a full period to teach, free from interruptions and distractions caused by a student’s partial or full day absence.
- 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.

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.

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

SUBJECT	Credits Required for Students Graduating 2013 and beyond
English	40
Mathematics	10
Algebra	10
World History	10
U.S. History	10
Government/Econ	10
Visual/Performing Fine Arts	10
Career Tech Education	10
Life Science	10
Physical Science	10
Physical Education	20
Service Learning	10
Life skills	10
Computer Applications	10
Service Project	10
Electives	30
TOTAL	220

EARNING SCHOOL CREDIT FOR GRADUATION

It is the Alternative Education Department policy to calculate credits based on clock hours of instructional time. One semester credit is earned for each twelve hours of instructional time. If an instructional period is less than one hour in duration, it will take more than twelve instructional periods to earn a semester credit. The chart below is offered for ease in calculation from time to credits:

<u>Class Period- Instructional Minutes</u>	<u>Instructional Periods Needed Per Subject</u>
60	12 periods = 1 credit
55	13 periods = 1 credit
50	15 periods = 1 credit
45	16 periods = 1 credit
40	18 periods = 1 credit

Reference: California Administrative Code, Title 5, Chapter 7 § 1600a(2)

Students do not automatically earn credit simply by being enrolled. Students must 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 days attended, the quality of student work, and the amount of effort put into the work by the student.

PROGRESS AND GRADE REPORTING

Progress reports will be sent out at the end of the first quarter (October 16) and the third quarter (March 11). Semester grades will be available soon after the semesters end in December and in June. Parents/guardians whose students are in danger of receiving a “D” or an “F” will be contacted no later than six weeks prior to the end of the semester.

RETURNING TO DISTRICT OF RESIDENCE

Students who are referred to the Alternative Education Department (AED) due to expulsion will remain on our campuses for a period of time determined by the referring district’s expulsion or rehabilitation plan/order. Additionally, the districts will also often have supplementary conditions which a student must meet in order to return to the traditional campus. These often include, but are not limited to: community service, counseling, improved discipline record, improved attendance, and/or restitution.

For students who are referred to AED by administrative placement or self-referral, an evaluation date will be determined by the district. This is usually at the semester change or the end of the school year. In order for a student to be recommended for return, s/he must have a good attendance and behavior record, as well as making adequate academic progress.

ADDITIONAL OPPORTUNITIES FOR CREDIT RECOVERY

In addition to earning traditional credits in the classroom, students may opt to participate in additional programs in an attempt to recover credits. These include, but are not limited to:

Silicon Valley Career Technical Education Center (SVCTE): SVCTE (formally known as the Central County Occupational Center (CCOC)) is located at 760 Hillsdale Ave in San Jose which offers training opportunities to high school juniors and seniors in more than 30 specialty areas from 13 career clusters. Students are bused to the center from select AED campuses for afternoon classes.

Community College Classes: Students may take courses at the local community colleges for dual credit. Students should make sure that appointments and classes are after 2:30 p.m., so as not to conflict with regular AED school hours.

Community Service: Students who perform volunteer community service may earn credit toward graduation. All community service projects must be pre-approved by the principal or counselor. PLEASE NOTE: For the graduating classes of 2013 and beyond, this will be a part of the Service Project requirement.

Independent Contracts: Students can participate in individualized independent study contracts on their current campuses. These are set up with input from the counselor and at least one staff member.

Independent Study (I.S.):

Some students participate in I.S. where the majority of their learning program is done in a home setting. This program relies heavily on daily adult supervision. I.S. is not for everyone. Students must be highly motivated, self-disciplined, and be reading and comprehending at grade level. They must have the aptitude to pass California High School Exit Exam in English Language Arts and math. All placements are discretionary, must be approved by the department’s Director and dependent upon a student’s demonstration of skills needed for success. 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 uniform and compliant of all school rules.

PLEASE NOTE: *These programs and opportunities are generally open only to those students who have good attendance, positive behavior, and have established a pattern of productive work in regular classes. Interested students should consult their counselor and principal to make sure that they are eligible.*

ALTERNATIVES TO A TRADITIONAL HIGH SCHOOL DIPLOMA

Adult Education/Metro Ed: Students near or over 18 years of age and not able to graduate from their high school may choose to complete their studies at an Adult Education facility. Students interested in pursuing this avenue should contact the district from which s/he was referred for more details.

California High School Proficiency Exam (CHSPE): This is an alternative to the high school diploma for students 16 and 17 years of age. Passing this test allows a student to leave high school, with parent permission, prior to graduation. Unlike the GED (see below), the CHSPE is **not** equivalent to a diploma. Ask the site administrator or counselor for more details or an application.

High School Equivalency Test (HiSET[®]): The HiSET[®] is a State of California approved test which if passed will result in a certificate of high school proficiency recognized as the equivalent of a high school diploma. See your site principal or counselor for more information.

STUDENT AND FAMILY SUPPORT SERVICES

Qualifications may apply.

Personal Counseling: Therapeutic counseling services are provided to students from Advent Group Ministries. There is no charge for these services. Individual and group counseling services are available to interested students. Release forms are filled out as part of the intake process and are required for participation.

Academic Counseling: All students will have the opportunity to work with an Academic Counselor to set academic goals and create educational program schedules to help them reach their goals.

Drug Intervention Support: Students will have the opportunity to receive drug intervention support as part of their daily program. Students can choose to opt in for credit in life skills. Students wishing to opt in for credit have the option of meeting with their principal monthly to discuss their progress or do an independent writing activity around their learnings, progress and growth.

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.

Health Van: Monthly, a fully-functioning “doctor’s office on wheels” arrives on each of our community school campuses, providing confidential health services for all students, regardless of insurance status.

Breakfast and Lunch: Based on family income, some students may qualify to receive breakfast and lunch for free or at a reduced price. Students who do not qualify are able to purchase both meals at a reasonable price.

Bus Passes: Are a privilege that is earned. Community schools have a very limited number of youth bus passes available each month. Daily tokens will not be available, and students must turn in the previous month’s pass in order to receive the next month’s replacement. Students must maintain 90% attendance in order to qualify for the free bus pass program.

Work Permits: Work permit applications are available from the School Office Coordinator and are required of any Alternative Education student working at a job. 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.

Parent Project: Contact school sites for schedules. It’s a nationally acclaimed parent program specifically designed for the parent. Parents learn and practice prevention and intervention strategies for specific behaviors, truancy, alcohol and drug usage, gangs, run away, violence and suicide. Additional information available at www.parentproject.com.

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. Replacement cards will be available for a fee.

CONFIDENTIALITY

Confidentiality is an important component of the program. Students are encouraged to seek solutions to their problems, to avoid harmful behaviors, and to develop their strengths. Weekly staff 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 of child abuse, to appropriate persons or agencies.

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.

Please see classroom visitation guidelines (Appendix A).

STUDENT DRESS CODE

Personal safety for students and staff is a high priority in the Alternative Education Department.

Uniform/Common Dress:

Clothing:

- Pants or shorts (must end above the knee): khaki, black, or blue denim
- Shirts (with or without a collar): solid black, gray, or white (school or district logos are OK)
- Sweatshirts/Jackets: solid black, gray, or white, NO hoodies.
- Belts: solid black or brown leather belts with plain buckles
- Socks – black or white
- Shoes – solid black or white, NO Cortez.
- Shoe laces – solid black or white
- Winter wear (hats, beanies, and gloves): – solid black, ONLY for exterior use

Backpacks/Purses - Not allowed

Restricted Clothing:

- No shorts or mini skirts
- No halter tops, bare midriffs, tube tops, low cut, or spaghetti straps
- No Cortez, slippers, soft sole, flip flops, shower shoes, or grandfather slippers
- No rags, bandannas, skullcaps, hairnets or visors
- No inappropriate gang or sports insignias, logos, drug emblems and/or labels on any articles of clothing
- No camouflage, plaid, or solid red or blue items of clothing
- No Sagging/inappropriate length of pants
- No monogrammed belt buckles
- No pajamas, hair ties or sweatbands

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 housed on site. Students will not be sent home to change clothing. Gang related clothing may be reported to the appropriate authorities.

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.

STUDENT CELL PHONES & ELECTRONIC DEVICES

No student shall use cell phones or electronic devices while on school premises. Staff will confiscate cell phones and return them to parent/guardian. We suggest students leave all electronic devices at home. School staff is not responsible for lost or stolen articles. Classes will not be interrupted to assist students in searching for lost or stolen devices.

LOITERING

Students need to proceed directly onto the community 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. Additionally, when students arrive or are dropped off on campus in the morning, they are to **remain on campus**. Leaving campus, even before classes officially starts, can be considered a cut and disciplinary actions may occur.

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, detention, and/or suspension.

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.

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:

First Offense: Students will be financially responsible for any damage caused. The consequences would be one to three day(s) of suspension, school/community service, and/or referral to law enforcement.

Second Offense: The consequences would be a five day suspension, change of placement/refer back to district, and/or referral to law enforcement.

IF CONVICTED by law enforcement of a graffiti/tagging based crime, students are subject to the following:

- Graffiti damage up to \$400.00 is punishable by up to 1 year in jail, a \$10,000.00 fine, or both
- Graffiti damage of \$400.00 or more can be punished as a FELONY– even if the vandal is a minor– by up to 3 years in state prison and a fine of up to \$50,000.00.
- Graffiti with acid or caustic substances can be punished by up to 3 years in state prison and a fine of up to \$50,000.00.

PARENTS AND GUARDIANS OF MINORS WHO COMMIT GRAFFITI:

- May be prosecuted for failing to supervise their children and sentenced to 1 year in jail and/or \$2,500.00
- Are responsible for damage caused by willful misconduct of their children including repairs and attorney fees up to \$10,000.00
- Are liable for up to \$25,000.00 in damages when a minor’s willful misconduct results damage to the property of another
- Can be ordered to maintain specific property graffiti free for up to 240 days

IF A STUDENT IS CONVICTED OF GRAFFITI VANDALISM, S/HE WILL LOSE HIS/HER DRIVER’S LICENSE FOR ONE YEAR. IF S/HE DOESN’T HAVE A LICENSE, ISSUANCE OF ONE WILL BE DELAYED FOR 1 YEAR AFTER S/HE IS ELIGIBLE, UP TO THE AGE OF 21 YEARS OLD.

OFF LIMIT AREAS

Students referred to the Alternative Education Department of the Santa Clara County Office of Education must remain off of all other school sites between the hours of 7:00 AM and 4:00 PM unless they have been given written permission to be on one of these campuses. This includes all Alternative Education campuses and all campuses from the referring districts. Violators may be cited for trespassing.

VISITORS

All visitors must register in the school office. Parents and legal guardians are welcome on all 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

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 schools in the Alternative Education Department. 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. 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
2. 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,
3. To attend school regularly and be in class on time,
4. To participate in classroom activities as the teachers ask, and
5. To respect classmates, school employees and school property. Supplemental contracts may be created to address individual situations. Through this system, students understand that they may remain at the Community School to which they have been assigned only as long as they are willing to obey these rules. A progressive discipline policy addresses students who violate the school rules.

Every Effort will be made to provide students with appropriate interventions to poor decision making including:

- Counseling
- Time outs
- Community Service
- Detentions and Saturday school
- Participation in the Reflections Program

Students who willfully continue to defy the authority of the staff, disrupt learning activities, or do egregious acts will subject themselves to having their parents notified, SJPD referral, probation referral, notification given to sending district and dismissal from the program.

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
 - a. CAN Center Child Abuse Reporting (408) 299-2071
 - b. 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:
 - a. Gateway 1-800-488-9919
 - b. 800-662-HELP
7. SUICIDE AND CRISIS LINE
 - a. 279 3312, North County
 - b. 494 8420, South County
 - c. 1-800-784-3422 (nationwide)
8. CA Youth Crisis Line (800) 843-5000
9. AIDS National Hotline (800) 342-AIDS
10. Homeless and Runaway Youth (408) 243-0222
11. Rape Crisis Hotline
 - a. (408) 287-3000
 - b. (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
Provides free or low cost health, vision & dental to children (0-18) from low or middle-income families.
3. Immunizations 408-792-5200
Provides free or low cost immunizations to prevent diseases; e.g. measles, whooping cough, chicken pox & meningitis (ages 0-21)
4. Oral Health (408) 283-6200
Provides comprehensive dental care to low income children (ages 0-18)
5. Supplemental Security Income (SSI) 800-772-1213
Provides cash assistance and Medi-cal to low income disabled individuals (all ages).
6. WIC Women's, Infants & Children's Supplemental Food Program 888-942-9675
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)
7. Valley Connection 1888 334 1000, Health information/ resources especially Medi-cal 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.sfnj.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
 - 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. SafeRide 1- 877- 753-7433
8. Quetzal House (Bill Wilson Cnt) 408-243-0222 509 View St. Mountain View, 94041



2015-16 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.

Please complete the "Acknowledgment of Receipt and Review" tear-off form (see last page) and return it to your child's school.

Best wishes for a productive and successful 2015-16 school year.

Mary Ann Dewan, Ph.D.
Deputy Superintendent

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.

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 interdistrict 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.

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 whose 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 unemancipated 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

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.

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, optometrical, 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."

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 for 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

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; 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

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent 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; (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.
- (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) Stolen 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) 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.
- (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 the purpose 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 prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to 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 school activity or 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) A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.
- (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 alternative educational 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.

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-injectible 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 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 Schools – 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.
- (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 schools, 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.

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.

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 a 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.

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.

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 – Title 5, California Code of Regulations 4622, and EC 32289

The Santa Clara County Office of Education (SCCOE) shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in SCCOE programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs. 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, Student Services Branch, who will coordinate an investigation and response within 60 days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. A complainant may appeal SCCOE's decision to the California Department of Education (CDE) by filing a written appeal within 15 days after receiving SCCOE's decision. 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. If SCCOE is found to have violated a State or Federal law and/or regulation, and does not take corrective action to comply, then various civil remedies may be available. Contact the Chief Schools Officer, Student Services Branch, 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 misassignments. 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 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 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 31st 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 Exit Exam – EC 60850 and 37254

Each pupil completing grade 12 shall successfully pass the California High School Exit Exam (CAHSEE) as a condition of graduation. Each pupil shall take the examination beginning in grade 10 and may take the examination each subsequent administration until he/she passes the examination. A pupil with an Individualized Educational Plan (IEP) or Section 504 Plan may take the CAHSEE with accommodations that do not fundamentally alter the nature of the test.

The CAHSEE consists of two parts: English-language arts and mathematics. In order to pass the CAHSEE, a scale score of 350 or higher is required on each part. Students do not need to pass both parts of the CAHSEE during the same administration in order to satisfy the CAHSEE requirement. For certain students with disabilities, a waiver of the CAHSEE requirement may be available.

School districts are required to provide additional instruction to assist students who do not pass the exam. Students, including English learners, who have not passed one or both parts of the CAHSEE by the end of grade twelve, are entitled to receive intensive instruction and services for up to two consecutive academic years after completion of grade twelve or until they pass both parts of the CAHSEE, whichever comes first.

For more information on CAHSEE, visit: http://www.cde.ca.gov/ta/tg/hs/documents/cahseeqa08_003.doc.

The CAHSEE testing schedule for the 2013-14 school year is posted on the CDE CAHSEE Web page at <http://www.cde.ca.gov/ta/tg/hs/admin.asp>. The Santa Clara County Office of Education selects their testing dates from this schedule.

The Santa Clara County Office of Education administers the test three times per school year according to the following format: 11th and 12th grade in October; 10th, 11th and 12th grade in February (this is the 10th grade census, which is the one that counts for AYP); 10th grade make-up tests for 10th grade (those absent and anyone who came to SCCOE from a district that did not test in February); and 12th grade in May.

Parents and guardians should direct their questions to their child’s school principal.

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 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 need 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 – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

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 – 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 – 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.

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.



2015-16 Acknowledgement 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)



Santa Clara County Office of Education
Jon R. Gundry
County Superintendent of Schools

Name of School: County Court Schools

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 2015-2016 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.

_____	_____
Student Signature	Date
_____	_____
Parent/Guardian Signature	Date
_____	_____
SCCOE Representative	Date

rev. 7-15-15

County Board of Education: Michael Chang, Joseph Di Salvo, Darcie Green, Rosemary Kamei, Grace H. Mah, Claudia Rossi, Anna Song
1290 Ridder Park Drive, San Jose, CA 95131-2304 (408) 453-6500 www.sccoe.org

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37

County Board of Education

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Grace H. Mah • Claudia Rossi • Anna Song

County Superintendent of Schools

Jon R. Gundry

Santa Clara County  Office of Education

1290 Ridder Park Drive
San Jose, CA 95131-2304
www.sccoe.org

APPENDIX R: School Safety Plan



Opportunity Youth Academy Comprehensive School Safety Plan

School Site Council:

- Gerry Lopez: Principal
- Bobby Welch: Teacher
- Annie Kretowicz: Teacher
- Cidalia Azevedo: Teacher
- Blanca Morales: Staff Member
- Michelle Peterson: Staff Member
- Erika Velasquez: Staff Member
- TBD: Parent Member of Community
- TBD: Parent Member of Community
- TBD: Secondary Student
- TBD: Secondary Student
- TBD: Over 18 Student
- TBD: Over 18 Student

Table of Contents

BOARD OF EDUCATION	1
ADMINISTRATION	1
MISSION AND GOALS	2
INTRODUCTION	3
SCHOOL PROFILE	4
SCHOOL CRIME STATUS AND REPORTING	5
PHYSICAL ENVIRONMENT	6
SCHOOL CLIMATE	9
ACTION PLAN: PHYSICAL ENVIRONMENT	11
ACTION PLAN: SCHOOL CLIMATE	12
SAFETY STRATEGIES	13
SAFETY STRATEGIES INTRODUCTION	14
PREVENTING AND INTERVENING: STUDENT AGGRESSIVE BEHAVIOR	14
PROFESSIONAL DEVELOPMENT	15
STUDENT RECOGNITION PROGRAMS	15
NONDISCRIMINATION AND FAIR TREATMENT OF STUDENTS	15
DISCIPLINE POLICY AND CODE	16
DISASTER PLANNING	16
CALIFORNIA SAFE SCHOOL ASSESSMENT	17
TEACHER NOTICE OF DISCIPLINARY HISTORY	17
GANG AFFILIATION	17
GANGS AND GRAFFITI	17
DRUG AND VIOLENCE PREVENTION PROGRAMS	18
SARB PROGRAMS	18
PARENT/GUARDIAN INVOLVEMENT	18
PARENT TRAINING: PROMOTING THE USE OF COMMUNITY RESOURCES	19
PROBLEM SOLVING TEAMS	19
COMMUNITY LINKAGES	19
CAMPUS SUPERVISOR AND ADMINISTRATIVE POSITIONS	20
CAMPUS DISTURBANCES AND CRIMES	20
VISITORS AND DISRUPTIONS TO EDUCATION PROCESS	20
ENHANCING PHYSICAL SAFETY PRACTICES	21
RULES AND REGULATIONS	23
PRINCIPAL'S STATEMENT TO COMMUNITY SCHOOL STAFF	24
EXPECTATIONS IN DEVELOPING & MAINTAINING DISCIPLINE	24
PROCEDURES TO ENSURE A SAFE AND ORDERLY ENVIRONMENT	26
FAMILY AND CHILDREN SERVICES INTERVIEWS OF STUDENTS	27

PROCEDURES FOR NOTIFYING TEACHERS ABOUT DANGEROUS STUDENTS	28
CONFIDENTIAL MEMORANDUM TEMPLATE	29
SUSPECTED CHILD ABUSE REPORTING PROCEDURES	30
WHAT TO DO WHEN PROBLEMS APPEAR	32
COMMUNITY SCHOOLS STUDENT DRESS CODE	33
SITE POLICIES	34
ASSAULT	35
ATTENDANCE	36
BEHAVIOR	37
BULLYING	38
BULLYING PREVENTION	39
CAMPUS GUIDELINES	40
CAMPUS VISITORS	41
CLASSROOM DISCIPLINE FOR STAFF	42
CODE OF SAFETY AND CONDUCT	46
COMMUNICATIONS HOME/SCHOOL	47
COMMUNICATIONS PARENT/SCHOOL	48
CONFLICT RESOLUTION	49
CLASSROOM DISRUPTION/INSUBORDINATION	50
GUIDANCE	51
PHYSICAL EDUCATION EQUIPMENT	52
SAFE INGRESS TO AND EGRESS FROM SCHOOL	53
FOOD/DRINKS ON CAMPUS	54
CRIME REPORTING	58
ZERO TOLERANCE	59
EMERGENCY PROCEDURES	60
INITIAL RESPONSE TO EMERGENCIES	60
IDENTIFY TYPE OF EMERGENCY	60
IDENTIFY LEVEL OF EMERGENCY	60
DETERMINE IMMEDIATE RESPONSE ACTIONS	62
IMMEDIATE RESPONSE ACTIONS DUCK AND COVER	62
SHELTER IN PLACE	63
LOCK DOWN	64
EVACUATE BUILDING	64
OFF SITE EVACUATION	65
ALL CLEAR	66
AIRCRAFT CRASH	66
ANIMAL DISTURBANCE	67
ARMED ASSAULT ON CAMPUS	68
BIOLOGICAL OR CHEMICAL RELEASE	69
BOMB THREAT	72

EARTHQUAKE	73
OFF-SITE EVACUATION	74
EXPLOSION/RISK OF EXPLOSION	74
FIRE IN SURROUNDING AREA	77
FIRE ON SCHOOL GROUNDS	78
FLOODING	80
LOSS OR FAILURE OF UTILITIES	80
PLAN FOR A LOSS OF WATER	81
PLAN FOR A LOSS OF ELECTRICITY	82
PLAN FOR LOSS OF NATURAL GAS	82
PLAN FOR A LOSS OF COMMUNICATION	82
MOTOR VEHICLE CRASH	83
PSYCHOLOGICAL TRAUMA	84
SUSPECTED CONTAMINATION OF FOOD OR WATER	85
THREAT OF VIOLENCE	86
UNLAWFUL DEMONSTRATION/WALKOUT	87
EMERGENCY PHONE NUMBERS	88
FIRE/EMERGENCY DRILLS	89
INSTRUCTIONS FOR USE OF FIRE EXTINGUISHERS	90
COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES	91
BOARD POLICIES & ADMINISTRATIVE REGULATIONS	94
BP 5141.4 (A) CHILD ABUSE PREVENTION AND REPORTING	95
AR 5141.4 CHILD ABUSE PREVENTION AND REPORTING	98
BP 5144 DISCIPLINE/SUSPENSION AND EXPULSION/DUE PROCESS	105
BP 5144.1 SUSPENSION AND EXPULSION/DUE PROCESS	108
AR 5144.1 SUSPENSION AND EXPULSION/DUE PROCESS	112
AR 5144.2 SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)	121
BP 5145.3 NONDISCRIMINATION/HARASSMENT	128
BP 5145.7 SEXUAL HARASSMENT (STUDENTS)	132
AR 5145.7 SEXUAL HARASSMENT (STUDENTS)	135
BP 4119.11 SEXUAL HARASSMENT (PERSONNEL)	140
BP 4219.11 SEXUAL HARASSMENT (PERSONNEL)	145
BP 4319.11 SEXUAL HARASSMENT (PERSONNEL)	150
BP 5145.9 HATE-MOTIVATED BEHAVIOR	155
BP 5132 DRESS AND GROOMING	158
AR 5132 DRESS AND GROOMING	160
BP 5141.22 INFECTIOUS DISEASES	162
AR 5141.22 INFECTIOUS DISEASES	165
BP 5145.6 PARENTAL NOTIFICATIONS	167
E 5145.6 PARENTAL NOTIFICATIONS	171
BP 5131.6 ALCOHOL AND OTHER DRUGS	186

AR 5131.6 ALCOHOL AND OTHER DRUGS	190
BP 5131.62 TOBACCO	192
BP 5131.2 (a) ANTI-BULLYING POLICY	194
BP 6163.4 STUDENT USE OF TECHNOLOGY	205
AR 6163.4 STUDENT USE OF TECHNOLOGY	208
BP 5131 CONDUCT	211
BP 5710 ADOPTION OF SCHOOL DISCIPLINE RULES AND PROCEDURES	217
BP 5030 STUDENT WELLNESS	218
BP 6146.1 HIGH SCHOOL GRADUATION REQUIREMENTS	224
BP 6146.2 CERTIFICATE OF PROFICIENCY/HIGH SCHOOL EQUIVALENCY	228
BP 5141.52 SUICIDE PREVENTION	229
AR 5141.52 SUICIDE PREVENTION	233
BP 1312 UNIFORM COMPLAINT PROCEDURES COMMUNITY RELATIONS	235
BP 1312.3 UNIFORM COMPLAINT PROCEDURES	242
AR 1312.3 REGULATION UNIFORM COMPLAINT PROCEDURES COMMUNITY RELATIONS	249
AR 1213 IMPLEMENTING THE UNIFORM COMPLAINT PROCEDURES	255
AR 1312.4 WILLIAMS UNIFORM COMPLAINT PROCEDURES (STUDENTS)	261
AR 1312.4 WILLIAMS UNIFORM COMPLAINT PROCEDURES (COMMUNITY RELATIONS)	265
E 1312.4 WILLIAMS UNIFORM COMPLAINT PROCEDURES	270
BP 5131.7 WEAPONS AND DANGEROUS INSTRUMENTS	275
AR 5131.7 WEAPONS AND DANGEROUS INSTRUMENTS	278
COMPREHENSIVE SCHOOLS SAFETY PLAN 2014-15	280
INCIDENT COMMAND SYSTEM	281
START SIMPLE TRIAGE AND RAPID TREATMENT	282
ACTIVITY LOG	283
INCIDENT COMMAND SYSTEM	286
SCHOOL MAPS	301
ODYSSEY COMMUNITY SCHOOL MAP	302
ODYSSEY COMMUNITY SCHOOL EMERGENCY EXIT MAP	303
SNELL COMMUNITY SCHOOL MAP	304
SNELL COMMUNITY SCHOOL EMERGENCY EXIT MAP	305
SUNOL COMMUNITY SCHOOL MAP	306
SUNOL COMMUNITY SCHOOL EMERGENCY EXIT MAP	307
TERRA BELLA COMMUNITY SCHOOL MAP	308
TERRA BELLA COMMUNITY SCHOOL EMERGENCY EXIT MAP	309
SIGNATURES OF COUNTY COMMUNITY SCHOOLS SITE COUNCIL	310

SANTA CLARA COUNTY OFFICE OF EDUCATION

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Chief Academic Officer – Educational Services

Phil Benfield
Interim Chief Technology Officer – Technology Services

Philip Gordillo
Chief Human Resources Officer – Human Resources

MISSION AND GOALS

OUR MISSION STATEMENT

The Santa Clara County Office of Education is committed to serving, inspiring and promoting student and public school success.

OUR GOALS

- ◆ *Improve student equity and reduce access discrepancies to high quality education*
- ◆ *Provide support to districts, communities, schools and students*
- ◆ *Be a premier employer*
- ◆ *Improve organizational effectiveness and efficiency*

INTRODUCTION

SCHOOL PROFILE

County Community Schools serve high risk students in grades 6-12 who are referred per guidelines set forth in Education Code 1981. Reasons for referral typically include expulsion, truancy, behavior challenges, and probation. These students can also be defined in terms of Welfare and Institutions Codes 601, 602, 654, or 300.

There are two types of programs offered: the daily program and the independent study program. It is important for the students in the daily program to work in a classroom setting, interact with their peers and change classes similar to those of a comprehensive high school. However, the classes are still small enough where the students are able to receive one-on-one assistance from their instructor and/or paraeducator. The instructor not only provides academic instruction, but also emphasizes the skills needed to improve attendance and behavior.

Independent Study at Community School is an important component of the educational opportunities offered. Performance is evaluated based upon the quality and quantity of schoolwork submitted to the teacher. Students work at their own pace, often accomplishing more than the minimum requirement. While enrolled in the Independent Study Program students are required to meet with their teacher for at least one hour or more per week.

This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Safe/Orderly School Environment

Personal Characteristics of Students

According to Data Quest, Schools was as follows:

Student Enrollment	
Free/Reduced School Lunch	
Socioeconomic Disadvantaged	
English Language Learners	
Students with Disabilities	

Ethnic Breakdown

Ethnicity	Percentage
American Indian/Alaskan Native	
Asian	
Pacific Islander	
Filipino	
Hispanic/Latino	
African American	
White	
Multiple Races	
Declined to State	

PHYSICAL ENVIRONMENT

The Schools' Location and Physical Environment

have four buildings located throughout Santa Clara County.

Description of School Grounds

During the school day, staff members and administrators provide campus supervision. Administration is an active participant in the Mountain View and San Jose Gang Prevention Task Force. Students, with the supervision of and coaching of Community School staff, participate in school sports teams.

It shall be the practice of the Community School to remove all graffiti from school property before students arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

SCCOE's school facilities are well maintained and generally look neat and clean. Schools were painted and renovated during the 2013-2014 school year. SCCOE personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The classrooms are monitored for safety and appearance by the administration and individual classroom teachers. The students take pride in the appearance of the school.

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 is found in the School Accountability Report Card updated on a yearly basis.

Because Community Schools receives the most vulnerable of students, our first priority is the safety of our campus. Learning cannot take place if behavior is inappropriate for a school setting. The Community Schools have taken many 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. Behavioral expectations and consequences for their violation have been established. Curriculum has been adopted and implemented that emphasizes prevention and alternatives to violence. And prevention and intervention strategies related to drug and alcohol use have been addressed. A brief explanation of these strategies follows.

A Parent & Student Handbook is read and distributed to every newly enrolled student and parent at the time of orientation. In that Handbook behavior expectations and consequences are addressed. All staff have received instruction on this Handbook as well as monthly discussions of classroom management strategies at faculty meetings. Community Schools have created a tiered approach to student discipline which starts, when appropriate, with a personal conversation. Parents become involved if the student behavior problems continue, often resulting in the parent attending class with their child for a portion of the school day. Every attempt is now made to discipline without suspending.

Community School has formed partnerships with local community based organizations that provide a variety of adjunct services to the students and families at Community School. They also provide mediation services that have successfully addressed the tensions inherent to a campus that enrolls multiple rival gangs. A community based organization provides counseling for both mental, health and substance abuse dependency.

Community School maintains a copy of SCCOE's sexual harassment policy in the main office/principal's office and the policy is available on request. The Santa Clara County Office of Education'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. Additionally, a notice summarizing this sexual harassment policy appears in the *Parent & Student Handbook*. The parent student handbook is distributed at the beginning of each school year to all parents and students.

Included in this Safe School Plan is a school map established by the School Site Council indicating safe entrance and exit areas for students, parents and school employees (Refer to Appendix A for School Safety Maps).

To ensure the safety of students and staff, all visitors to the campus, except students of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. SCCOE employees not assigned to Community School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. 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.

Student conduct standards and consequences for Community Schools are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted

school discipline rules and procedures, (b) SCCOE Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Students may be suspended, transferred to another school, or returned to district for certain acts.

Site 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.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Community School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

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.

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 Community School as well as participate in their child's classroom activities.

Therapeutic counseling services are provided to Community School students from Advent Group. There is no charge to the students for these services. Individual and group counseling services are available to interested students.

SCHOOL CLIMATE

The School's Social Environment

Leadership at Community School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Community School 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.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The SCCOE's Emergency Response Plan (ERP) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available SCCOE and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: direct instruction of class, small group or individual students, using projects, presentations, hands-on activities, portfolios, journals, creative writing, art, and displays.

The teachers at Community School 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 environment, enhance the experience of learning, and promote positive interactions amongst student 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 Community School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show support for all students.

All students are expected to behave in a manner that promotes safety and order. Students are encouraged to bring problems to the principal, assistant principal,

counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of students are recognized and rewarded.

A Student Leadership Team exists at each school to help communications, and decision-making at each site.

ACTION PLAN

“Physical Environment”

GOAL:

- I. Areas of Pride and Desired Improvements
 - a. Pride
 1. Classroom walls are lined with student work, posters depicting the character values essential for success, and a diversity that mirrors our student population. We also house technology to help prepare our students for their future.
 - b. Areas of Desired Improvement
 1. Sports Equipment
 2. Outside Camera system
 3. Bell System
- II. Desired Change #1: Outside Camera System
 - a. Related Strategies and Activities
 1. Acquire equipment for remaining 3 Community Schools
 - b. Resources required
 1. Cameras and Installation
 - c. Time frame for completion
 1. School year 2015-2016
 - d. Budget
 1. To be determined by administration
 - e. Evaluation criteria
 1. Safety of staff and students

ACTION PLAN

“School Climate”

GOAL:

- I. Areas of Pride and Desired Improvements
 - a. Pride
 1. Student achievement recognition for attendance and behavior.
 2. Student achievement recognition for California High School Exit Exam.
 3. Improved school culture by implementing strategies for asset rich environments.
 - b. Areas of Desired Improvement
 1. Increase funding for student recognition and field trips
- II. Desired Change #1: Increase programs that address substance abuse.
 - a. Related Strategies and Activities
 1. Involve ancillary agencies such as Behavioral Health, ADVENT Ministries
 - b. Resources Required
 1. Availability of staff from ancillary agencies to provide services to students.
 - c. Personnel Assignments
 1. To be determined by administration
 - d. Time frame for completion
 1. Services not already provided on school campus are scheduled to begin during the 2015-2016 school year.
 - e. Budget
 1. No Additional funding required
 - f. Evaluation criteria
 1. Reduction of substance abuse related disciplinary action
 2. Student success back on their home campuses

SAFETY STRATEGIES

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. Community School promotes educationally and psychologically healthy environments for all students. Community School 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. Community School 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. Community School'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 parents/student with issues prevention and intervention. The school uses a variety of methods to communicate to students, parents, and the greater community that all students are valued and respected.

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 SCCOE have received training in conflict resolution and confrontation skills. Staff uses a comprehensive approach to school violence prevention. Students are identified in their school career using measures shown to be highly effective in identifying students with antisocial and aggressive tendencies. These measures include: (a) number of disciplinary referrals to office, (b) observed aggressive behavior, (c) teacher observation, and (d) behavior documentation received from the referring district.

Professional Development

The Santa Clara County Office of Education provides professional development for teachers, parents, and community members. Amongst the goals of such programs are to help others establish and nurture a healthy sense of self confidence and self-control, to develop personal and social responsibility and to enhance academic success.

Student Recognition Programs

School offers several recognition and award programs such as the Academic Honors Night and school site community dinners.

SCHOOL SAFETY STRATEGY #2

Procedures, programs and strategies 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 they 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.

Students, parents, staff and community members shall join together to share a sense of belonging and take pride in our schools, facilities and programs through participation and cooperation in support of the education of all students.

A copy of the “Parent Student Handbook” is provided to each parent/student annually or upon enrollment. This handbook includes information pertaining to student rights to physical safety, to the protection of personal property, to respect from adults, and to be free of discrimination on the basis of gender, race, color, religion, ancestry, national origin, ethnic group, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The Santa Clara County Office of Education’s policies on nondiscrimination and sexual harassment support these protections and serve to promote the fair treatment of all students.

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 has developed plans to promote positive behaviors on the playground, lunchroom, hallways, and assembly areas.

SCHOOL SAFETY STRATEGY #3

School'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.

California Safe Schools Assessment

School actively participates in the California Safe Schools Assessment. Data is collected, reported, and reviewed on all crimes committed on the school campus. Community School recognizes that a safe school continually assesses its progress by identifying problems, collecting information regarding progress toward solutions, and by sharing this information with students, families, and the community at large.

Teacher Notice of Disciplinary History

The referring school/district shall provide to the administration of _____ School information on each student who has: (1) during the previous three school years, engaged in any suspendable or expellable act (except E.C. 48900 (h)) or (2) committed a crime reported to the Santa Clara County Office of Education by a family member, local law enforcement, Probation Department or social services. This information is used to develop awareness, assigning appropriate discipline consequences, help in allocating resources, and is a factor in determining which services are provided to the student or recommended to the parent/guardian.

Gang Affiliation

Gang affiliation and gang activity will not be tolerated at any SCCOE school. The staff at Community Schools shall work closely with the local law enforcement/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.

Gangs and Graffiti

Community School uses its links with the high schools to enhance its effort to curb gang influence.

Drug and Violence Prevention Programs

The goals of SCCOE's Drug Alcohol and Tobacco Education Program and other related community program include providing all students with a comprehensive drug and violence prevention program and providing all students in grades four through eight with a comprehensive tobacco use prevention education.

SARB Programs

School recognizes the importance of punctuality and regular attendance. The staff of Community School shall accurately record the attendance record for all students. Parents of students with poor attendance will be contacted. Students with poor attendance due to medical issues will be referred to the school administrator. Should attendance problems continue official action is to be taken, which could result in a referral of the student back to their referring school district.

One of the main purposes of Community School's SARB process has been to redirect pupils with attendance issues. Without some type of intervention, these pupils are more likely to enter into the juvenile justice system. Consequently, the students with severe absenteeism fall under the court's jurisdiction.

Community School's SARB is made up of administration, teachers, probation, security and the District Attorney's representative.

SCHOOL SAFETY STRATEGY #4

Plan(s) and method(s) are available to identify isolated and troubled students, help foster positive relationships between school staff and students, and 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.
- Provide a newsletter to parents.
- Use the School Accountability Report Card as a procedure to communicate to parents.
- Provide several opportunities for Teacher-Parent 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.

Parent Training: Promoting the Use of Community Resources

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. Such training promises to maximize the parent's contribution to academic excellence and noteworthy social-development.

Problem Solving 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 study team to help address issues of problem behavior. These problem-solving efforts bring together school staff, parents, and when appropriate, involved community-based agencies and the student. The goal is to help identify, clarify, analyze and resolve issues concerning student, educational and familial concerns. The student study team is flexible enough to address individual problems and school-wide matters.

Community Linkages

When working with parents and students with specific issues, the staff at _____ School will provide information to the families regarding available community resources.

SCHOOL SAFETY STRATEGY #5

Specific employees, such as _____ School's sheriff and probation officer, use unique strategies to promote school safety.

Campus Supervisor and Administrative Positions

Schools can enhance physical safety by monitoring the surrounding school grounds including landscaping, parking lots, and bus stops. Students can also be a good source of information. Peers often are the most likely group to know in advance about potential school violence.

Schools employ principals whose job is designed to help increase school safety, prevent prohibited offenses, and promote positive student relationships. The principal has developed procedures to monitor the school campus, the surrounding areas, and have designated the safe entrance and exit routes to school. Furthermore, recognizing that students are often the first to know of dangerous plans or actions, the principal at Community School are available for a student to safely report troubling behaviors that may lead to dangerous situations.

Effective relationships between the principal and students help initiate appropriate investigations, help staff learn of suspects in school offenses, and help collect important knowledge about community conflicts that may have an impact on school safety.

Campus Disturbances and Crimes

Schools recognizes that campus disturbances and crimes may be committed by visitors and outsiders to the campus. Several steps have been taken to protect the school, staff, and students from safety threats by individuals visiting the campus area. In addition, disputes often occur because of parental custody disputes. The staff of _____ Schools will maintain in the student's record custody documentation provided by families and will request assistance from local law enforcement and the Office of Child Welfare and Attendance as needed.

Visitors and Disruptions to Educational Process

The SCCOE is aware of the laws, policies and procedures, which govern the conduct of visitors to the school campus. _____ Schools uses continuing efforts to minimize the number of campus entrance and exit points used daily. Access to school grounds is limited and supervised on a regular basis. Campus traffic, both pedestrian and vehicular, flows through areas that can be easily and naturally supervised. Delivery entrances used by vendors are also checked regularly. The campus has perimeter fencing.

To ensure the safety of students and staff and avoid potential disruptions, all visitors to the campus, except students of the school and staff members, must register immediately upon entering any school building or grounds when school is in session.

Schools have established a visible means of identification for visitors while on school premises (i.e. tag). Furthermore, the principal or designee may direct an individual to leave school grounds if he/she has a reasonable basis for concluding that the person is committing an act that is likely to interfere with the peaceful conduct of school activities or that the person has entered the campus with the purpose of committing such an act.

Schools have developed a notice for disruptive individuals and, when appropriate, exercises the authority to remove a visitor or outsider from the campus. Law enforcement is immediately contacted for individuals engaging in threatening conduct, including disturbing the peace.

Schools' notice and removal system establishes sufficient documentation for civil law remedies as needed. For continuing disruptive behavior by a visitor or outsider, Community Schools shall contact the Santa Clara County Office of Education to determine whether to file for a temporary restraining order and injunction.

SCHOOL SAFETY STRATEGY #6

At Community Schools, effective procedures will be followed to maintain a safe physical plant and school site.

Enhancing Physical Safety Practices

Schools can enhance physical safety by adjusting traffic flow patterns to limit potential for conflicts or altercations. Schools can enhance physical safety by having adults visibly present throughout the school building. This includes encouraging parents to visit the school.

Schools can enhance physical safety by conducting a building safety audit. Recent safety audits of _____ Schools have identified the following school safety procedures to maintaining a safe campus:

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RULES AND PROCEDURES

PRINCIPAL'S STATEMENT TO

SCHOOL STAFF EXPECTATIONS IN

DEVELOPING & MAINTAINING DISCIPLINE

As Principal of our school, I will expect:

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other school members.

You can expect:

Each administrator (Principal,) to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect:

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated. When practical, student will be warned of behavior and given a replacement behavior, second warning to remind them of new behavior at the 3rd warning student should be sent to Principal for a meeting with the student.
2. Teachers with in a school will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s). Interventions taken will also be documented.
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect:

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgement regarding disposition of referrals.

I will expect:

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and support appropriate student behavior in the hallway and outside.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times
3. Students are supervised by an adult at all times, including; bathroom, PE, breaks, fieldtrips, entering and exiting campus when appropriate.

You can expect:

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Name of Principal

Principal's signature

Date

PROCEDURES TO ENSURE A SAFE AND ORDERLY ENVIRONMENT

RULES AND PROCEDURES ON SCHOOL DISCIPLINE

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

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:
 - a) By all staff members at all times
 - b) Strictly, but not rigidly beware of "automatics"
 - c) In substantial part by adult modeling
 - d) Using techniques that promote the growth of positive self-esteem
 - e) As close to the resource as is possible
 - f) By keeping probation staff informed
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

I. 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.

II. 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://aq.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

III. 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 the administrator.
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. Keep a log of your calls.
3. Talk privately to the student about your concerns.
4. Behavior concerns—any official suspensions will be in Aries. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended. Serious infractions (fighting, threats, etc.) do result in official suspension as well as being cited by law enforcement. Unresponsive students can be moved to other schools or expelled after all efforts have been made for student to change behavior.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—Look at Aries and transcript of student. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist.

SCHOOL STUDENT DRESS CODE

Students are expected to dress appropriately for school on a daily basis. In addition to common school dress expectations, additional guidelines have been implemented to assure a safe and tension-free environment.

CLOTHING: All clothing will be free of profanity, scenes depicting violence/sex/drugs, sports teams' names/initials, or colors which may be construed to refer to a specific gang/skating or tagging crew. Clothing will cover the abdomen and buttocks and be free of any tears or holes that may reveal the skin in any inappropriate way. Male and female undergarments must be covered at all times.

HEADCOVERS: are not permitted.

SUN GLASSES: May be worn outside of the classroom but may never be worn while inside the classroom.

GLOVES: May be worn when the weather clearly reflects a need to keep the hands warm. They may be worn while outside, but never worn while in the classroom.

BELT BUCKLES: No belt buckle may be worn that bears letters, numbers, or any other insignia that depicts drugs/gangs/violence.

JEWELRY: No jewelry may be worn that violates any dress code listed.

No clothing that promotes a professional sports team, alcohol or tobacco product, drug usage, racism, violence, or illegal activity or local community or clothing that suggests gang/skating/tagging affiliation may be worn.

Clothing with phrases or pictures that can be interpreted as menacing or degrading to others may not be worn.

SITE POLICES

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 6 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.

Students will be expected to conduct themselves as if they were on a job. Horseplay and profanity will not be tolerated.

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 absence from school
10. Failure to remain on school premises in accordance with school rules
11. Failure to follow safety procedures
12. Students who violate SCCOE or school rules and regulations may be subject to discipline, including but not limited to suspension
13. Students may be suspended from SCCOE schools:
 - a) In possession of drugs, alcohol or any controlled substance
 - b) In possession of a weapon or anything resembling a weapon
 - c) Stealing
 - d) Vandalizing (including tagging and graffiti)
 - e) Showing disrespect or insubordination

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. Telling is not tattling.
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; assuring them that telling is not tattling.
2. Maintain contact with the school. Keep a detailed record of bullying episodes and communication with the school.
3. Encourage you to child to participate in activities to improve esteem.

Schools:

1. Establish a bullying prevention committee.
2. Create a long-term anti-bullying plan and raise school awareness and involvement.
3. Involve parents in planning, discussions and action plans.
4. Establish classroom rules against bullying.

Campus Guidelines

Students shall:

1. Attend school punctually and regularly
2. Conform to the regulations of the school
3. Obey promptly all the directions of his/her teacher and others in authority
4. Observe good order
5. Be diligent in study
6. Respectful to his/her teacher and others in authority
7. Be kind and courteous to schoolmates
8. Refrain entirely from the use of profane and vulgar language.

Campus Visitors

All school visitors are required to check in at the school office as soon as they arrive. Parents must report to the school office and sign your child out. 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)*

Classroom Discipline for Staff

The at-risk student is successful when certain elements are present. These include, but are not limited to, the following:

- Clearly define behavioral expectations;
- Immediate consequences when behavioral expectations are violated;
- Predictability in classroom routine;
- Planned, daily lessons/activities which are posted in the classroom;
- Immediate feedback;
- Respectful behavior and communication by all school personnel;
- Visuals that reflect student achievement;
- Clean, organized classroom;
- One-on-one communication when addressing behavior, outside the purview of others; and
- Frequent communication with and involvement of parents, probation, and all other pertinent ancillary agencies.

Consequences

They must always be previously defined and fairly and equally applied. At least one warning but no more than two warnings should precede the consequence. NO warnings precede a duplicated behavior problem. Giving chance after chance sends the wrong message and you will lose your credibility.

Establishing Teacher Control

You must establish yourself as the person in control of your classroom. You will not assume the position of the authority figure if you allow someone else to do all of the discipline for you. You must earn that authority. Authority will not automatically take place because you have the title, "teacher".

How you earn this position depends on your individual personality. It can be done with humor, direct and stern talk, and so on. The important element within each technique is that you must ALWAYS say what you mean, mean what you say, be consistent, and ALWAYS follow-through.

Your students are used to being able to manipulate and will rarely assume responsibility for their actions. You must, therefore, provide the boundaries necessary to stop manipulation and promote accountability. That can only be achieved if your message is consistent and predictable. Once the student is convinced that you indeed say what you mean and follow-through, he/she will believe what you say when you are saying it.

The at-risk student is defiant and lacks the will or ability to establish and maintain appropriate behavior boundaries. Those boundaries must be established for them.

It is not cruel to insist:

- Upon academic rigor that is at an achievable high level;
- That student conduct themselves in a polite and civil manner; and
- That their speech exclude the use of vulgarity.

The teacher must encourage and reinforce the concept that your students can achieve despite the sordid details of their young lives. Remember, it is this lower expectation that earned them a place in your classroom. Once authority has been established, the at-risk student will comply, focus and achieve.

Suggested Strategies to Provide Classroom Structure

There are several strategies that can be used to provide the type of learning container that allows the at-risk student to succeed.

- *Behavior/Rules*
 - Draft behavior rules (5 or less), review and distribute to all students;
 - Post behavior rules in classroom;
 - Consistently enforce behavior rules;
 - Clearly define what your warning will be when a behavior rule is violated;
 - Immediately and consistently consequence behavior problems;
 - Create a seating chart and rarely allow students to sit where they want;
 - Individual desks encourage control – tables do not;
 - Post school rules and school dress codes and enforce them;
- *Environment*
 - Never allow students to leave their desks without first receiving permission to do so;
 - Never allow students to roam your school site during class unescorted;
 - Establish break times and adhere to them (it should be a rare occasion that a student leaves your classroom during class instruction);
- *Emotion*
 - Never allow anger to be expressed in the classroom (remove the student and talk with him/her until he/she calms down);
 - Eliminate, either permanently or for a prescribed amount of time, any activity where acting-out seems to regularly occur;

Teacher/Para educator

- Never establish yourself as the student's "friend" because you will be seen as betraying them when you discipline them;
- Never use vulgarity or anger in a student's presence (you must teach appropriate behavior, not duplicate poor behavior);
- Never talk "over" the voices of your students – insist on quiet when you speak;
- Reward positive behavior in age-appropriate ways;
- Exercise your right to search each student if you find a frequency of illegal items being brought into the classroom; and
- When your back is to your class, your para educator should be watching the class;
- Para educators should be at the opposite position where the teacher is in the classroom; The disciplining of a student should be shared by para educator and teacher and should never be the sole duty of the para educator (to establish yourself as the person in control, you must be involved in the discipline of your students);

Reporting/Contact/Involvement

- Report behavior concerns to the administrator the day they occur;
- Make contact with the student's probation officer to establish a relationship;
- Establish an expectation of the parent's involvement and involve them regularly;

Expectation

- Expect learning and expect good behavior

Probation and Parents

Establish an agreed upon routine for reporting student conduct to probation. At minimum, it should be weekly and a written report should be sent so it can be placed in the ward's probation file. The FIRST behavior problem should be immediately reported to probation. The SECOND behavior problem should result in you meeting with the student and the probation officer.

Structure

The key to success in creating a functional classroom of at-risk students is "structure". Structure includes predictability, routine, and consistency.

Not all at-risk students present themselves in the same way in a classroom. Some are quiet, some are loud, some are shy, some are bullies, some are sad and some are mad. Despite the differences in their presentations, they all succeed in the same type of environment—one that is structured, predictable, and routine. When a student's personal life is in chaos, for whatever reason, the only environment that contains and calms that life is one that is structured. Structure provides personal safety and when a student feels safe, they can then stop acting-out. Once the acting-out stops the student starts to succeed.

Classroom Disruption/Insubordination

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 defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, may be suspended.

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, school-sponsored activities, and while students are using contracted bus transportation to and from school.

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.

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, Spanish and Vietnamese.

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 our School Site committee, DLAC and ELAC committees. Parents are also phoned once a month to update student progress both positive and negative. Students' grades are sent home quarterly to inform parents on their child's progress.

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 way of handling conflict. SCCOE believes that programs can reduce violence and promote communication, personal responsibility and problem-solving skills among students.

Classroom Disruption/Insubordination

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, may be suspended.

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, prepare for the high school exit examination 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.

Physical Education Equipment

Safe Ingress to and Egress from School

Most students arrive at their school site by bus. Some students drive themselves to school and a few students are driven to school by group home employees. Group home vans and cars have been directed to drop their clients off at the entrance of the school.

One campus is shared with special needs students and some students are driven to school by parents or guardians. All cars are directed to enter the school parking lot and exit the school parking lot in a specific pattern that does not conflict with the bus delivery of the special needs students. Students exit the site through the school entrance and are directed to the sidewalk via a ramp that connects the public sidewalk to the school entrance.

Teachers and staff supervise both student ingress and egress to and from school.

Food/Drinks on Campus

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.).

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 students.

- *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
- 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, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard. Guidelines to manage Level 1 (Crisis) are described in the [Crisis Response Checklist](#).

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 have been identified, school personnel can determine if an *immediate response action* is required. The most common immediate response actions initiated during school emergencies are:

Duck and Cover Shelter- In-Place Lock Down Evacuate Building Off-Site Evacuation All Clear

Procedures for each of these are below.

IMMEDIATE RESPONSE ACTIONS DUCK AND COVER

This action is taken to protect students and staff from flying or falling debris.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal 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 DUCK AND COVER PROCEDURES, WHICH MEAN YOU SHOULD BE IN A PROTECTED POSITION UNDER A TABLE OR DESK, AWAY FROM WINDOWS AND ANYTHING THAT COULD FALL AND HURT YOU. HOLD THIS POSITION UNTIL THE SHAKE STOPS OR GIVEN FURTHER INSTRUCTIONS.”

2. If inside, teachers will instruct students to duck under their desks and cover their heads with their arms and hands.
3. If outside, teachers will instruct students to drop to the ground, place their heads between their knees, and cover their heads with their arms and hands.
4. Teachers and students should move away from windows.

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 Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal 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 (e.g., auditorium, library, cafeteria, and 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.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal 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 (e.g., auditorium, library, cafeteria, and gymnasium).
4. Teachers and students will remain in the classroom or secured area until further instructions are given by the Principal or law enforcement.
5. The front entrance is to be locked and no visitors other than appropriate law enforcement or emergency personnel, have to 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 Principal will make the following announcement on the PA system. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal 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 ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal 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 leaving 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 Principal will make the following announcement on the PA system. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal 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 ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal will determine the safest method for evacuating the campus. This may include the use of school buses or simply walking to the designated off-site location.

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 Principal may authorize students and staff to return to the classrooms.

ALL CLEAR

This action is taken to notify teachers that normal school operations can resume.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions.

“YOUR ATTENTION PLEASE. IT IS NOW OK TOO RETURN TO YOUR CLASSROOM AND RESUME NORMAL OPERATIONS. I WOULD LIKE TO THANK 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 “9.9.911” 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 the crash results in a fuel or chemical spill on school property, refer to section regarding fuel or chemical spill. If the crash results in a utility interruption, refer to section regarding utility on interruption.
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 office of the Chief of Student Services.
 - a. Member of this group will call the Office of Communications with information on this situation as appropriate.
8. Any affected areas will not be reopened until the Los Angeles 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 "9.911", 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" (dial 9, 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 Public Information Officer.
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.

Procedure

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" (dial 9, 911), and will provide the exact location (e.g., building, room, area) and nature of emergency.
3. The School Administrator will notify the Chief of Student Services 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 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 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" (dial 9, 911) and will provide the exact location and nature of emergency.
4. The School Administrator will notify the Chief of Student Services.
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" (dial 9, 911) and will provide the exact location and nature of emergency.
5. The School Administrator will notify the Chief of Student Services 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" (dial 9, 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. When 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” (dial 9, 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 of Student Services 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 the 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 of Student Services to determine additional actions that may be necessary. In turn, the actions will be communicated to the District's Office of Communications.
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 Incident Commander.
12. Any affected areas will not be reopened until the SCCOE Facilities Director provides clearance and the School Administrator gives authorization to do so.

OFF-SITE EVACUATION

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 of Student Services 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. For “Bomb Threats”

Procedure

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" (dial 9, 911) and 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 of Student Services Of the situation. A member of this group will call the Office of Communications 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 Incident Commander.
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” (dial 9, 911) and 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” (dial 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” (dial 9, 911) and 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, 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” (dial 911) and 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 Agency Liaison 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 of Student Services of the emergency situation. A member of this group 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" (dial 9, 911) and 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 Agency Liaison 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 of Student Services of the fire. A member of this group will call the Office of Communications with information of the situation.
10. If needed, the School Administrator will notify the 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 of Student Services 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" (dial 9, 911) and 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 of Student Services of the emergency situation. A member of this group will call the Office of Communications 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 Maintenance Dept. (Monday – Friday between the hours of 7:30 a.m. – 5:00 p.m.) 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 of Student Services of the loss of utility service.
6. As needed, school emergency supplies will be utilized to compensate for the loss of a utility.
7. If the loss of utilities may generate a risk of explosion, such as a gas leak, refer to Explosion/Risk of Explosion.
8. In addition to the procedures listed above, the Incident Commander will implement the following plans in the event utilities are disrupted.

A. Plan for a Loss of Water:

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 power, 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 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 is provided in each classroom by using a trash receptacle, plastic bags, and where privacy is afforded.

B. Plan for a Loss of Electricity:

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 power, 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 Department and all other appropriate resources as needed to respond 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.

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.

C. Plan for a Loss of Natural 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 power, 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 Department and all other appropriate resources as needed to respond 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.

D. Plan for a loss of Communication

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

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 of 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" (dial 9, 911) and 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. A member of this group will call the Office of Communications 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 at Community School 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 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 of Student Services.
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 central District 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" (dial 9, 911), 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 members of the Serious Incident Response Team (SIRT), which will conduct an onsite review to determine necessary follow-up actions including the need to notify other potentially affected District facilities.
7. The School Administrator and the SIRT 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 Threat Assessment Team will conduct the threat assessment. A school police officer should be part of this team.
3. 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.
4. 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?
5. The School Threat Assessment Team will assess the warning signs by evaluating the associated oral, written or electronic threatening communications.
6. The School Threat Assessment Team will recommend appropriate action to the School Administrator.
7. 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 of Student Services.
4. The Request Gate Team will immediately proceed to the Main Gate to control student ingress and egress. Each person entering or leaving the campus shall be required to sign his/her name, and record address, telephone number and time entered or departed. The Main Gate should not be locked, as a locked gate may create a serious hazard for students leaving or attempting to re-enter the campus.
5. If students leave the campus, the Request Gate Team, in consultation with the School Administrator, will designate appropriate staff members to accompany them. These staff members will attempt to guide and control the actions of students while offsite.
6. Students not participating in the demonstration or walkout should be kept within their classrooms until further notice by the School Administrator. Teachers will close and lock classroom doors. 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.
7. The Documentation staff member should keep accurate record of events, conversations and actions.
8. All media inquiries will be referred to the Santa Clara County Office of Education Communications Department (408.453.6514)
9. 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.
10. The School Administrator will notify parents of the incident, as appropriate.

Emergency Phone Numbers

Transportation Services	Joni Sanborn	408.453.4388
Office of Communications	Ken Blackstone	408.453.6514
Office of Emergency Services		916.845.8510
Office of Environmental Health and Safety		408.918.3400
Fire And Medical Emergencies 9-911		9-911
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

FIRE EMERGENCY PROCEDURES

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, teacher vacancy or miss assignment, 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 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.

Please file this complaint at the following location:

(Principal or title of designee of the Superintendent)

(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.

(Signature)

(Date)

BOARD POLICIES

&

**ADMINISTRATIVE
REGULATIONS**

Santa Clara COE

Board Policy

Child Abuse Prevention and Reporting

BP 5141.4(a)

Students

The Santa Clara County Board of Education recognizes the SCCOE responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.

The SCCOE instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

(cf. 6143 - Courses of Study)

The Santa Clara County Superintendent of Schools or designee shall seek to incorporate community resources into the SCCOE child abuse prevention programs. To the extent feasible, the County Superintendent or designee shall use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

(cf. 1020 - Youth Services)

Child Abuse Reporting

The County Board recognizes that child abuse has severe consequences and that the Santa Clara County Office of Education 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 identification and reporting of such incidents in accordance with law.

(cf. 0450 - Comprehensive Safety Plan)

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Adult Protective Services must be notified for students who are over 18 years of age. In addition, adult protective services must be notified of suspected abuse toward SCCOE students with disabilities who are 18 – 22 years of age.

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.

CHILD ABUSE PREVENTION AND REPORTING (continued)

The County Superintendent or designee shall provide training regarding the reporting duties of mandated reporters. BP 5141.4(b)

In the event that training is not provided to mandated reporters, the County Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans

33308.1 Guidelines on procedure for filing child abuse complaints

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

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

Management Resources:

CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse

WEB SITES

California Attorney General's Office, Crime and Violence Prevention Center:

<http://safestate.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

California Department of Social Services, Children and Family Services Division:

<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, National Clearinghouse on

Child Abuse and Neglect Information: <http://nccanch.acf.hhs.gov>

Policy adopted:
October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Administrative Regulation

Child Abuse Prevention and Reporting

AR 5141.4
Students

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

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)

(*cf.* 3515.3 - District Police/Security Department)

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)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

AR 5141.4(b)

CHILD ABUSE PREVENTION AND REPORTING (continued)

(cf. 5144 - Discipline)

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; administrators and employees of a licensed day care facility; Head Start teachers; SCCOE police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

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. (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 whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

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, 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)

AR 5141.4(c)

CHILD ABUSE PREVENTION AND REPORTING (continued)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school SCCOE police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11166)

Santa Clara County CWS Agency
1725 Technology Drive
San Jose, CA 95110
408-299-2071 North
408-683-0601 South

Adult Protective Services
333 West Julian Street
San Jose, CA 95110
408-491-6800

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

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 (SS 8572). (Penal Code 11166, 11168)

Mandated reporters may obtain copies of the Department of Justice form from either the SCCOE or the appropriate agency.

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

AR 5141.4(d)

CHILD ABUSE PREVENTION AND REPORTING (continued)

- 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)

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to the principal. (Penal Code 11166)

However, 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.

The principal 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. At the mandated reporter's request, the principal 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)

Training

Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect. (Penal Code 11165.7)

AR 5141.4(e)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5145.7 - Sexual Harassment)

Victim Interviews by Social Services

Whenever a representative from the Department of Social Services investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (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)

AR 5141.4(f)

CHILD ABUSE PREVENTION AND REPORTING (continued)

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.

(cf. 1312.1 - Complaints Concerning District Employees)

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 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)

AR 5141.4(g)

CHILD ABUSE PREVENTION AND REPORTING (continued)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The County Superintendent or designee also shall notify all employees that:

1. A mandated reporter 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 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. (Penal Code 11166)

Regulation approved:
October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Board Policy

Discipline/Suspension and Expulsion/Due Process

BP 5144

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 district'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>

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SANTA CLARA COUNTY OFFICE OF EDUCATION

San Jose, California

Santa Clara COE

Board Policy

Suspension and Expulsion/Due Process

BP 5144.1

Students

The Santa Clara County Board of Education 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 suspend or expel a student from regular classroom instruction.

(cf. 5144 - Discipline)

Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.

(cf. 6145 - Extracurricular and Cocurricular Activities)

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the County Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion shall be used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to self or others.

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.

SCCOE students are not expelled from SCCOE programs but are referred back to district of residence.

Zero Tolerance

The County Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Santa Clara County Superintendent of Schools or designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The County Board 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 administrative regulation and/or law. (Education Code 48911, 48915, 48915.5)

(cf. 5119 - Students Expelled from Other Districts)

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

Supervised Suspension Classroom

The County Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The County Board believes that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The County Superintendent or designee shall establish a supervised classroom suspension program which meets the requirements of law for students suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, who pose no imminent danger or threat at school, and for whom an expulsion action has not been initiated.

The County Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48660-48667 Community day schools

48900-48927 Suspension and expulsion

48950 Speech and other communication

49073-49079 Privacy of student records

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

7151 Gun free schools

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops. Cal. Atty. Gen. 85 (1997)

Management Resources:

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www.ed.gov/about/offices/list/osdfs/index.html>

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SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Administrative Regulation

Suspension and Expulsion/Due Process

AR 5144.1
Students

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by Santa Clara County Board of Education for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the Santa Clara County Office of Education are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension, and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. No permission granted by any official. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as controlled substance, alcoholic beverage, or intoxicant. (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm. (Education Code 48900(m))

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. (Education Code 48900(m))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))

17. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

Hazing means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Sexual harassment means that conduct, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

21. Intentionally engaged in harassment, threats, or intimidation against SCCOE personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

22. Engaged in an act of bullying, including, but not limited to, bullying by means of an electronic act, directed toward a student or school personnel. (Education Code 48900(r))

Bullying means one or more acts by a student or group of students that constitute sexual harassment pursuant to Education Code 48900.2, as defined in item #19 above; hate violence pursuant to Education Code 48900.3, as defined in item #20 above; or harassment, threats, or intimidation pursuant to Education Code 48900.4, as defined in item #21 above. (Education Code 32261)

Electronic act means the transmission of a communication, including, but not limited to, 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, or pager. (Education Code 32261)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any SCCOE school under the jurisdiction of the Santa Clara County Superintendent of Schools or principal or within any other school district, including, but not limited to, the following circumstances: (Education Code 48900)

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

(cf. 5131.1 - Bus Conduct)

The County Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(v))

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Superintendent, Principal, or Principal's Designee

The County Superintendent or principal may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The County Superintendent or principal shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a SCCOE employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

2. Brandishing a knife, as defined in Education Code 48915(g), at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possession of an explosive as defined in 18 USC 921

Explosive means a destructive device and includes, but is not limited to, any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. A destructive device includes any other type of weapon (except a shotgun or shotgun shell recognized by the United States Secretary of Army as suitable for sporting purposes) which might be converted to project an explosive. (18 USC 921)

Suspension also may be imposed upon a first offense if the County Superintendent or principal determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

The SCCOE may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the County Superintendent, principal, or principal's designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the County Superintendent, principal, or designee determines that an emergency situation exists. An emergency situation involves a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the County Superintendent or designee. (Education Code 48911)
3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

Supervised Suspension Classroom

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school, students, or staff may be assigned to a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Regulation approved:
October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Administrative Regulation

Suspension and Expulsion/Due Process (Students with Disabilities)

AR 5144.2

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

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:

October 20, 2010

Revised: January 15, 2014

SANTA CLARA COUNTY OFFICE OF EDUCATION

San Jose, California

Santa Clara COE

Board Policy

Sexual Harassment

BP 5145.7

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

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

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

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

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

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

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

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

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

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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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

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 4319.11

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

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

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

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

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

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)

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

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:
October 20, 2010
California

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose,

Santa Clara COE

Board Policy

Dress and Grooming

BP 5132

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 EDUCATION
San Jose, California

Santa Clara COE

Administrative Regulation

Dress and Grooming

AR 5132

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:
October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Board Policy

Infectious Diseases

BP 5141.22

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

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
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

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

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 appeals, 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

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
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:
October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Board Policy

Tobacco

BP 5131.62

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
Revised: April 9, 2014

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Board Policy

Anti-Bullying Policy

No. 5131.2 (a)

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 to 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

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

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

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

Adoption of School Discipline Rules and Procedures

No. 5710

Students

At least every four (4) years each public school governed by the Board and/or the Superintendent shall adopt rules and procedures on school discipline applicable to the school.

Each school shall solicit participation in the development of school discipline rules and procedures by a representative of:

1. Parents;
2. Teachers and para educators;
3. School administrators;
4. School security personnel, if any; and
5. Students, if for junior high schools and/or high schools.

Meetings will be held for the purpose of developing rules and procedures on existing school sites or Office facilities, during non-classroom hours, and on normal school days.

The final version of the rules and procedures will be adopted by the site administrator of the school, or his or her designee, and a representative selected by the school's teachers.

Each employee of the schools shall enforce the rules and procedures adopted under this section.

At the beginning of each school year and at the time of enrollment of transfer students, the Office will give written notice to parents or guardians regarding the school discipline rules and procedures.

The Board or the Superintendent may review such rules and procedures, at an open meeting, for consistency with Board policy and state law.

Santa Clara COE

Board Policy

Student Wellness

BP 5030

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 Cocurricular 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

Policy adopted:
October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Board Policy

High School Graduation Requirements

BP 6146.1

Instruction

The Santa Clara County Board of Education desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and/or employment.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, beginning with the class of 2016-17, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Forty Units in English Language Arts (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Twenty Units in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. (Education Code 51224.5)

Completion, prior to grade 9, of Algebra coursework that meets or exceeds state academic content standards shall satisfy the Algebra coursework requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

(cf. 6011 - Academic Standards)

(cf. 6142.92 - Mathematics Instruction)

3. Twenty units in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Thirty units in social studies, including United States history and geography; world

history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.93 - History-Social Science Instruction)

5. Ten units in visual or performing arts, foreign language, or American Sign Language or career technical education (Education Code 51225.3)

(cf. 6142.2 - World/Foreign Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

6. Twenty units in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

7. Ten units in computer applications
8. Ten units in life skills, health and HIV/AIDS prevention
9. Ten units that fulfills a service learning requirement

(cf. 6142.4 - Service Learning/Community Service Classes)

10. Ten units that requires senior students to complete a senior multidisciplinary project.
11. Forty units in general electives

Santa Clara County Office of Education students will complete 220 units for graduation, effective June 2017.

Because the prescribed course of study may not accommodate the needs of some students, County Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Retroactive Diplomas

SCCOE may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a SCCOE school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. (Education Code 51430)

The SCCOE also may retroactively grant a diploma to a deceased former student who satisfies the above conditions. The diploma shall be received by the deceased student's next of kin. (Education Code 51430)

Legal Reference:

EDUCATION CODE

35186 *Williams Uniform Complaint Procedures*
37252 *Supplemental instructional programs*
37254 *Supplemental instruction based on failure to pass exit exam by end of grade 12*

37254.1 *Required student participation in supplemental instruction*

47612 *Enrollment in charter school*

48200 *Compulsory attendance*

48412 *Certificate of proficiency*

48430 *Continuation education schools and classes*

48645.5 *Acceptance of coursework*

49701 *Interstate Compact on Educational Opportunity for Military Children*

51224 *Skills and knowledge required for adult life*

51224.5 *Algebra instruction*

51225.3 *Requirements for graduation*

51225.5 *Honorary diplomas; foreign exchange students*

51228 *Graduation requirements*

51240-51246 *Exemptions from requirements*

51250-51251 *Assistance to military dependents*

51410-51412 *Diplomas*

51420-51427 *High school equivalency certificates*

51450-51455 *Golden State Seal Merit Diploma*

51745 *Independent study restrictions*

52378 *Supplemental school counseling program*

56390-56392 *Recognition for educational achievement, special education*

60850-60859 *High school exit examination*

66204 *Certification of high school courses as meeting university admissions criteria*

CODE OF REGULATIONS, TITLE 5

1600-1651 *Graduation of students from grade 12 and credit toward graduation*

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Policy adopted:

October 21, 2009

Revised: May 16, 2012

SANTA CLARA COUNTY OFFICE OF EDUCATION

San Jose, California

Santa Clara COE

Board Policy

Certificate of Proficiency/High School Equivalency

BP 6146.2

Instruction

The Santa Clara County Board of Education desires that every student have the opportunity to earn a high school diploma through successful completion of class work and examination. However, when a student is unable to do so, County Board encourages completion of an alternative program that allows him/her to obtain an equivalent certificate.

(cf. 5147 - Dropout Prevention)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6200 - Adult Education)

Eligible persons may obtain a certificate of proficiency or a high school equivalency certificate in accordance with law, Board policy and administrative regulation.

The Santa Clara County Superintendent of Schools or designee shall make information available to interested persons regarding the eligibility and examination requirements of each program.

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

48400-48403 Persons subject to compulsory continuation education

48410 Persons exempt from continuation classes

48412 Certificate of proficiency; examination fees

48413 Enrollment in continuation classes

48414 Reenrollment in district

51420-51427 High school equivalency certificate

CODE OF REGULATIONS, TITLE 5

11520-11523 Proficiency examination and certificate

11530-11532 High school equivalency certificate (GED)

Management Resources:

CDE PUBLICATIONS

Adult Education Handbook for California, 1997

WEB SITES

CDE, GED Office: <http://www.cde.ca.gov/ged>

CDE, High School Proficiency: <http://www.cde.ca.gov/statetests/chspe>

Policy adopted:
October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Board Policy

Suicide Prevention

No. 5141.52

Students

The Santa Clara County Board of Education recognizes that suicide is a major cause of death among youth and should be taken seriously. In order to attempt to reduce suicidal behavior and its impact on students and families, the Santa Clara County Superintendent of Schools or designee shall develop preventive strategies and intervention procedures.

The County Superintendent or designee may involve school health professionals, school counselors, administrators, other staff, parents/guardians, students, local health agencies and professionals, and community organizations in planning, implementing, and evaluating the SCCOE strategies for suicide prevention and intervention.

(cf 1020 - Youth Services)

(cf 1220 - Citizen Advisory Committees)

(cf 1400 - Relations Between Other Governmental Agencies and the Schools)

Prevention and Instruction

Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with the school and is characterized by caring staff and harmonious interrelationships among students.

(cf 5131 - Conduct)

(cf 5137 - Positive School Climate)

(cf 5145.3 - Nondiscrimination/Harassment)

(cf 5145.7- Sexual Harassment)

(cf 5145.9 - Hate-Motivated Behavior)

The SCCOE comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and self-esteem. Suicide prevention instruction shall be incorporated into the health education curriculum in the secondary grades. Such instruction shall be aligned with state content standards and shall be designed to help students analyze signs of depression and self-destructive behaviors, including potential suicide, and to identify suicide prevention strategies.

(cf 6142.8- Comprehensive Health Education)

The County Superintendent or designee may offer parents/guardians education or information which describes the severity of the youth suicide problem, the SCCOE suicide prevention curriculum, risk factors and warning signs of suicide, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis.

Staff Development

Suicide prevention training for staff shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a counselor/psychologist and/or in cooperation with one or more community mental health agencies and may include information on:

1. Research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors

(cf 5131.6- Alcohol and Other Drugs)

2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior
3. Research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health
4. School and community resources and services

(cf 5141.6- School Health Services)

(cf 6164.2 - Guidance/Counseling Services)

5. Santa Clara County Office of Education procedures for intervening when a student attempts, threatens, or discloses the desire to commit suicide

(cf 4131 - Staff Development)

(cf 4231- Staff Development)

(cf 4331- Staff Development)

Intervention

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the principal or school counselor. The principal or counselor shall then notify the student's parents/guardians as soon as possible and may refer the student to mental health resources in the school or community.

(cf 5141- Health Care and Emergencies)

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall complete the suicide prevention curriculum, including identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

(cf 5138 - Conflict Resolution/Peer Mediation)

The County Superintendent or designee shall establish crisis intervention procedures to ensure student safety and appropriate communications in the event that a suicide occurs or an attempt is made on campus or at a school-sponsored activity.

Legal Reference:

EDUCATION CODE

32280-32289 *Comprehensive safety plan*

41533 *Professional Development Block Grant, suicide prevention training for teachers*

49060-49079 *Student records*

49602 *Confidentiality of student information*

49604 *Suicide prevention training for school counselors*

GOVERNMENT CODE

810-996.6 *Government Claims Act*

WELFARE AND INSTITUTIONS CODE

5698 *Emotionally disturbed youth; legislative intent*

5850-5883 *Mental Health Services Act*

COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management
Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools.

Kindergarten Through Grade

Twelve, 2008

Youth Suicide-Prevention Guidelines for California Schools, 2005

Health Framework for California Public Schools. Kindergarten Through Grade

Twelve, 2003

CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS

California Strategic Plan for Suicide Prevention: Every Californian is Part of

the Solution, 2008

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among

Youth, 2009

U.S. DEPARTMENT OF HEALTH AND HUMAN

SERVICES PUBLICATIONS *National Strategy for Suicide*

Prevention: Goals and Objectives for Action, 2001

WEB SITES

American Psychological Association: <http://www.apa.org> California

Department of Education, Mental Health:

<http://www.cde.ca.gov/ls/cglmh> California Department of Mental Health,

Children and Youth Programs:

http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth

Centers for Disease Control and Prevention, Mental Health:

<http://www.cdc.gov/mentalhealth>

National Institute for Mental Health: <http://www.nimh.nih.gov>

U.S. Department of Health and Human Services, Substance Abuse and

Mental Health Services

Administration: <http://www.samhsa.gov>

Policy

Adopted: October 20,
2010

SANTA CLARA COUNTY OFFICE OF EDUCATION

San Jose, California

Santa Clara COE

Administrative Regulation

Suicide Prevention

No. 5141.52

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

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Santa Clara COE

Board Policy

Uniform Complaint Procedures Community Relations

No. 1312.3

Students

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 regarding or based on, actual or perceived characteristics such as, age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, mental or physical disability, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or in any program or activity that receives or benefits from state financial assistance. (Government Code 11135; Education Code 200, 220; 5CCR 4610) 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, and federal school safety planning requirements. (5 CCR 4610)

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 111575 (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 minima; 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 CCR4600) of Division 1.

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements.

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 by the SCCOE to ensure full reimbursement to all affected pupils, parents/guardians, subject to procedures established through regulations adopted by the state board.

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:

Executive Director - Human Resources
1290 Ridder Park Drive, MC 264-A
San Jose, CA 95131
(408) 453-6843

Student related:

Chief Schools Officer
Student Services Branch
1290 Ridder Park Drive, MC 271
San Jose, CA 95131
(408) 453-6560

The Executive Director - Human Resource 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 Superintendent or designee.

The Executive Director - Human Resources 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 Executive Director - Human Resources 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 CCR4622)

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)

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 positions(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 complaint'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

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 adopted:

SANTA CLARA COUNTY OFFICE OF EDUCATION

September 16, 1992

San Jose, California

Revised: May 18, 2005, June 3, 2009, May 15, 2013, January 15, 2014

Santa Clara COE

Board Policy

Uniform Complaint Procedures

BP 1312.3

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 regarding or based on, actual or perceived characteristics such as, age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, mental or physical disability, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or in any program or activity that receives or benefits from state financial assistance. (Government Code 11135; Education Code 200, 220; 5 CCR 4610)

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, and federal school safety planning requirements. (5 CCR 4610)

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 complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements.

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 by the SCCOE to ensure full reimbursement to all affected pupils, parents/guardians, subject to procedures established through regulations adopted by the state board.

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:

Executive Director - Human Resources
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 Executive Director - Human Resource 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 Superintendent or designee.

The Executive Director - Human Resources 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 Executive Director - Human Resources 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)

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 positions(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

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

adopted: September 16, 1992

revised: May 18, 2005

revised: June 3, 2009

revised: May 15, 2013

revised: January 15, 2014

SANTA CLARA COUNTY OFFICE OF EDUCATION

San Jose, California

Santa Clara COE

Administrative Regulation

Regulation Uniform Complaint Procedures Community Relations

No. 1312.3

Students

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:

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 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
 - 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)

A complaint alleging unlawful discrimination shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. (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 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 CCR4631)

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 (5CCR 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 complaints, notice that the complainant must wait until 60 days have elapsed for the filing of an appeal with the CDE before pursuing civil law remedies (Education Code 262.3)

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 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

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

Revised : January 8, 2014

Santa Clara COE

Administrative Regulation

Implementing the Uniform Complaint Procedures

No. 1213
Students

These Uniform Complaint Procedures shall be followed when addressing complaints concerning the Santa Clara County Office of Education alleging unlawful discrimination, including harassment, with respect to actual or perceived ethnic group, religion, gender, color, race, ancestry, national origin, physical or mental disability, age or sexual orientation, or any alleged violation of federal or state laws or regulations governing the Santa Clara County Office of Education's educational programs, in any program or activity that receives or benefits from state financial assistance.

COMPLIANCE OFFICERS

The Governing Board and Superintendent designate the following compliance officers to receive and investigate complaints and ensure county office compliance with law:

*Executive Director of Human Resources
1290 Ridder Park Drive, MC 264-A
San Jose, California 95131 (408) 453.6843*

The Superintendent or designee 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 Superintendent or designee.

NOTIFICATIONS

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of county office 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. Annual written notification of the Uniform Complaint Procedures will be disseminated to students, employees, parent or guardians of its students, school and SCCOE Advisory Committees, appropriate private school officials or representatives, and other interested parties. The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

The above notification shall state that complainants may seek help from agencies such as legal assistance agencies and local mediation centers.

PROCEDURES

The following procedures shall be used to address all complaints which allege that the Santa Clara County Office of Education 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 the Code of Regulations, Title 5, Section 4632, and shall maintain a log of complaints received, providing each with a code number and a date stamp.

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 county office.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination (Title 5, Section 4630).

The complaint shall be presented to the compliance officer. An investigation of alleged unlawful discrimination shall be initiated by filing a complaint not later than six months from the date the alleged discrimination occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination unless the time for filing is extended by the Superintendent, upon written request by the complainant setting forth the reasons for the extension. Such extension by the Superintendent shall be made in writing. The period for filing may be extended by the Superintendent for good cause for a period not to exceed ninety (90) days following the expiration of the time allowed. The Superintendent shall respond immediately upon receipt of requests for extensions (Title 5, Section 4650(b)).

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, county office staff shall help him/her to file the complaint (Title 5, Section 4600).

Step 2: Mediation

Within three (3) working 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 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 a mediator shall not extend the county office's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time (Title 5, Section 4631).

Step 3: Investigation of Complaint

The compliance officer shall schedule an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to resolve the complaint pursuant to Step 2, and shall hold an investigative meeting within ten (10) working days. 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 and the county office's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses (Title 5, Section 4631).

A complainant's refusal to provide the County Office'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).

The County Office'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

Within thirty (30) days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the county office's investigation and decision, as described in Step 5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five (5) days, file his/her complaint in writing with the County Superintendent.

The County Superintendent will hold a meeting to consider the matter in sufficient time to meet the 60-day time limit within which the complaint must be answered. The County Superintendent may decide not to hear the complaint, in which case the compliance officer's decision is final.

If the County Superintendent hears the complaint, the compliance officer shall send the Superintendent's decision to the complainant within sixty (60) days of the county office's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant (Title 5, Section 4631).

Step 5: Final Written Decision

The report of the county office's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the county office shall arrange a meeting at which a translator will interpret it for the complainant.

This report shall include:

1. The findings and disposition of the complaint, including corrective actions, if any. (Title 5, Section 4631)
2. The rationale for the above is based on facts from the evidence gathered and conclusions based on the law (Title 5, Section 4631).
3. Notice of the complainant's right to request a review by the Santa Clara County Board of Education if the complaint falls within the scope of the Board's authority.
4. Notice of the complainant's right to appeal the decision within fifteen (15) days to the California Department of Education, and procedures to be followed for initiating such an appeal (Title 5, Section 4631).
5. For discrimination complaints, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies (Title 5, Section 4631; Education Code Section 262.3).
6. A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved.

REVIEW BY THE SANTA CLARA COUNTY BOARD OF EDUCATION

If the complaint falls within the scope of the Santa Clara County Board of Education's authority, the complainant may request a review of the county office's decision to the Board. The request for review must be made in writing and filed within five (5) days of receiving the county office's decision, concurrent with written filing of the complaint with the County Superintendent. The Board will consider the complaint within thirty (30) days of receipt of the request for review, and render its decision within sixty (60) days of the county office's initially receiving the complaint, or within the time period that has been specified in a written agreement with the complainant.

APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION (CDE)

If dissatisfied with the Board's decision, the complainant may appeal in writing to the California Department of Education within fifteen (15) days of receiving the Board's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals (Title 5, Section 4632).

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the county office's decision and must include a copy of the locally filed complaint and the county office's decision (Title 5, Section 46532).

Upon notification by the California Department of Education that the complainant has appealed the Board's decision, the 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 the County Office, 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 the County Office's complaint procedures.
7. Other relevant information requested by the California Department of Education.

The CDE may directly intervene in the complaint without waiting for action by the County Office when one of the conditions listed in 5 CCR 4650 exists, including cases in which the County Office has not taken action within sixty (60) days of the date the complaint was filed with the County Office.

CIVIL LAW REMEDIES

A complainant may pursue available civil law remedies outside of the county office'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 complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with Title 5, Section 4622.

Santa Clara COE

Administrative Regulation

Williams Uniform Complaint Procedures

No. 1312.4
Students

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:

1. Textbooks and Instructional Materials
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or State or County Board adopted textbooks or other required instructional materials to use in class.
 - b. A student 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.
2. Teacher Vacancy or Miss assignment
 - 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 students in the class.
 - 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.

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than twenty (20) working days after the first day students attend classes for that semester.

Miss assignment 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.

3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of students 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 students or staff while at school, including but not limited to gas leaks; non-functioning 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 students or staff; or structural damage creating a hazardous or uninhabitable condition.

- 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.

Open restroom means, except as necessary for student safety or to make repairs, the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes.

4. High school exit examination intensive instruction and services:
A student, 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 student has passed both parts of the exam, whichever comes first.

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 Superintendent or designee in a timely manner, but not to exceed ten (10) working days.

A complaint alleging any deficiencies specified in item #4 above shall be filed with a SCCOE official as designated by the Superintendent. Such complaints may be filed at the SCCOE ASC or at a school site and shall be immediately forwarded to the Superintendent or designee.

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 thirty (30) working days from the date the complaint was received.

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 forty-five (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 Superintendent or designee.

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.

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Governing Board at a regularly scheduled meeting.

For any complaint concerning a facility condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a above, a complainant who is not satisfied with the resolution proffered by the Principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within fifteen (15) days of receiving the County Office of Education's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. All complaints and written responses shall be public records.

REPORTS

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools 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 Board meeting.

FORMS AND NOTICES

The Superintendent or designee shall ensure that SCCOE 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's Williams complaint form in order to file a complaint.

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Section Code Section 35186.

Legal References:

EDUCATION CODE:

1240	<i>County Superintendent of Schools, Duties</i>
17592.72	<i>Urgent or Emergency Repairs, School Facility Emergency Repair Account</i>
33126	<i>School Accountability Report Card</i>
35186	<i>Alternative Uniform Complaint Procedure</i>
35292.5	<i>Restrooms, maintenance and cleanliness</i>
37254	<i>Supplemental instruction based on failure to pass exit exam by end of grade 12</i>
48985	<i>Notice to parents in language other than English</i>
60119	<i>Hearing on Sufficiency of Instructional Materials</i>

CODE OF REGULATIONS, TITLE 5:

4600-4671	<i>Uniform Complaint Procedures, especially:</i>
4680-4687	<i>Williams Complaints</i>

Santa Clara COE

Administrative Regulation

Williams Uniform Complaint Procedures

AR 1312.4

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

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
version: October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California

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.

Please file this complaint at the following location:

(principal or title of designee of the Superintendent)

(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.

(signature)

(date)

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
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
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

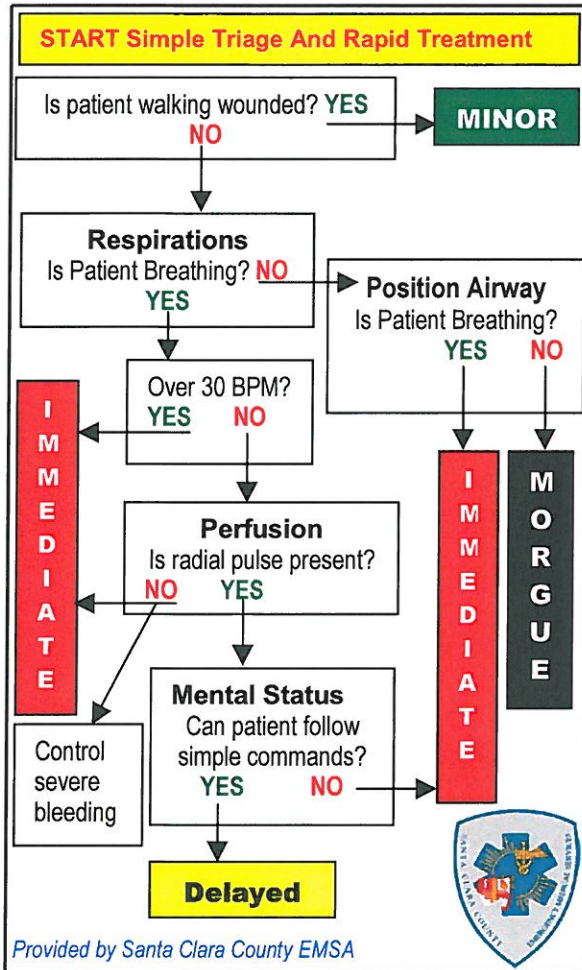
Santa Clara County Office of Education

COMPREHENSIVE SCHOOLS SAFETY PLAN:

**Safety Committee
Evaluation and Certification**

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 County Community School and is readily available for inspection by the public.

INCIDENT COMMAND SYSTEM



ICS 214 Activity Log

Purpose. The Activity Log (ICS 214) records details of notable activities at any ICS level, including single resources, equipment, Task Forces, etc. These logs provide basic incident activity documentation, and a reference for any after-action report.

Preparation. An ICS 214 can be initiated and maintained by personnel in various ICS positions as it is needed or appropriate. Personnel should document how relevant incident activities are occurring and progressing, or any notable events or communications.

Distribution. Completed ICS 214s are submitted to supervisors, who forward them to the Documentation Unit. All completed original forms must be given to the Documentation Unit, which maintains a file of all ICS 214s. It is recommended that individuals retain a copy for their own records.

Notes:

- The ICS 214 can be printed as a two-sided form.
- Use additional copies as continuation sheets as needed, and indicate pagination as used.

Block Number	Block Title	Instructions
1	Incident Name	Enter the name assigned to the incident.
2	Operational Period <ul style="list-style-type: none"> • Date and Time From • Date and Time To 	Enter the start date (month/day/year) and time (using the 24-hour clock) and end date and time for the operational period to which the form applies.
3	Name	Enter the title of the organizational unit or resource designator (e.g., Facilities Unit, Safety Officer, Strike Team).
4	ICS Position	Enter the name and ICS position of the individual in charge of the Unit.
5	Home Agency (and Unit)	Enter the home agency of the individual completing the ICS 214. Enter a unit designator if utilized by the jurisdiction or discipline.
6	Resources Assigned	Enter the following information for resources assigned:
	<ul style="list-style-type: none"> • Name 	Use this section to enter the resource's name. For all individuals, use at least the first initial and last name. Cell phone number for the individual can be added as an option.
	<ul style="list-style-type: none"> • ICS Position 	Use this section to enter the resource's ICS position (e.g., Finance Section Chief).
	<ul style="list-style-type: none"> • Home Agency (and Unit) 	Use this section to enter the resource's home agency and/or unit (e.g., Des Moines Public Works Department, Water Management Unit).
7	Activity Log <ul style="list-style-type: none"> • Date/Time • Notable Activities 	<ul style="list-style-type: none"> • Enter the time (24-hour clock) and briefly describe individual notable activities. Note the date as well if the operational period covers more than one day. • Activities described may include notable occurrences or events such as task assignments, task completions, injuries, difficulties encountered, etc. • This block can also be used to track personal work habits by adding columns such as "Action Required," "Delegated To," "Status," etc.
8	Prepared by <ul style="list-style-type: none"> • Name • Position/Title • Signature • Date/Time 	Enter the name, ICS position/title, and signature of the person preparing the form. Enter date (month/day/year) and time prepared (24-hour clock).

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER



OPERATIONS DUTIES

- Obtain situation briefing from Incident Commander
- Put on identification vest
- Appoint division leaders for all groups
- Organize, direct, and control the physical operations of student accountability
- Be in contact with division leaders for all groups
- Be in contact with Triage Leader
- Order resources through the Incident Commander
- Designate a triage area and bus/parent pickup area
- Determine egress corridors for students
- Request periodic progress reports from Division Leaders and Triage Leader
- Maintain unit/activity log (ICS Form 214)

SITE INCIDENT COMMANDER

OPERATIONS

DIVISION LEADER

SEARCH LEADER

MEDICAL/TRIAGE LEADER

PLANNING

TRANSPORTATION LEADER

LOGISTICS

FACILITIES

FOOD WATER

DIVISION LEADER DUTIES

- Plan, organize, direct, and lead your respective assigned group
- Communicate all activity to Operations
- Put on identification vest
- Determine teacher and student accountability within your respective grade/division
- Assess situation, determine scope of incident:
 - Evacuation
 - Medical injuries (send injured teacher or students within your respective division to the traige area)
- If a teacher is injured, assign another teacher to the class of the injured teacher
- Request additional volunteer/parent help through Operations
- Be the contact person for incoming resources
- Maintain unit/activity log (ICS Form 214)

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER

PLANNING DUTIES

- Obtain situation briefing from Incident Commander (I.C.)
- Put on identification vest
- Assist the I.C. in planning overall strategy for incident
- Document situation status
- Document resource status
- Obtain information from the transportation leader
- Keep records of every student, when and who they leave campus with
- Document volunteers (parents or school personnel) who they assist and where they are located
- Keep a running time of the event and timestamp important events (ICS Form 2014)
- Record a staging area for additional resources
- Obtain a record of bus numbers and students and where they went from the Transportation Leader

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER

TRANSPORTATION DUTIES

- Obtain situation briefing from Planning
- Put on identification vest
- Obtain and record student names, grades and what bus number they went on and where the bus went
- Obtain and record which students went with parents or guardians (check ID of parents who are picking up)
- Organize the exit corridors
- Report all information to Planning
- Maintain unit/activity log (ICS FORM 214)

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER



LOGISTICS DUTIES

- Obtain situation briefing from Incident Commander
- Put on identification vest
- Monitor service and support groups
- Assess situation, determine scope of incident:
 - Service - additional radios and food and water supply
 - Support - facilities and a custodian person for technical issues
- Make sure the perimeter of school is secure
- Maintain unit/activity log (ICS Form 214)

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

LOGISTICS

DIVISION LEADER

TRANSPORTATION LEADER

FACILITIES

SEARCH LEADER

FOOD WATER

MEDICAL/TRIAGE LEADER

SITE INCIDENT COMMANDER

OPERATIONS

PLANNING

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TRANSPORTATION LEADER

FACILITIES

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FOOD WATER

MEDICAL/TRIAGE LEADER

SCHOOL MAPS

This page will be updated with OYA site maps and schematics.

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Signatures of _____ Site Council

Principal's Signature

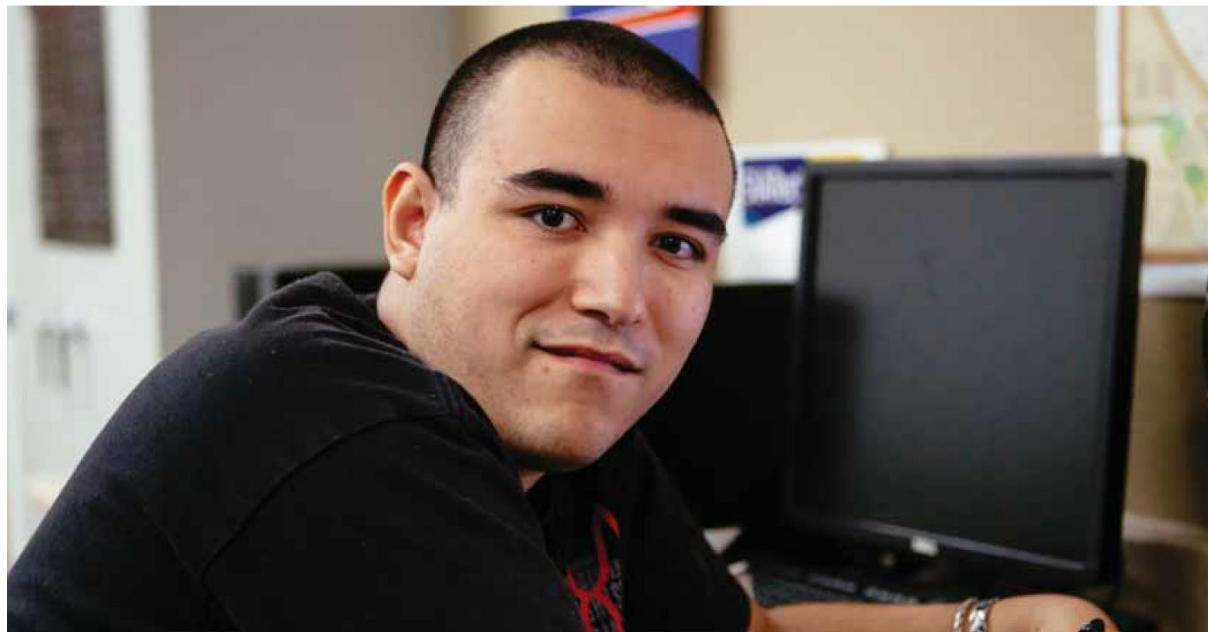
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School Site Council Chairperson Signature

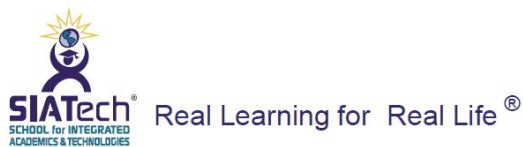
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School Site Council Committee

APPENDIX S: Course Catalog



SIATECH CALIFORNIA HIGH SCHOOL
Course Catalog



Real Learning for Real Life[®]

2014-2015



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.



TABLE OF CONTENTS

INTRODUCTION	5
WELCOME!.....	6
SCHOOL LOCATIONS.....	7
EDUCATIONAL PROGRAM	8
CALIFORNIA GRADUATION REQUIREMENTS	9
COURSE OFFERINGS.....	10
ENGLISH.....	10
MATHEMATICS	12
SCIENCE.....	15
SOCIAL SCIENCE.....	17
CREATIVE TECHNOLOGY	18
SENIOR PROJECTS.....	19
FOREIGN LANGUAGES.....	20
ELECTIVES	21



INTRODUCTION

SIATech believes that all students can learn and that they have the right to earn a high school diploma, even though they previously have been unsuccessful in the traditional school system.

SIATech provides these 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 promote his or her opportunities to learn the skills needed to negotiate the complexities of life and to achieve success in the 21st century workplace.





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. Linda Dawson
Superintendent/CEO



SCHOOL LOCATIONS

SIATech El Centro
1560 Ocotillo Drive Suite H
El Centro, CA 92243
760-224-1562

SIATech Indio WIN Center
45570 Grace Street, Suite 1
Indio, CA 92201
760-775-2887

SIATech Inland Empire
3173 Kerry Street
San Bernardino, CA 92407
909-887-6305

SIATech Long Beach
1903 Santa Fe Avenue
Long Beach, CA 90810
562-983-1777 Ext.2134

SIATech Los Angeles
221 W 11th Street Suite 210
Los Angeles, CA 90015
213-743-5157

SIATech Moreno Valley
Moreno Valley Youth
Opportunity Center
22635 Alessandro Blvd, Suite C
Moreno Valley, CA 92553

SIATech North County Coastal
1949 Avenida del Oro
Suite 106
Oceanside, CA 92056
760-631-6161

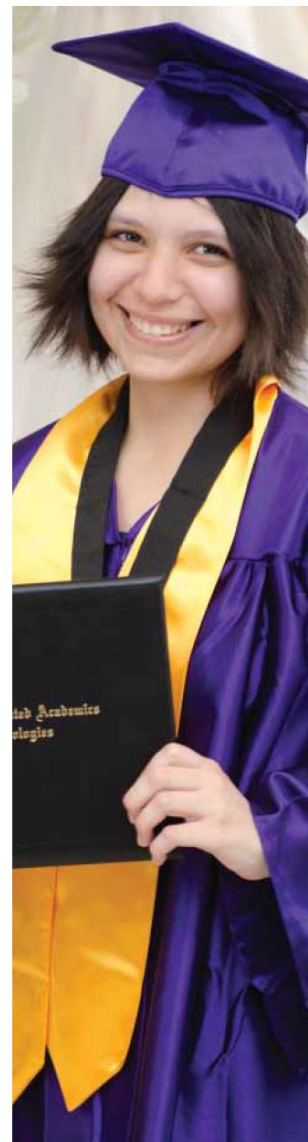
SIATech Perris
Perris Oasis Youth
Opportunity Center
351 Wilkerson Avenue,
Suite F
Perris, CA 9257

SIATech Sacramento
3100 Meadowview Road
Sacramento, CA 95832
916-394-0770 Ext. 2367

SIATech San Diego
1325 Iris Avenue
Imperial Beach, CA 91932
619-429-8500 Ext. 1103

SIATech South Bay
111 Bay Blvd., Suite A-B
Chula Vista, CA 91911
619-587-9324

SIATech Treasure Island
351 Avenue H
Building 442
Treasure Island, CA 94130
415-277-2371



To enroll in a school near you, visit <http://www.siatech.org>.

“I’ve got a school education and a career now; I actually get to earn money for myself. I don’t get to sit down all day doing nothing...I’ve got a life now.”
 – Maria Valencia, Student, San Diego

EDUCATIONAL 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.



GRADUATION REQUIREMENTS

Curriculum	Credits
English	40
Mathematics <i>including one year of Algebra 1 or its equivalent.</i>	30
Life Science	10
Physical Science	10
World History	10
US History	10
US Government	5
Economics	5
Senior Projects	25
Creative Technology	20
Electives	65
Total Credits	230





“My old high school did not have as many computers and the help was very limited. That was what discouraged me and then, little by little, I was falling behind. I felt like an outsider and dropped out. SIATech allowed me to work at my own pace and understand the curriculum. There was no final deadline so I did not feel rushed. As a result, I was able to finish the program in less time than expected.”

– Olga Gomez, SIATech graduate

COURSE OFFERINGS

ENGLISH

Basic English

CODE: 2101 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.

Basic Reading

CODE: 2100 CREDITS: 10

This course is designed to provide instruction in basic and developmental reading skills and strategies while emphasizing individual student progress. Course content depends on students' abilities entering the course and is designed to accelerate student growth in reading ability. Instruction may focus on reading silently or aloud, vocabulary development, comprehension, fluent decoding, reading/writing connections, text-based collaboration, student motivation and self-directed learning,



This course is also available online.

CAHSEE ELA

CODE: 2198 CREDITS: 10



Students prepare for the California High School Exit Exam (CAHSEE) English Language Arts (ELA) by reviewing the English skills necessary to pass the CAHSEE. Before the preparation course, students will take a pre-test to determine if they need help on any of the strands that they will be tested on. If they need help on certain areas, the pretest will show which areas they will need to improve on in order to pass the exam. Students will have a module designed for their specific needs within the necessary CAHSEE strands. The reading strand consists of Word Analysis, Reading Comprehension, and Literary Response and Analysis; the writing strand consists of Writing Strategies, Writing Conventions, and Writing Applications. Students also learn test-taking strategies through small group instruction and take practice exams.

ELL

CODE: 2110 CREDITS: 10

Students are introduced to the parts of speech, sentence and paragraph structure, and editing for mistakes in writing.

English 9,10,11,12

CODE: 2130, 2131, 2132, 2133 CREDITS: 40
Required Course



Students develop reading, writing, listening and speaking, and technology skills through interdisciplinary lessons and projects. Each module has a different focus. Module A builds foundational skills with grammar, paragraphs, Microsoft Word, resumé and business writing, and informational text reading comprehension. Module B focuses on literature: stories, poetry, and novels, as well as short story writing. Students also work with Microsoft Word and PowerPoint. Module C emphasizes persuasive writing, correct usage, research skills, and business and technology skills with Microsoft Excel, Publisher, and PowerPoint.



This course is also available online.

Throughout, students build foundational skills and components for their Senior Projects course. Students who enter the course and demonstrate mastery in the English content standards can choose an accelerated Senior Project Prep: Writing & Technology option.

Intensive Reading

CODE: 2100 CREDITS: 5



Students are able to work through three different levels of this course: Foundational, Intermediate, and Advanced. Students practice and master reading strategies and skills in each level focusing on reading passages, comprehension, and vocabulary.

Oral Communication

CODE: 2112 CREDITS: 5

The one-semester Oral Communication course will provide students with an understanding of the dynamics of effective communication when speaking, listening, and responding. Students will express ideas and present information in a variety of communication tasks including small group discussion, formal and informal presentations, and oral interpretation of literature. Students will develop basic communication competencies including ethical practices in communication; recognition of communication barriers; and effective use of interpersonal communication, listening, verbal and nonverbal messages, and use of digital media.



COURSE OFFERINGS

MATHEMATICS

Algebra 1a & 1b CCSS

CODE: 2437 CREDITS: 10

UC APPROVED: C

Required Course

Prerequisite: Intro to Algebra



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 key central ideas in the Algebra 1a and 1b 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 CCSS

CODE: 2438 CREDITS: 10

Meets Math Requirements



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 are important for students' success on both the ACT/SAT and college mathematics entrance exams and is recommended for all students seeking to undertake post-secondary education. This course also requires students to engage in and complete a minimum of two CCSS based activities and actively engage in problem solving and analysis utilizing the technology of graphing and regression calculators.

Algebra Review

CODE: 2498 CREDITS: 10

Prerequisite: Algebra 1 credit

Meets Math Requirements



This course is designed to diagnose student's strengths and weaknesses in essential Algebra skills and concepts and then build on that foundation to ensure the student is prepared for further college preparatory courses such as Geometry or Algebra 2. Students will incorporate problem solving and CCSS activities as they build depth in their algebraic understanding.

Basic Math

CODE: 2400 CREDITS: 10

This is a general mathematics course designed to reinforce basic skills in mathematics and teach students the application of these skills to real world problems and situations. The topics covered include arithmetic using rational numbers, the numeration systems, and place value. The higher grades may include basic geometry and basic statistics.



This course is also available online.

CAHSEE Math

CODE: 2498 CREDITS: 10



Students prepare for the California High School Exit Exam (CAHSEE) Mathematics by reviewing the math skills necessary in order to pass the CAHSEE. Before the preparation course, students will take a pre-test to determine if they need help on any of the strands that they will be tested on. If they need help in certain areas, the pretest will show which areas they will need to improve on in order to pass the exam. Students will have a module designed for their specific needs within the necessary CAHSEE strands. The math strands consist of the following: Probability and Statistics, Number Sense, Algebra and Functions, Measurement and Geometry, Algebra 1, and Mathematical Reasoning. Students also learn test-taking strategies through small group instruction and take practice exams online.

and the Cartesian coordinate system is explored as students connect algebraic and geometric concepts. Students explore drafting technology to apply and connect their geometric properties throughout the course.

Integrated Math 1

CODE: 2425 CREDITS: 10

Students develop algebra and geometry skills through engaging and real life applications beginning with a strong foundation of numeracy, algebra, and geometry skills. This is reinforced with applications in AutoCAD and Excel then followed by lessons involving functions and their applications. Students who enter the course and demonstrate mastery in these content standards can accelerate at their own pace and upon mastery of the integrated curriculum can choose an accelerated Science, Technology, Engineering and Mathematics option.

Foundational Math

CODE: 2400 CREDITS: 10



This is an elective credit only and does not count towards the 3 math credits needed for graduation. This is for scaffolding to prepare students that need it to be successful in the Intro to Algebra and Algebra 1a course. It builds number sense skills and mathematical content understanding necessary to be successful in a career and Algebra.

Additional upper level Math and Science courses are available.

Geometry

CODE: 2439 CREDITS: 10

UC APPROVED: C

Meets Math Requirements

Prerequisite: Algebra 1 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

 This course is also available online.





COURSE OFFERINGS

Integrated Math 2

CODE: 2426 CREDITS: 10

UC APPROVED: C

Prerequisite: Integrated Math 1

Students continue to develop algebra and geometry skills through engaging and real life applications. Students will build off of the standards they mastered in Integrated Math 1 building on geometry and algebra skills. These are reinforced with applications in AutoCAD and Excel then followed by lessons involving transformations, trigonometry, and more in-depth studies on functions and inequalities and their applications. Students who enter the course and demonstrate mastery in these content standards can accelerate at their own pace and upon mastery of the integrated curriculum can choose an accelerated Science, Technology, Engineering and Mathematics option.

Intro to Algebra



CODE: 2424 CREDITS: 10

Meets Math Requirements

Students develop strong numeracy and algebraic skills foundation through real world based lessons and assessments. These 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 concept of what variables are and build the skills needed to use these to solve real world scenarios with an emphasis on career ties. 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.



This course is also available online.

“Going from school to school, and disappointment after disappointment, my life was not turning out the way I wanted it to. I needed to do something to turn my life around, and that is where Job Corps and SIATech came in.”

– Erica Oden, SIATech graduate

Liberal Arts Math

CODE: 2498 CREDITS: 10

Meets Math Requirements

Prerequisite: Algebra 1 or Algebra 1a and 1b



This course is designed to build on algebraic and geometric concepts. It develops financial literacy skills, statistical analysis skills, statistical problem solving and modeling, a firm understanding of functions and their properties, and geometric modeling, constructions and problem solving. This course has a prerequisite of completion of Algebra 1.

Math for College Readiness

CODE: 2498 CREDITS: 10

Meets Math Requirements

Prerequisite: Algebra 1 credit



This elective course is designed as a test preparation course for students that need to take the SAT/ ACT, ASVAB, etc. as well as college entrance exams. Math for College Readiness units include algebra and geometry topics as well as test preparation and study techniques.

SCIENCE

Anatomy & Physiology

CODE: 2655 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, and so on), and may dissect mammals.

Biology

CODE: 2603 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. The course emphasizes inquiry-based lab experiments that utilize the scientific method, critical thinking, and writing. This course also emphasizes the importance of vocabulary, reading, communication skills, and aims to enhance current levels of scientific literacy and mastery.



 This course is also available online.



COURSE OFFERINGS

Chemistry

CODE: 2607 CREDITS: 10

Meets Physical Science Requirement



This course involves studying the composition, properties, and reactions of substances. These courses typically explore such concepts as 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: 2618 CREDITS: 10

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 role we play and the impact that 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.



Life Science

CODE: 2621 CREDITS: 10



The Life Science course begins with a review of basic measurement techniques, calculations, conversion of measurements and safe practices. Students then utilize the scientific method and various scientific instruments throughout the curriculum to help solidify and master key concepts. Individual units include cell biology, genetics, ecology, and physiology, which examine the major biological themes; structure and function in living organisms, genetic unity and diversity, and ecology and interaction with the environment. These topics are further explored with emphasis on inquiry-based lab experiments, critical thinking, and various forms of writing.

Physical Science

CODE: 2610 CREDITS: 10

Meets Physical Science Requirement



This Physical Science course presents units via a standards-based approach to exploration of concepts. These units in Chemistry, Physics, Earth & Space, and Earth History examine the major scientific themes regarding properties of energy and non-living matter, volume and mass, properties of matter, mixtures, atoms & molecules, energy & forces, properties of the physical earth, solar system and celestial bodies, and lab safety. These topics are further explored with emphasis on inquiry-based lab experiments, critical thinking, and writing.

Physics

CODE: 2613 CREDITS: 10

Meets Physical Science Requirement



Physics involves the study of the forces and laws of nature affecting matter, such as equilibrium, motion, momentum, and the relationships between matter and energy. The study of physics includes examination of sound, light, and magnetic and electric phenomena.

 This course is also available online.

SOCIAL SCIENCE

American Government

CODE: 2703 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: 2701 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 and the use of technology, students will build an understanding of the foundations of a market economy and major economic institutions.

US History 1 /US History 2

CODE: 2709 CREDITS: 10

UC APPROVED: A

Required Course



The United States History course is divided into two 5-credit segments. In American History 1, students will study the Civil War and Reconstruction, the Industrial Revolution, and Immigration to America. In US History 2, students will learn about the Progressive Era, analyze a historical speech, and conduct an inquiry-based research project. 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 1 /World History 2

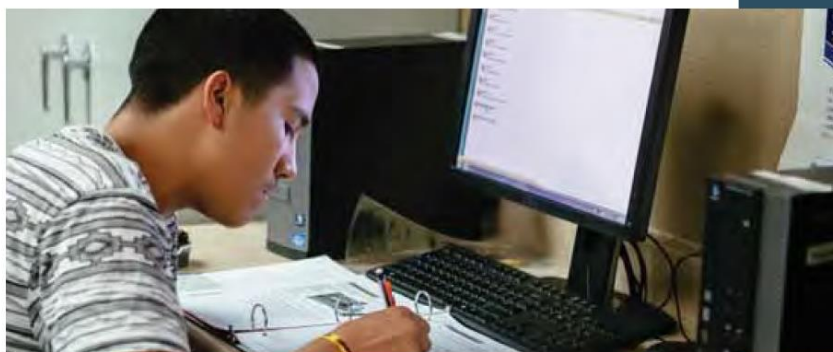
CODE: 2711 CREDITS: 10

UC APPROVED: A

Required Course



The World History course is divided into two 5-credit segments. In World History 1 students study Geography, World Religions, and the Age of Imperialism. In World History 2 students study Geography, the causes and effects of World Wars 1 & 2, and major events shaping our world from that time period to the present. Students will develop comprehensive knowledge of World History through a series of lessons integrating core skills, such as reading comprehension, critical thinking,



 This course is also available online.



COURSE OFFERINGS

CREATIVE TECHNOLOGY

Creative Tech: Digital Art

CODE: 2820 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, Flash 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.



Creative Tech: Core Tech Multimedia Production

CODE: 5730 CREDITS: 10

Required Course

This instructional program will combine competencies in film, video, computer, and live production, as well as foundational knowledge in design to prepare students for employment in a variety of jobs in the multimedia/communications workforce. Instruction will focus on the interaction between media sources in live, recorded, and web-based productions. Students will develop skills in computer design, film and video production, lighting, sound, and projection design, and print media design. Students will also explore career options within this rapidly expanding industry sector.



 This course is also available online.

SENIOR PROJECTS

Senior Projects: Architect CAD 1

CODE: 5705 CREDITS: 5

Required Course


This course prepares individuals to use a computer, computer software, and peripheral devices to create an image or drawing in the design and documentation of an object. This course is integrated into the Senior Projects curriculum which combines content from history, English, mathematics, science, and business, with exciting industry and multimedia software. Through these projects, students continue to build solid English communication skills and marketable technical and design skills. This course culminates with a graduation portfolio and its presentation to a student's peers and teachers, demonstrating his or her growth, accomplishments, meeting of state standards, and readiness for work or higher learning.

Senior Projects: Composition

CODE: 2113 CREDITS: 5

Required Course

Composition emphasizes expository writing, logical development and statement of thought, and the refinement of basic writing skills. Its primary purpose is to improve the students' writing. Students compose articles and pieces using the descriptive, narrative, persuasive, or expository mode. Assignments include editorials, historical perspectives, and reflections. This course is integrated into the five Senior Projects which combine content from history, English, mathematics, science, and business, with exciting industry and multimedia software. Through these projects, students continue to build solid English communication skills and marketable technical and design skills. This course culminates with a graduation portfolio and its presentation to a student's peers and teachers, demonstrating his or her growth, accomplishments, meeting of state standards, and readiness for work or higher learning.

 This course is also available online.

Senior Projects: Desktop Publishing

CODE: 5757 CREDITS: 5

Required Course

This course prepares students to deal with the changing landscape of publishing. Students will develop competencies in computer programs and software, layout design, image editing and formatting, content manipulation, current printing technology, and distribution. This course will also improve students' use of grammar, spelling, punctuation, sentence and paragraph form, style, and structure and writing for a specific purpose and audience. This course is integrated into the Senior Projects curriculum which combines content from history, English, mathematics, science, and business, with exciting industry and multimedia software. Through these projects, students continue to build solid English communication skills and marketable technical and design skills. This course culminates with a graduation portfolio and its presentation to a student's peers and teachers, demonstrating his or her growth, accomplishments, meeting of state standards, and readiness for work or higher learning.

Senior Projects: Online Career Marketing

CODE: 2455 CREDITS: 5

Required Course

This course introduces students to the Internet and World Wide Web as a tool for self-marketing and job searching. Students will learn and apply Internet tools, search engines, job seeking resources, Web design process, navigation strategies, creation and editing of graphics, Web hosting services, and Web publishing. Students will design, create, and publish a webfolio showcasing their own skills to world-wide audience of potential employers. This course is integrated into the Senior Projects curriculum, which combines content from history, English, mathematics, science, and business, with exciting industry and multimedia software. Through these projects, students continue to



COURSE OFFERINGS

build solid English communication skills and marketable technical and design skills. This course culminates with a graduation portfolio and its presentation to a student’s peers and teachers, demonstrating his or her growth, accomplishments, meeting of state standards, and readiness for work or higher learning.

Senior Projects: Small Business Management

CODE: 4698 CREDITS: 5
Required Course

This course introduces students to researching, planning and management functions and tasks associated with starting, owning, and operating a business. Students learn the principles and methods of organizing a business firm and combining resources to produce goods and/or services, taking account of costs, profits, and the nature and extent of competition in markets. They create and present a mock business plan complete with logos, floor plans, and advertisements. This course is integrated into the Senior Projects curriculum which combines content from history, English, mathematics, science, and business, with exciting industry and multimedia software. Through these projects, students continue to build solid English communication skills and marketable technical and design skills. This course culminates with a graduation portfolio and its presentation to a student’s peers and teachers, demonstrating his or her growth, accomplishments, meeting of state standards, and readiness for work or higher learning.



FOREIGN LANGUAGES

Spanish 1

CODE: 2206 CREDITS: 10

UC APPROVED: E

Elective Course



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: 2207 CREDITS: 10

Elective Course



Spanish II 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).

 This course is also available online.

ELECTIVES

Note: Some elective courses may not be offered at every location.

21st Century Workforce Skills

CODE: 4623 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 workplaces.

Applied Computer Technology

CODE: 2458 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 or Intro to Computers.

Career Preparation Education

CODE: 2722 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.

 This course is also available online.





“My favorite part is when students come back to tell me about their job and how they now see how much we inspired them. All of them are now able to live the American dream.”

– SIATech Principal

**Career Preparation:
Building Trades and Construction**

CODE: 5549 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:
General Office Occupations**

CODE: 4613 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: copy information from one record to another; sort, file, and retrieve records or other documents; tabulate and post data in record books or software; handling paper and electronic mail; proofread records and reports; copy machine, telephone services, electronic calculator, computing, word processing.



This course is also available online.

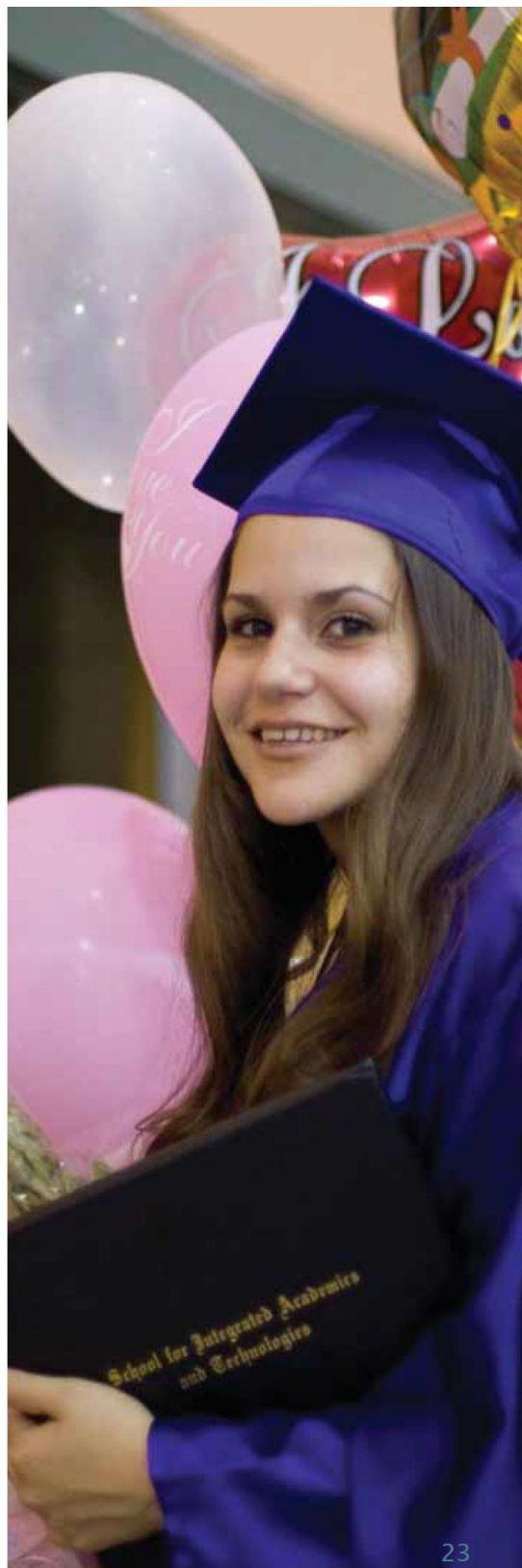
**Career Preparation:
Healthcare Occupations**
CODE: 4257 CREDITS: 40

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: 5843 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.

 This course is also available online.



**Career Preparation:
Hospitality**

CODE: 4441 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: 4902 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 worksites; career counseling; job seeking support; resource support and job placement. The goal of this course is for a student to successfully find and keep a job aligned to their area of study and training.



College Readiness Resources

CODE: 6004 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: 2798 CREDITS: 5

Students who take this course work with their teacher to 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 1

CODE: 2450 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.

 This course is also available online.

Computer Applications 2

CODE: 2450 CREDITS: 2.5



Computer Applications II 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.

- Effectively tests computing knowledge and skills to ensure mastery is achieved
- Gives a resumé-building standard certification as proof of successful completion of the program
- Provides the foundation necessary to further enhance productivity and marketability with other desktop application-specific certifications
- Gives individuals confidence and security in being part of today's "digital world."

Three components: Computing Fundamentals (5 credits), Applications (10 credits), Learning Online (5 Credits)

Driver Training

CODE: 2546 CREDITS: 5

This course is designed to teach students driving skills for operating an automobile. Students learn to drive under different driving conditions. The course emphasizes safe driving strategies and practices. Students will earn a driver's license when successfully completing this course.

Graphic Design 1 & 2

CODE: 5752 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.

IC3

CODE: 2458 CREDITS: 20



Global, broad-based IC3 certification verifies that candidates possess the accepted standard level of basic computer and Internet literacy skills and are more efficient and marketable. Successful completion of IC3 certification:

- Provides core skills and knowledge necessary to use some computer applications and the Internet

This course is also available online.

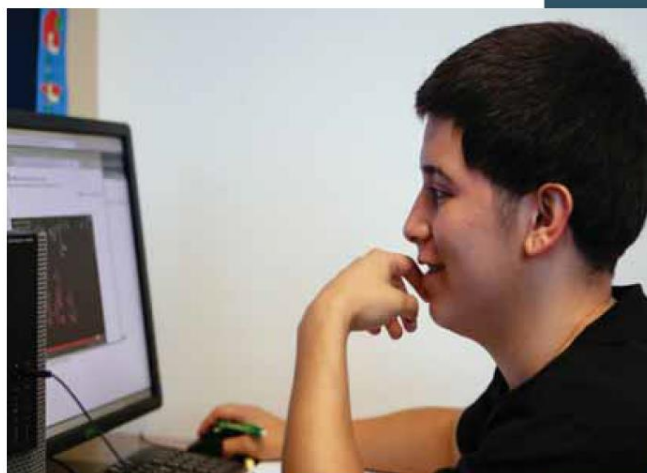
Intro to Computers

CODE: 2454 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 career. Finally, students heighten their awareness of the ethical uses of technology.

Note: Students can take either this class or Applied Computer Technology.



Microsoft Office Specialist: Excel 
CODE: 2548E CREDITS: 5

This course prepares students to operate spreadsheets to design, manipulate, record, edit, store, share and revise data. Spreadsheet skills and topics are covered, from beginning to advanced, using Microsoft Excel, the spreadsheet used most commonly by businesses worldwide. This course will also prepare students to pass the Microsoft Specialist Excel exam.

Microsoft Office Specialist: Word 
CODE: 4614 CREDITS: 5

This course prepares students to operate word processing software to design, originate, record, edit, store, share and revise business correspondence, reports, publications and more. Word processing skills and topics are covered, from beginning to advanced, using Microsoft Word, the word processor used most commonly by businesses worldwide. This course will also prepare students to pass the Microsoft Specialist Word exam.

Microsoft Office Specialist: PowerPoint 
CODE: 2548P CREDITS: 5

This course prepares students to operate presentation software to design, originate, record, edit, store, share and revise business presentations. Presentation software skills and topics are covered, from beginning to advanced, using Microsoft PowerPoint, the presentation software used most commonly by businesses worldwide. This course will also prepare students to pass the Microsoft Specialist PowerPoint exam.

PE Advanced Physical Fitness 
CODE: 2502 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 1 
CODE: 2535 CREDITS: 5

In Healthy Living 1, 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: 2535 CREDITS: 5

In Healthy Living 2, students advance their understanding of behaviors that are beneficial and harmful to living healthy. Students will learn the positive impact sports can have on our culture. Students will also learn about dangers to healthy living, including stress, drugs, alcohol, and smoking. Students will also learn how to

 This course is also available online.



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: 2500 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.

Study Skills and Test Taking Strategies

CODE: 6001 CREDITS: 10


This course provides students with academic support, strategies and guidance in order to help students achieve success in academic work or with a professional or 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).

Visual Technology 1

CODE: 2820 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.

 This course is also available online.





Real Learning for Real Life[®]

To enroll in a school near you, visit <http://www.siatech.org>.

APPENDIX T: Professional Development Plan

NEXT STEPS

Call or email to request Professional Development for your organization, or to find out more about SIATech's Professional Development offerings.

Contact Beverly Gilbert at beverly.gilbert@siatech.org
760.594.4241

PROFESSIONAL DEVELOPMENT CONTACTS

Professional Development Director
Beverly Gilbert
760.594.4241

RAPSA Director
Eileen Holmes
858.775.3819
RAPSA.org





SIATech

PROFESSIONAL DEVELOPMENT

RELEVANT AND INTERACTIVE
PROFESSIONAL DEVELOPMENT FOR EDUCATORS

SIATech Professional Development Program
in partnership with



www.rapsa.org



"SIATech's professional development services are the best in the business. Teachers can immediately implement what they learn in their classrooms."

SIATech PROFESSIONAL DEVELOPMENT

COMPREHENSIVE PROFESSIONAL DEVELOPMENT PROGRAM

SIATech is committed to helping instructors become more effective by providing comprehensive and interactive training in the areas that most impact student learning.

PROFESSIONALS WITH PROVEN EXPERIENCE IN THE CLASSROOM

SIATech, a nation-wide charter school, provides a motivating, challenging & technology-rich learning environment. Our award-winning strategies and approach to student success starts with innovative professional development for instructors.

Instructors, whether face to face or virtual, will learn & practice methods for impacting students of all types including: Special Populations, English Language Learners, distant learners, At-risk students, virtual students, independent students – the wide scope of varied learners in education today!

RELEVANT

Our motto, Real Learning for Real Life, guides us to develop meaningful trainings. Our research-based strategies are innovative and specific for student learning and coincide with the needs of today's varied instructional environments and learners.

BEGINNING TEACHER SUPPORT & ASSESSMENT
(CA BTSA & Other)

Our California Induction program provides formative assessment, individualized support, and advanced content for newly-credentialed, beginning teachers. For instructors inside California this is the credentialing program to earn an accredited CA Clear Teaching Credential. For instructors outside of Ca, this is an excellent opportunity to experience professional growth at the start of their teaching professional.

Components

- Formative Assessment System
- New Teacher Center
- One-to-one weekly mentoring
- Inquiry research in classroom
- Professional Development

Featuring

- Virtual training
- Online assistance
- Collaborative mentoring/support
- Minimal face to face meetings/travel
- Low cost

For CA Instructors

- Earn the CA Clear Teaching Credential

SIATech
PROFESSIONAL
DEVELOPMENT

INTERACTIVE/HANDS ON

Whether virtual/online or face to face, we offer a highly engaging PD experience that includes specific instructional methods which are experienced & applied during the trainings. Pre-self-assessments, reflective post-assessments provide timely information for participants to immediately tailor to their own environments.

PD SERIES & OFFERINGS

We offer a variety of trainings customizable to your specific needs. Virtual/online, regional, prescriptive and series-based workshops will provide premier quality trainings by highly qualified professionals.

- Educational Series
- Regional Workshops
- Customized Trainings
- Webinars

Topics include:

- Blended Learning
- Data & Assessment
- Classroom Management
- ELL and Sp Pops
- At-Risk Strategies
- Filling Cognitive Gaps
- Much more (see SIATech catalogue)






"SIATech's professional development series is a highly-effective program designed to reach challenging learners."



RAPSA: Reaching At-Promise Students Association, works in partnership with SIATech. RAPSA provides support and training to an international network of teachers with a desire to transform students from "at-risk" to "at promise."

Professional Development Courses

Supporting Instructional Staff for Improved Student Learning

SIATech is pleased to provide the following professional development trainings:

COURSE NO.	TITLE	SUGGESTED TIME (May be customized)
1001.1	Managing the Classroom Learning Environment I Participants will learn to create an effective learning environment by examining student/teacher beliefs, establishing rules and procedures, building student rapport, and developing strategies to redirect behaviors. The training culminates in a customized classroom management plan. <ul style="list-style-type: none"> ▪ Blueprints & Commitment <ul style="list-style-type: none"> ▪ Setting the Foundation/Voice of Confidence ▪ Breaking Ground/The Best-Laid Plans <ul style="list-style-type: none"> ▪ Classroom Rules & Procedures/Building & Maintaining Good Vibrations/Wised-up and With-it ▪ Mediating Murphy’s Law and Managing Learning <ul style="list-style-type: none"> ▪ Behaviors and Intervention Techniques ▪ A Custom Product–Better than the Best-Laid Plans <ul style="list-style-type: none"> ▪ Creation of a Site-Wide & Classroom Management Plan 	6 - 7.5 hours
1002.1 <small>Prerequisite 1001.1</small>	Investing in the Classroom Environment: The Lucrative Payoff II What management strategies return the most gains for the classroom teacher? What are you willing to risk to receive the best “returns”? This workshop will begin with an honest reflective self-assessment to guide the participant into practicing and adopting immediate “Classroom Impact Applications” (CIA’s). These CIA’s are relevant for the students they teach, the learning environment they operate within, and their own personal growth & development to successfully impact student learning.	6 hours
1002.1	Small Group Instruction I This workshop will provide strategies and resources that educators can take back and use immediately in their professional practice. Participants will be able to practice strategies first hand! <ul style="list-style-type: none"> ▪ Research ▪ Trust & Rapport/Curriculum/Lesson Planning ▪ Instructional Strategies & Resources ▪ Teamwork/Scheduling/Management 	6 - 7.5 hours
1002.2 <small>Prerequisite 1002.1</small>	Small Group Instruction II Focus is on lesson planning and delivery (chunking, logistics, differentiation, etc. as specified by need)	3 - 3.5 hours
1003	Peer Coaching / Team Coaching Educational professionals benefit from collaboration and coaching within their own ranks: their educational peers! Peer coaching is a dynamic, inspirational professional development activity founded in research and built foundationally on trust and respect. <ul style="list-style-type: none"> ▪ Core elements of peer coaching ▪ Evidence vs. Opinion ▪ Successful conversations ▪ Collaborative logging 	6 - 7.5 hours



SIATech Professional Development in Partnership with RAPSA

COURSE NO.	TITLE	SUGGESTED TIME (May be customized)
1004	<p>Making Every Minute Count</p> <p>We only have our students for a short period of time and those minutes are so precious! Engage with ideas that take advantage of each instructional minute from bell-to-bell in this interactive workshop.</p> <ul style="list-style-type: none"> Opening & Closing Classroom Procedures Successful Orientation Scheduling Strategies for the Classroom 	6 - 7.5 hours
1005.1	<p>Data Conversations I</p> <p>Data should drive classroom instruction by informing instructors about student learning needs. Analyzing informal, formal, formative and summative student learning data is a focus of this training enabling staff to plan specific learning goals and strategies. Emphasis is also placed on classroom checking for understanding.</p>	6 - 7.5 hours
1005.2 <small>Pre-requisite 1005-1</small>	<p>Data Conversations II</p> <p>This customized workshop will allow staff to learn more about state specific student data and how to implement strategies for their students. Site staff will analyze trends in data for their students and plan collaboratively for their sites. Goals and accountability strategies will be discussed.</p>	6 - 7.5 hours
1006	<p>Teaching The Reluctant Learner</p> <p>Recognizing characteristics that signal a reluctant learner and implementing strategies to motivate and teach students are keys to educating struggling students. Learn strategies that break down barriers, inspire students to learn, and can be used with all learners!</p> <ul style="list-style-type: none"> Part 1: Developmental Assets, Barriers, Strategies Part 2: Poverty and the Learner Part 3: The Resilient Student 	3.5 hours each
1007	<p>Differentiated Instruction</p> <p>All learners are not created equal! This workshop will debunk the myth of what DI is, focus in on the heart of the strategy, take an in-depth look at your students, and play a little game of speed DI."</p> <ul style="list-style-type: none"> What it is and is not Content, Process, Product, & Environment/Rapport Looking at your Students Putting Theory to Practice 	6 - 7.5 hours
1008	<p>Creative Problem Solving Process</p> <p>The Creative Problem Solving Process is a specific methodology designed to help individuals and/or teams solve problems - from simple to the perceived overwhelmingly impossible. Creative Problem Solving (CPS) can be applied to the challenges of any department or site, in or out of the classroom.</p> <ul style="list-style-type: none"> Learn personal preferences and opportunities to improve as creative problem solvers Learn why other team members annoy you - and how to turn that into a team strength Learn and practice CPS and some CPS tools Begin applying CPS to a real issue or challenge of your team's choosing 	7.5 hours



COURSE NO.	TITLE	SUGGESTED TIME (May be customized)
1009	<p>Teaching for Transformation through Critical Pedagogy</p> <p>This workshop will provide participants with classroom strategies to help their students analyze dominant ideologies through a race, class, and gender lens. Participants will walk away with concrete ideas on how to integrate cross curricular social justice projects to engage students in addressing real life problems in their local community and finding viable solutions to initiate social change.</p> <ul style="list-style-type: none"> ▪ Core Tenets of Critical Pedagogy ▪ Transformed Learning Teaching Strategies ▪ Examples of Social Justice Student Projects ▪ Examples of Transformed Learning Small Group Lessons 	6 - 7.5 hours
1010	<p>Teaching your English Language Learners</p> <p>This workshop will provide participants with a refresher regarding the theories of second language acquisition along with providing classroom strategies to help their students access the curriculum.</p> <ul style="list-style-type: none"> ▪ Foundations of language acquisition ▪ BICS/CALP ▪ SDAIE 	8 hours
1011	<p>Teaching Students with Special Needs in a Full Inclusion Setting</p> <p>We know that all students can learn. We sometimes need to be reminded that all students learn differently. For those learners who are differently abled, this workshop will provide instructional staff with the knowledge, skills, and strategies to be better prepared to teach all students.</p> <ul style="list-style-type: none"> ▪ Accommodations versus Modifications ▪ Response to Intervention ▪ Leveraging your resources with team-teaching and collaboration 	8 hours
1012	<p>Content Area Explorations and Expertise</p> <p>Using the inquiry process, this is an opportunity for the content area expert to grow in their field of expertise. S/he will complete all areas of the curriculum then choose a unit to adapt for special populations (Special Education, 504, ELL, GATE) Because of the scope of this project, it will require the majority of the school year to complete.</p>	60 hours
1013	<p>The Inquiry Process</p> <p>Participants will explore and learn the process of mini-action research as it applies to their teaching practice and behaviors in relation to student achievement. They will leave with a fully developed Inquiry Action Plan to begin interacting with upon returning to the classroom.</p>	8 hours
1014	<p>The Reflective Practitioner</p> <p>Participants in this workshop will explore and learn what the Plan, Teach, Reflect, and Apply cycle means and what it looks like in their practice.</p>	4 hours
1015	<p>Technology in the SIATech Classroom</p> <p>This workshop is for all instructional staff to become familiar/more proficient with some of the teaching technology used in the SIATech class such as ANGEL, iLinc/Elluminate, Joinme.org, Jing, Share.me, etc.</p>	6 hours
1016	<p>Critical Thinking</p> <p>This course will provide the participant with an introduction on what critical thinking skills are, why they are necessary, and how they can be implemented in the classroom.</p>	8 hours



COURSE NO.	TITLE	SUGGESTED TIME (May be customized)
1017	<p>Leadership Coaching</p> <p>Have you faced a leadership challenge? An effective coaching/mentoring relationship will provide an opportunity to improve your skill set in meeting challenges head on. In this session, you will learn important strategies to coach leaders. This includes enhancing listening skills for your own coaching conversations and assessing your emotional intelligence.</p>	8 hours
1018	<p>Teaching Reading Across the Curriculum: Empowering Struggling Readers</p> <p>This session will examine effective methods and programs for increasing literacy for all stakeholders.. Participants will become familiar with the description, course objectives, materials, lesson format, and pedagogical foundation of Reading with USA Today, and with how to schedule the program into the course curriculum and train non-reading teachers.</p> <ul style="list-style-type: none"> ▪ Infusion of reading instruction in classrooms where teachers are not reading specialists ▪ Working within time demand for students to complete the curriculum ▪ Addressing multiple student learning styles and ability levels. 	8 hours
1019	<p>Cross-Organizational Professional Learning Communities</p> <p>Professional Learning Communities (PLCs) provide educators the opportunity to develop knowledge about their craft within the context of their own setting through interaction with their peers. Providing this structure across multiple organizations poses unique challenges that can prove highly rewarding.</p> <ul style="list-style-type: none"> ▪ Develop interest in a PLC structure ▪ Focus PLC direction ▪ Support PLCs through sustainability structures ▪ Support cross-organizational PLCs with planning and participant recognition leveraged with technology. 	8 hours
1020	<p>Capacity Building: Igniting the Team (An educational Strand is available)</p> <p>Assembling a dynamic team and stimulating both their individual and collaborative growth to impact an organization needs to be purposeful. Learn research-based systems that attract, produce growth in, and retain a quality team. As you invest in your team applying specific strategies, the outcomes of their own growth will return immeasurable benefits to your organization. Be an intentional and insightful leader!</p>	6 hours
1021	<p>University Path</p> <p>College readiness programs prepare students academically and mentally for the rigors of post-secondary education. These skills include effective work habits and building the mindset for success.</p> <ul style="list-style-type: none"> ▪ Understand what educators can do to enhance students' college readiness skills ▪ Mentor and reinforce positive self-esteem ▪ Demonstrate how to assist students in the college decision making/application process, including choosing a college; choosing a major and classes; career choices; applying for financial aid; and registering and enrolling. 	2 hours
1022	<p>WIA Program Overview</p> <p>Learn how WIA programs leverage government funding to serve out-of-school youth in their communities through partnerships and grants can provide services that support the WIA 10 Elements and Common Measures. Participants will learn about Workforce Investment Act (WIA) and Workforce Investment Board (WIB) funding streams and how partnerships, grants, and in-kind services are utilized to leverage funds. Participants will also receive an overview of the WIA 10 elements and the common measures.</p>	2 hours



COURSE NO.	TITLE	SUGGESTED TIME (May be customized)
1023	<p>* 7 Habits for Highly Effective People (Franklin Covey) Problems caused by ineffectiveness cannot be solved with the same ineffective thinking that created them. For more than 15 years, The 7 Habits of Highly Effective People has provided the ultimate in productivity training for thousands of people and organizations worldwide.</p> <ul style="list-style-type: none"> ▪ Learn the power of effectiveness: ▪ Feel more satisfied with what you accomplish each day ▪ Develop a clear definition of the results you want and live each day with a greater sense of meaning and purpose. ▪ Know where you're going ▪ Focus on your top priorities, achieve balance, and increase organization and productivity through a weekly and daily planning process. ▪ Discover the secrets to success and fulfillment within you ▪ End self-defeating personal and professional behavior and gain the necessary security to change. 	3-day
1024	<p>* FOCUS: Achieving Your Highest Priorities Time-Management (Franklin Covey) In this powerful one-day training, you'll learn new ways to think about your time, as well as practical processes and effective applications that help you live these lessons. Three sections provide the secret to becoming more focused on your priorities, better organized, and more productive overall.</p>	8 hours
1025	<p>* Leadership with Speed of Trust (Franklin Covey) In this two-day session, you'll learn the essentials of identifying and closing trust gaps within your organization. You'll learn about "Trust Taxes" and "Trust Dividends" and how to do business in a way that lowers costs, speeds up results, and increases influence.</p>	2-day

* Training materials purchased through Franklin Covey



APPENDIX U: School Calendar



SCCOE Observed
 Non-School Day
 Professional Development Day
 Minimum Day
 Last Day of School

Santa Clara County  Office of Education

**Opportunity Youth Academy
 2016-2017**

JULY 2016					JANUARY 2017				
M	T	W	TH	F	M	T	W	TH	F
				1	2	3	4	5	6
4	5	6	7	8	9	10	11	12	13
11	12	13	14	15	16	17	18	19	20
18	19	20	21	22	23	24	25	26	27
25	26	27	28	29	30	31			
7/4 - Independence Day Holiday					1/2 - New Year's Day Holiday				
1/16 - Martin Luther King Jr. Day Holiday									

AUGUST 2016					FEBRUARY 2017				
M	T	W	TH	F	M	T	W	TH	F
1	2	3	4	5			1	2	3
8	9	10	11	12	6	7	8	9	10
15	16	17	18	19	13	14	15	16	17
22	23	24	25	26	20	21	22	23	24
29	30	31			27	28			
8/15-8/18 - Professional Development					2/20-2/21 - Presidents Day Holidays				
					2/22-2/24 - Non-School Days				

SEPTEMBER 2016					MARCH 2017				
M	T	W	TH	F	M	T	W	TH	F
			1	2			1	2	3
5	6	7	8	9	6	7	8	9	10
12	13	14	15	16	13	14	15	16	17
19	20	21	22	23	20	21	22	23	24
26	27	28	29	30	27	28	29	30	31
9/5 - Labor Day Holiday					3/17 - Professional Development				

OCTOBER 2016					APRIL 2017				
M	T	W	TH	F	M	T	W	TH	F
3	4	5	6	7	3	4	5	6	7
10	11	12	13	14	10	11	12	13	14
17	18	19	20	21	17	18	19	20	21
24	25	26	27	28	24	25	26	27	28
31									
10/28 - Professional Devopment					4/10-4/14 - Non-School Days				

NOVEMBER 2016					MAY 2017				
M	T	W	TH	F	M	T	W	TH	F
	1	2	3	4	1	2	3	4	5
7	8	9	10	11	8	9	10	11	12
14	15	16	17	18	15	16	17	18	19
21	22	23	24	25	22	23	24	25	26
28	29	30			29	30	31		
11/11 - Veteran's Day Holiday					5/29 - Memorial Day Holiday				
11/21-11/23 - Non-School Days									
11/24-11/25 - Thanksgiving Day Holiday									

DECEMBER 2016					JUNE 2017				
M	T	W	TH	F	M	T	W	TH	F
			1	2				1	2
5	6	7	8	9	5	6	7	8	9
12	13	14	15	16	12	13	14	15	16
19	20	21	22	23	19	20	21	22	23
26	27	28	29	30	26	27	28	29	30
12/19-12/21 - Non-School Days					6/21 - Last Day of School				
12/22-12/23 - Christmas Holidays									
12/26-12/29 - Non-School Days									
12/30 - New Year's Holiday									

APPENDIX V: OYA Daily Schedule

OPPORTUNITY YOUTH ACADEMY DAILY SCHEDULE

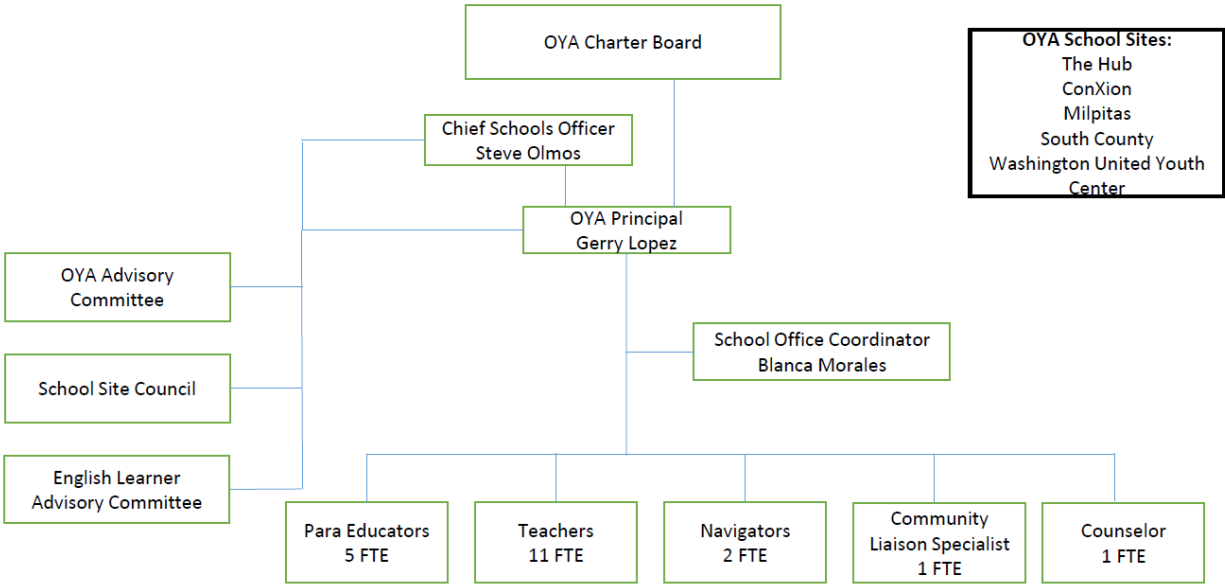
OYA teachers are contracted to work a 7 hours day. They also have the capacity to extend their instructional hours into the evening as student needs are identified. Every site has at least three staff members permanently assigned to it (two teachers and a para -with the exception of WUYC which has three teachers) and are supported by an additional five itinerant staff members; principal, counselor, SOC, liaison recruiter and two navigators. 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				
9:30 AM					
10:00 AM					
10:30 AM					
11:00 AM					
11:30 AM					
12:00 PM					
12:30 PM					
1:00 PM			Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring		
1:30 PM					
2:00 PM		Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring			
2:30 PM		Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring			
3:00 PM		Daily attendance students, small group instruction, drop-in, IS appointments and phone consultation and tutoring			
3:30 PM					
4:00 PM					
4:30 PM					
5:00 PM					
5:30 PM					
6:00 PM					
6:30 PM					
7:00 PM					
7:30 PM					
8:00 PM					
8:30 PM					

APPENDIX W: OYA Governance Organizational Chart



Opportunity Youth Academy (OYA)
Organizational Chart



APPENDIX X: English Learner Instructional Plan

LEA PLAN: Updated for School Year 2015-2016
 Santa Clara County Office of Education - 43104390000000

GOAL Goal 2A: AMAO 1 -Annual Progress Learning English

An increasing percentage of English learners will make annual progress in learning English.

By June 2016, the percentage of English learners learning English will increase from 29.8% to 60% in order to move toward state defined growth expectations as measured by CELDT/Alternate Assessment (Special Education).

STRATEGY Monitor ELD time and implement with fidelity

All English learners will receive ELD instruction on a daily basis using district adopted ELA and ELD materials/curricula

ACTION STEP Monitoring of ELD time on a daily basis

ELD time will be monitored by site administrators to ensure that EL's receive daily ELD at their identified CELDT / Alternate Assessment level. At the secondary level ELD will occur during the Language Arts section on the master schedule. Long Term English Learners will be a priority focus.

Status	Filing Cabinet Count	0
Start-End Dates	08/30/2015 - 06/30/2017	
Tags	T3Y4	
Persons Responsible		

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2A: AMAO 1 -Annual Progress Learning English

STRATEGY Monitor ELD time and implement with fidelity

ACTION STEP Monitoring of ELD time on a daily basis

TASKS 0 of 1 Complete

Monitor ELD implementation in Special Education classes and AED classes. Due 6/30/16

ELD instruction in Special Education classrooms and AED classrooms will be embedded in students' schedules throughout their day, as per any IEP and monitored by the Site Administrator. Nancy Guerrero (LEA) , Yvette Irving (LEA)

ACTION STEP Develop System for Tracking EL Progress (Special Education)

Create data sheets to collect and report out CELDT/Alternative Assessment data, by domain, including progress over time, for use by special education teachers. Data sheet creation by October 16, 2015. Data to be collected from teachers by January 1, 2016.

Status	Filing Cabinet Count	3
Start-End Dates	08/30/2015 - 06/30/2017	
Tags	T3Y4	
Persons Responsible		

ACTION STEP Use English Language Proficiency assessment data to inform teaching

Teachers will utilize student CELDT / Alternate Assessment scores and other assessment results to identify students' ELD levels and to inform ELD and content instruction.

Status	Filing Cabinet Count	0
Start-End Dates	08/30/2015 - 06/30/2017	
Tags	T3Y4	
Persons Responsible		

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2A: AMAO 1 -Annual Progress Learning English**

STRATEGY **Monitor ELD time and implement with fidelity**

ACTION STEP **Use English Language Proficiency assessment data to inform teaching**

TASKS 0 of 2 Complete

<p>In classroom support for teachers of EL's</p> <p>Teachers and Paraeducators will receive on-going Professional Development followed by in classroom consultation and/or coaching in the implementation of the new ELD standards.</p> <p>Monitoring classroom instruction</p> <p>Administrators will use Instructional Rounds to monitor identified areas of classroom instruction and provide feedback to teachers.</p>	<p>Due 6/30/2016</p>
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STRATEGY **Systemic monitoring to improve ELs outcomes**

Implement assessment systems which permit district and school staff to collect, report, analyze and interpret data regarding English Learners linguistic and academic progress

Filing Cabinet Count 0

ACTION STEP **Identify, Communicate, and Monitor Assessment Data**

Formative and summative assessments will be used to measure student progress (i.e. English Language Gains Test, Unique Learning Systems, Lexia Reading, SANDI, etc.).

Status Filing Cabinet Count 0

Start-End Dates 08/30/2015 - 06/30/2017

Tags T3Y4

Persons Responsible

LEA PLAN

Santa Clara County Office of Education - 43104390000000

GOAL **Goal 2A: AMAO 1 -Annual Progress Learning English**

STRATEGY **Systemic monitoring to improve ELs outcomes**

ACTION STEP **Identify, Calendar and Monitor Assessment**

TASKS 0 of 6 Complete

Administer Summative Assessment (Sp Ed) Due 6/30/2016

SPED Teachers will monitor progress and inform instruction, using SPED adopted curriculum such as Unique, and other formal/informal means, in conjunction with gains on students' IEP Goals.

Formative Assessments Due 6/30/2016

Formative assessments will be administered on a daily/weekly/monthly basis to monitor progress and inform instruction. Formative Assessments will reflect progress towards the CCSS's and/or IEP team determined goals for students.

Monthly Data Analysis Meeting Due 6/30/2016

Provide monthly meeting time to review student assessment data and adjust instructional pacing. Student assessment results will be discussed at monthly AED professional development and content area meetings, as well as during collaborative meetings with IEP team

Provide updated data list Due 6/30/2016

Updated data lists with current student CELDT/Alternative Assessment levels and MAP levels will be provided to teachers and site administrators monthly

Data Discussions (Special Education) Due 6/30/2016

Student assessment results will be discussed at monthly PLC / PLT (Professional Learning Teams) meetings, during collaborative meeting with IEP Team members, staff meetings, and content area meetings

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LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2B: AMAO 2 - English Proficiency

An increasing percentage of English learners will attain English language proficiency annually.

By June, 2016, the percentage of English learners in language instruction educational programs fewer than 5 years attaining English language proficiency will increase from 21% to 25%, in order to move toward state-defined expectations for meeting the CELDT/Alternative Assessment criterion for English-language proficiency.

- By June, 2016, the percentage of English learners in language instruction educational programs 5 or more years attaining English language proficiency will increase from 45.1% to 47%, in order move toward state-defined expectations for meeting the CELDT/Alternative Assessment criterion for English-language proficiency.

STRATEGY Support initial years of English Acquisition

Differentiated instruction to support the needs of English learners with less than 5 years in US schools

Filing Cabinet Count 0

ACTION STEP Accelerate English Language Acquisition (Special Education)

EL students with less than five years in US schools will continue to receive classroom instruction appropriate to their CELDT / Alternate Assessment level and domain needs. Teachers will revisit definitions and characteristics of the four language domains (Listening, Speaking, Reading and Writing). Classroom instruction will support EL student through the use of a "Language-rich" classroom including ample speaking and listening opportunities, continual use of visuals, realia & graphic organizers and language support for oral and written text. Students will be provided the opportunities to expand oral language speaking and listening activities through pair-share activities; interactive group work; individual & group student presentations. Teachers will incorporate graphic organizers/thinking maps into lesson to support student thought process. In addition, teacher will use read-alouds to develop comprehension skills. Teachers will utilize technology for language learning, including Rosetta Stone.

Status	Filing Cabinet Count	1
Start-End Dates	08/30/2015 - 06/30/2017	
Tags	T3Y4	
Persons Responsible	.	

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2B: AMAO 2 - English Proficiency

STRATEGY Support initial years of English Acquisition

ACTION STEP Accelerate English Language Acquisition

TASKS 0 of 2 Complete

Oral Language Development (SpEd) Due 6/30/2016

Classroom instruction will support EL student through the use of a "Language-rich" classroom including ample speaking and listening opportunities, continual use of visuals, realia & graphic organizers and language support for oral and written text.

Develop written comprehension and expression skills Due 6/30/2016

Reading and writing in both fiction and non-fiction texts will be supported through SDAIE strategies, and using multiple means of representation, expression and engagement. As with CCSS a disproportionate emphasis will be placed on non-fiction text.

STRATEGY Identify learning gaps and intervene with LTEL's

Scaffolded instruction to meet the needs specific to LTEL's

Filing Cabinet Count 0

ACTION STEP Increase focus attention on needs specific to LTEL

EL students with more than five years in US schools will receive classroom instruction appropriate to their CELDT / Alternate Assessment level and domain needs. Students will accelerate English Language Acquisition through the four domains (Listening, Speaking, Reading, and Writing).

Status Filing Cabinet Count 0

Start-End Dates 07/01/2015 - 06/30/2017

Tags T3Y4

Persons Responsible

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2B: AMAO 2 - English Proficiency**

STRATEGY **Identify learning gaps and intervene with LTEL's**

ACTION STEP **Increase focus attention on needs specific to LTEL**

TASKS 0 of 2 Complete

Identify learning gaps contributing to LTEL status Due 6/30/17

Students who have more than 5 years as English Learners need specific content/language support to achieve reclassification. Teachers will review CELDT/ Alternate Assessment data, progress on IEP goals and benchmark assessments to identify areas of student need.

Implement targeted strategies for LTELs Due 6/30/17

Implement strategies which support Long Term English Learners (LTEL's). Students will engage in academic discourse (different from social language) in the classroom settings through presentations, Socratic Inquiry, Multi-tier system of Supports etc.

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LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2C: AMAO 3 - AYP for EL Subgroup

An increasing percentage of English learners will attain proficiency in Reading/Language Arts and mathematics annually.

By June 2016, the percentage of English Learners in Alternative Education attaining proficiency in English Language Arts/Math will increase from 25% to 40%, as measured by the local assessments and/or benchmarks, in order to move toward state-defined expectations for proficiency in ELA/Math.

By June, 2016 the percentage of Special Education teachers of English learners implementing the ELD Standards in tandem with the California Common Core Standards (ELA/Math) will increase from 10% to 50% as measured by locally developed observation tools.

STRATEGY Implement ELA Instruction

All English learners will receive instruction in Reading/Language Arts that is differentiated to meet their language needs

Filing Cabinet Count 0

ACTION STEP Scaffold instruction to support English learners

Teachers build class rituals and routines to support instruction. Teachers will utilize scaffold instruction with students focusing on academic language specific to vocabulary, sentence structure, sentence frames, to integrate ELD according to the CA ELA/ELD Framework and CA standards.

Status		Filing Cabinet Count	1
Start-End Dates	08/30/2015 - 06/30/2017		
Tags	T3Y4		
Persons Responsible			

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2C: AMAO 3 - AYP for EL Subgroup

STRATEGY Implement ELA Instruction

ACTION STEP Scaffold instruction to support English learners

TASKS 0 of 1 Complete

CCSS and Language Learning Objectives Posted

Due 6/30/2017

Teachers will use CCSS objectives to build student understanding of lesson content and expected outcomes for daily instruction. They will also develop language objectives for the lesson focusing on academic vocabulary and sentence frames.

STRATEGY Embed technology in instruction

Technology will be used to support differentiated instruction

Filing Cabinet Count 0

ACTION STEP Differentiated Instruction through Technology

Teachers will participate in professional development and use interactive whiteboards, and/or other such interactive technology to support instructional delivery and model on-line test-taking strategies associated with CAASSP

Status	Completed 06/12/2015	Filing Cabinet Count	1
Start-End Dates	08/30/2015 - 06/30/2017		
Tags	T3Y4		
Persons Responsible	-		

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2C: AMAO 3 - AYP for EL Subgroup**

STRATEGY **Embed technology in instruction**

ACTION STEP **Interactive Technology Professional Development**

TASKS 0 of 2 Complete

Teacher Professional Development	Due 6/30/17
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Teachers will attend Professional Development meetings, including PLC/PLT meetings, with a dedicated agenda item focused on current instructional and interactive technologies, based on the annual professional development calendar, and other ongoing Professional Development opportunities. These opportunities will include models of the use of the instructional and interactive technologies.

Follow-up coaching	Not Begun	Due 6/30/2016
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Follow-up coaching with Student Services TOSAs/EL Advisory Group/SPED Tech will occur with teacher after initial professional development to model, coach and provide feedback.

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2C: AMAO 3 - AYP for EL Subgroup

STRATEGY Implement standards based math instruction

All English Learners will receive instruction in Math that is differentiated to meet their math needs.

Filing Cabinet Count 0

ACTION STEP Scaffold instruction to support ELs in Math

Teachers build class rituals and routines to support instruction that integrates Math Content and Language Development. Teachers will utilize scaffold instruction with students focusing on academic language specific to vocabulary, sentence structure, sentence frames leading to academic discourse fluency as they also utilize the CCSS Math Practices Framework.

Status	In Progress 01/15/2015	Filing Cabinet Count	0
Start-End Dates	08/19/2015 - 06/30/2017		
Tags	T3Y4		
Persons Responsible	Nancy Guerrero, Yvette Irving		

TASKS 0 of 2 Complete

Common Core State Standard posted	Due 6/30/2016
Teachers will build student understanding of lesson content and expected outcomes for daily instruction in the CCSS. They will also develop language objectives for the lesson focusing on academic vocabulary and sentence frames.	

Create math walls	Due 6/30/2016
Teachers will create math walls to support academic/functional academics math vocabulary development.	

ACTION STEP In AED an Intensive Intervention program for Math

In AED an Intensive Intervention program for Math will be identified for students not yet meeting Algebra readiness standards.

Status	In Progress 01/15/2015	Filing Cabinet Count	0
Start-End Dates	05/01/2014 - 06/30/2014		
Tags	T3Y4		
Persons Responsible			

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2C: AMAO 3 - AYP for EL Subgroup**

STRATEGY **Implement standards based math instruction**

ACTION STEP **In AED, implement an Intensive Intervention program for Math**

TASKS 0 of 2 Complete

Purchase Math Intervention Program	Due 6/30/2014
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A math intensive intervention program will be purchased for sites.

Professional development in Common Core State Standards	Due 6/30/2015
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Teachers will receive ongoing professional development, based on the annual professional development calendar, and support in CCSS Math instructional strategies

STRATEGY **Differentiated Instruction Through Technology**

Technology will be used to deliver differentiated instruction at the student's identified instructional level

Filing Cabinet Count 0

ACTION STEP **Differentiated Mathematics Instruction through Technology**

Teachers will participate in professional development and use interactive whiteboards and other instructional and interactive technology to support differentiation in mathematics.

Status	Filing Cabinet Count	1
Start-End Dates	04/01/2015 - 06/30/2017	
Tags	T3Y4	
Persons Responsible		

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2C: AMAO 3 - AYP for EL Subgroup**

STRATEGY **Differentiated Instruction Through Technology**

ACTION STEP **Interactive technologies for the classroom**

TASKS 0 of 2 Complete

Teacher professional development in implementing technologies for mathematics

Due 6/30/2017

Teachers will participate in on-going professional development regarding the use CAASSP assessments / Alternate Assessment for SPED. Teachers will receive on-going opportunities to practice the use of online assessment in mathematics. Teachers will attend Professional Development meetings, including PLC/PLT meetings, with a dedicated agenda item focused on current instructional and interactive technologies, based on the annual professional development calendar, and other ongoing Professional Development opportunities. These opportunities will include models of the use of the instructional and interactive technologies.

Follow-up coaching

Due 6/30/2017

Follow-up coaching/support will occur with each teacher after initial professional development to model and provide feedback.

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LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2D: High Quality Professional Development

The LEA will provide high quality professional development to teachers, administrators and other school or community-based personnel to improve the education of English learners.

By June 2016, 100% of SCCOE teachers will receive professional development on implementing the Common Core State Standards and English Language Development Standards and the transition to the new Proficiency Level Descriptors

By June 2016, 100% of SCCOE administrators will receive professional development on implementing the Common Core State Standards and English Language Development Standards with English learners and the attainment of English language proficiency and corresponding achievement in reading/language arts and mathematics

By June 2016, 100% of Alternative Education Teachers and Secondary Special Education Teachers of English Language Development will be authorized to teach ELD.

By June 2016, 100% of Alternative Education Teachers and Secondary Special Education Teachers in Language Arts and Mathematics teachers of English learners will be both Highly Qualified in the content area(s) and authorized to teach English learners.

Filing Cabinet Count	0
Resources and state requirements for this goal Available	1

STRATEGY Professional Development for Teachers and Administrators

The LEA will provide high quality professional development to teachers, administrators and all other community-based personnel to improve the education of English learners. A consistent professional development calendar will be developed.

Filing Cabinet Count	1
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ACTION STEP Provide Professional Development in Content Areas

The Curriculum Leadership Councils (CLC's) of Special Education department and AED Department will collaborate to plan and execute targeted professional development to support teacher practice in the implementation of the Common Core State Standards. Teachers will be trained in how to develop and implement lessons which have one or more content areas imbedded in addition to ELD standards. In addition, teachers will also be trained in understanding the three proficiency levels indicators.

Status	In Progress 06/12/2015	Filing Cabinet Count	3
Start-End Dates	06/09/2015 - 06/30/2017		
Tags	T3Y4		
Persons Responsible			

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2D: High Quality Professional Development

STRATEGY Professional Development for Teachers and Administ

ACTION STEP Provide Professional Development in Content Areas

TASKS 0 of 3 Complete

Calendar all Professional Development meetings	Due 6/30/2017
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Create a year-long calendar for the academic year listing topics to be covered, outcomes expected, location of meetings, and identified facilitator(s)

Train all content area AED teachers	Due 6/30/2015
--	---------------

Teachers will be trained on how to write a lesson objective using the CCSS at ongoing content area meetings. Special emphasis will be placed on the imbedding of Science and Social Studies in the area of English Language Arts.

Continue training of Special Education staff in ELD Standards & CCSS	Due 6/30/2015
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Create a year-long calendar for the academic year listing training dates, outcomes expected, location of meetings, and facilitator(s)

STRATEGY Intervention Teacher Professional Development

Provide initial and refresher training to all Intervention teachers

Filing Cabinet Count 0

ACTION STEP Intervention Professional Development (AED)

Provide biannual professional development in the area of intervention. Intervention materials are used to accelerate student learning. By developing the teachers' skills, students learning will accelerate.

Status	Completed 06/12/2015	Filing Cabinet Count	2
Start-End Dates	08/30/2013 - 06/30/2015		
Tags	T3Y4		
Persons Responsible			

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2D: High Quality Professional Development**

STRATEGY **Intervention Teacher Professional Development**

ACTION STEP **Intervention Professional Development (AED)**

TASKS 0 of 2 Complete

Provide ELA Inside and Edge Training (AED)	Due 6/30/2015
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Calendar biannual Inside and Edge Professional Development introduction/review. Ongoing trainings and support by EL Advisory Group

Provide Math Intervention Professional Development	Due 8/29/2017
---	---------------

Once identified, provide professional development for identified Math Intervention curriculum on a biannual basis, including IXL Math in Special Ed

STRATEGY **Train staff on new research regarding Long Term English Learners (LTELs)**

Focused, intentional professional development on the characteristics of an LTEL, including a review of current research on effective instructional strategies

Filing Cabinet Count 0

ACTION STEP **LTEL professional development for administrators**

Administrators will isolate and identify characteristics which contribute to LTEL status and strategies to address specific needs.

Status	In Progress 01/15/2015	Filing Cabinet Count	0
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Start-End Dates 07/01/2015 - 06/30/2017

Tags T3Y4

Persons Responsible

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2D: High Quality Professional Development**

STRATEGY **Train staff on new research regarding Long Term En**

ACTION STEP **LTEL professional development for administrators**

TASKS 0 of 3 Complete

Principals focus on Long Term English Learners

Principals reread *Reparable Harm* by Laurie Olsen and *Improving the Education for English Learners: Research-Based approaches and interventions* from the CDE

Long Term English Learners Book Study Due 6/30/2017

Dedicate a portion of each Principals meeting to sharing site-based “Best Practices” in meeting the needs of Long Term English Learners.

Long Term ELs Focus in Instructional Rounds Due 6/30/2017

Principals explicitly identify at any EL related Professional Development, strategies, expectations and implications for LTEL’s and monitor implementation during instructional rounds

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL Goal 2E: Parent and Community Participation

The LEA will promote the involvement of parents and community members in the education of English learners.

By June 2017, the LEA will improve and increase parent outreach strategies so that 25% of parents or guardians are active participants in the education of their children

Filing Cabinet Count	12
Resources and state requirements for this goal Available	1

GOAL Goal 2E: Parent and Community Participation

STRATEGY Increase understanding of standardized testing & formative assessment

ACTION STEP Engaging parent support towards assessment

Title:

Description:

Regular communication will occur between site principals and teachers and students, and their parents or guardians. Communication will focus on the purpose of assessment, testing relevance for instructional planning, student goal setting, college and career readiness, etc.

Status	Filing Cabinet Count	0
Start-End Dates	07/01/2015 - 06/30/2017	
Tags	T3Y4	
Persons Responsible	Nancy Guerrero, Yvette Irving	

TASKS 0 of 2 Complete

School/Parent communication	Due 6/30/2016
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In ongoing site/home communications, a section will be dedicated to CCSS and technology including the CAASSP assessments and preparing families for upcoming dates, requirements, and site expectations.

Provide incentive for recognizing students	Due 6/30/2016
---	---------------

Incentives will be provided by the school, recognizing student commitment and perseverance during testing periods.

STRATEGY The LEA will ensure that all schools have Parent Involvement

LEA PLAN

Santa Clara County Office of Education - 4310439000000

The LEA will promote the involvement of parents and community members in the education of English learners through increased participation in school and LEA activities.

Filing Cabinet Count 0

ACTION STEP Parent Education/Engagement

The SCCOE and school sites will implement on-going parent information series and trainings. The SCCOE and site administrators will provide parent education/engagement opportunities on transition to the Common Core State Standards; new English Language Proficiency standards; Local Control Funding Formula and the Local Control Accountability Plan and their relationship to English Learner families. Site based parent education events will occur a minimum of three times a year. Parents will receive personal invitations and on-going information from the school site.

Status		Filing Cabinet Count	0
Start-End Dates	08/19/2015 - 06/30/2017		
Tags	T3Y4		
Persons Responsible	-		

LEA PLAN

Santa Clara County Office of Education - 4310439000000

GOAL **Goal 2E: Parent and Community Participation**

STRATEGY **The LEA will ensure that all schools have Parent I**

ACTION STEP **Parent Education/Engagement**

TASKS 0 of 3 Complete

Develop parent capacity in supporting student academics	Due 6/30/2017
--	---------------

Through the use of collaboration between parent leaders/educators, IEP Teams, progress reports, and other such communications, parents/guardians will receive support in understanding student academic performance levels and language acquisition levels.

Parent education on “School to College/Career” track	Due 6/30/2017
---	---------------

As part of a parent education series parents/guardians will receive support on planning for career and/or college after high school. SPED Parents will receive opportunities to visit Adult Programs and colleges.

Parent Education Data Collection and Analysis	Due 6/30/2017
--	---------------

Parent participation will be collected/monitored at each SCCOE or school site function and compared to a baseline to monitor participation rates, meeting relevance and community satisfaction.

LEA PLAN

Santa Clara County Office of Education - 4310439000000

TOTAL PLAN FUNDS:	\$0.00
Budgeted	\$0.00
Actual	\$0.00

GOAL **Goal 2F: Parent Notification**

SCCOE will provide required communications to parents in a timely manner. By June 2017 the LEA will continue to provide 100% of parents of ELs with the following information regarding their children, in a language parents can understand: • identification as EL • program placement options • program placement notification • English language proficiency level, as determined by CELDT/Alternative Assessment results and any local English Proficiency assessments used • academic achievement level • redesignation information

APPENDIX Y: Staff Review Matrix

Initial Charter Petition	<input type="checkbox"/>
Charter Material Revision	<input type="checkbox"/>
Charter Renewal	<input type="checkbox"/>
On Appeal	<input type="checkbox"/>

Education Code § 47605

Jon R. Gundry, County Superintendent of Schools

CHARTER REVIEW MATRIX

Proposed Charter School	Petitioner Contact Information	Petition Review Timeline	
Name of Proposed Charter School: Opportunity Youth Academy	Name: Steve Olmos	Petition Received:	
Location of Proposed School(s): Santa Clara County	Title: Opportunity Youth Academy	Public Hearing: (30 days from receipt)	
Grade Level: 10 - Adult	Phone/Cell: 408-453-6560	Board Decision: (60 days from receipt)	
District of Proposed Charter School: Multiple	Email: steve_olmos@sccoe.org	<input type="checkbox"/> 30 day extension granted (60 days from receipt, may be extended 30 days if agreed by petitioner(s) and SCCOE)	

REQUIRED ELEMENTS: Education Code § 47605 (b) (1)-(5)				
	Yes	No	N/A	Pages
<input type="checkbox"/> The charter school presents a sound educational program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16-36
<input type="checkbox"/> The petitioners are demonstrably unlikely to successfully implement the program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA ¹
<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"/>	2-4
<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"/>	16-94
REQUIRED PETITION SIGNATURES IF CONVERSION OF EXISTING PUBLIC SCHOOL: Education Code § 47605(a)				
	Yes	No	N/A	Page
REQUIRED PETITION SIGNATURES IF NOT CONVERSION OF EXISTING PUBLIC SCHOOL: Education Code § 47605(a)				
• 50% of parents/guardians of number of students expected to attend	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
OR				
• 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"/>	198
NOTIFICATION UPON APPROVAL: Education Code § 47605 (3) (i)				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

	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"> • The department (California Department of Education) • State Board of Education 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	85
REQUIRED AFFIRMATIONS: Education Code § 47605(d)(1)	Yes	No	N/A	Page
<input type="checkbox"/> Statement 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 ethnicity, national origin, gender or disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7

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.

Legend:

- Required to be included in charter petition and/or Memorandum of Understanding.
- Applies to Petition Renewals

CHARTER RENEWAL REQUIRED ELEMENTS: Evidence to Support Renewal (CCR) Title 5 Section 11966.4				
	Yes	No	N/A	Page
<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"/>	<input type="checkbox"/>	NA
<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"/>	<input type="checkbox"/>	NA
<input type="checkbox"/> Academic performance data reports showing increases in pupil academic achievement for all groups; LCAP and annual updates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/> Annual visits and annual reports, including correcting and deficiencies identified during annual reviews and visits.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/> Inspections or observations of any part of the charter school at any time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
Strengths:				
Areas of Concerns:				
Conclusions				
DETAILED REVIEW - REQUIRED ELEMENTS: Education Code § 47605(A-P)				
A	Educational Program	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	1. Targeted School Populations		<input type="checkbox"/>	8-10, 13, 31-33
	Age, grade levels and number of students	<input type="checkbox"/>		8-10, 31-33
	<ul style="list-style-type: none"> • Number of students per class room 	<input type="checkbox"/>		31
	<ul style="list-style-type: none"> • Maximum enrollment predicted for school 	<input type="checkbox"/>		32
	Type of desired student populations	<input type="checkbox"/>		8-10, 31-33
	<ul style="list-style-type: none"> • States whether school will enroll students from outside the district (if submitted as an appeal previously denied by a district) 	<input type="checkbox"/>		8-10, 31-33

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

<ul style="list-style-type: none"> States whether school will enroll students from outside the county 	<input type="checkbox"/>		8-10, 31-33
<input type="checkbox"/> 2. Attendance		<input type="checkbox"/>	3, 17-19, 32-33, 48, 53, 70, 80, 95, 98, 114
<ul style="list-style-type: none"> Describes whether multiple sites will be included 	<input type="checkbox"/>		13-14
<ul style="list-style-type: none"> Indicates proposed opening date(s) 	<input type="checkbox"/>		13
<input type="checkbox"/> Attendance requirements		<input type="checkbox"/>	
<ul style="list-style-type: none"> Includes length of school day and year 	<input type="checkbox"/>		34
<ul style="list-style-type: none"> Submit for approval the specific means to be used for student attendance accounting and reporting, satisfactory to support state average daily attendance claims and to satisfy audits related to attendance that may be conducted 	<input type="checkbox"/>		95, 98
<input type="checkbox"/> 3. What it Means to be an Educated Person in the 21st Century		<input type="checkbox"/>	34-36
<input type="checkbox"/> Objective of enabling pupils to become self-motivated, competent, lifelong learners		<input type="checkbox"/>	36
Clear list of general academic skills and qualities important for an educated person	<input type="checkbox"/>		35
<input type="checkbox"/> 4. Description of How Learning Best Occurs		<input type="checkbox"/>	20-26, 34-46, 62-64, 55-57, 102-113
Persuasive instructional design	<input type="checkbox"/>		20-23
<ul style="list-style-type: none"> Broad outline (not entire scope and sequence) of the curriculum content 	<input type="checkbox"/>		20-21, 105, 107-113
<ul style="list-style-type: none"> Description of instructional approaches and strategies 	<input type="checkbox"/>		20-23
<ul style="list-style-type: none"> Description of learning environment (e.g. traditional, independent study) 	<input type="checkbox"/>		22-23, 102-104
Proposed program strongly aligned to school's mission	<input type="checkbox"/>		25-26
Affirmation or description of curriculum aligned to student performance standards	<input type="checkbox"/>		35, 62-64
Outline of plan or strategy to support students not meeting pupil outcomes	<input type="checkbox"/>		41
Instructional design or strategies based upon successful practice or research	<input type="checkbox"/>		34-35
Instructional strategies for special education, English learners, etc.	<input type="checkbox"/>		36-46
Proposed program/curriculum reflects a focus on adopted CCSS and NGSS	<input type="checkbox"/>		35, 62-64
Educational Program describes professional development for teachers	<input type="checkbox"/>		55-57
Minimal instructional time	<input type="checkbox"/>		34
Includes school calendar	<input type="checkbox"/>		34
<input type="checkbox"/> 5. Transitional Kindergarten program outlines developmentally appropriate learning outcomes, using modified curriculum, specialized instruction, and assessment for all students (Only if Charter offers Kindergarten)		<input type="checkbox"/>	NA
<input type="checkbox"/> 6. English Learner Services		<input type="checkbox"/>	35-40, 44
<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"/>	35

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

<input type="checkbox"/>	Staff members providing English Learner Services are appropriately credentialed.	<input type="checkbox"/>	38, 44
<input type="checkbox"/>	A description of the manner in which students are identified as requiring English Learner Services	<input type="checkbox"/>	35, 44
<input type="checkbox"/>	A description of the process for reclassification of English Learners	<input type="checkbox"/>	36-37
<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"/>	37, 38-40
<input type="checkbox"/>	References to curriculum and materials that will be utilized in the instruction of English Learners	<input type="checkbox"/>	37
<input type="checkbox"/>	Petition tells how English Learners will be reclassified and how English Learners will be monitored	<input type="checkbox"/>	38
Strengths:			
Areas of Concerns			
Conclusions			
<input type="checkbox"/>	7. LCFF/LCAP Annual Goals and Annual Actions to Achieve Goals for Subgroups in EC 2052	<input type="checkbox"/>	47-54
<input type="checkbox"/>	Charter includes language that assures compliance with LCFF/LCAP	<input type="checkbox"/>	47-48
<input type="checkbox"/>	Describes annual goals for all pupils and for each subgroup of pupils identified in EC 52052 to be achieved in each of the 8 state priorities , 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"/>	48-54
	<input type="checkbox"/> A. Conditions of Learning	<input type="checkbox"/>	47, 49, 52
	(Priority 1) Basic Needs	<input type="checkbox"/>	47, 49, 52
	(Priority 2) Implementation of State Standards	<input type="checkbox"/>	47, 49
	(Priority 7) Course Access	<input type="checkbox"/>	47, 52
	<input type="checkbox"/> B. Pupil Outcomes	<input type="checkbox"/>	47, 50, 52
	(Priority 4) Pupil Achievement (College and Career)	<input type="checkbox"/>	47, 50
	(Priority 8) Other Pupil Outcomes	<input type="checkbox"/>	47, 52
	<input type="checkbox"/> C. Engagement	<input type="checkbox"/>	47-48, 52-53
	(Priority 3) Parental Involvement	<input type="checkbox"/>	47, 52
	(Priority 5) Pupil Engagement	<input type="checkbox"/>	48, 53
	(Priority 6) School Climate	<input type="checkbox"/>	48, 53
	Provides specific annual actions to achieve these goals for each of the subgroups listed below:	<input type="checkbox"/>	48, 49-53
	<input type="checkbox"/> Racial/Ethnic groups	<input type="checkbox"/>	48, 49-53
	<input type="checkbox"/> Low-income students, including homeless students	<input type="checkbox"/>	48, 49-53
	<input type="checkbox"/> English learners	<input type="checkbox"/>	48, 49-53
	<input type="checkbox"/> Students with disabilities	<input type="checkbox"/>	48, 49-53
	<input type="checkbox"/> Foster youth	<input type="checkbox"/>	48, 49-53
<input type="checkbox"/>	8. Transferability of High School Courses EC 47605 (b) (5) (A) (iii)	<input type="checkbox"/>	17, 41, 50, 54, 60
	If serving high school students, describes how district/charter school informs parents of:	<input type="checkbox"/>	54

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

<input type="checkbox"/> Transferability of courses to other public high schools; and	<input type="checkbox"/>		60
<input type="checkbox"/> Eligibility of courses to meet college entrance requirements	<input type="checkbox"/>		60
<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"/>		17, 41, 50, 60

Strengths:

Areas of Concern:

Conclusions

B	Measurable Student Outcomes - "Exit Outcomes" or "Graduation Standards"	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	Pupil outcomes are measurable, i.e. specific assessments listed for each exit outcome.		<input type="checkbox"/>	17, 41, 48, 50, 53-54, 60-64, 80, 83, 106, 115
	How pupil outcomes will address state content and performance standards in core academics.	<input type="checkbox"/>		60-64
	Exit outcomes include acquisition of academic and non-academic skills.	<input type="checkbox"/>		60-62
	Concise (one page) list of exit outcomes encompass specific skills, not too vague.	<input type="checkbox"/>		60-62
	Affirmation that "benchmark" skills and specific classroom-level skills will be developed.	<input type="checkbox"/>		62-64
	Affirmation/description that exit outcomes will align to mission, curriculum and assessments.	<input type="checkbox"/>		61-62, 64
	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"/>		17, 41, 50
	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"/>		17, 32-33, 48, 53, 61, 83, 115
	Acknowledges that exit outcomes and performance goals may need to be modified over time.	<input type="checkbox"/>		64
	If high school, graduation requirements defined.	<input type="checkbox"/>		62, 80, 106
	If high school, WASC accreditation standards addressed.	<input type="checkbox"/>		54, 60,106
<input type="checkbox"/>	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		<input type="checkbox"/>	38-40, 47-54
<input type="checkbox"/>	Statement that pupil achievement measurements will include the elements listed below:		<input type="checkbox"/>	47

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

<input type="checkbox"/>	Alignment with state priorities 52060 (d) and description of how the charter will address all 8 state priorities	<input type="checkbox"/>	47-54
<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"/>	50
<input type="checkbox"/>	(B) The Academic Performance Index, as described in Section 52052	<input type="checkbox"/>	50
<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"/>	50
<input type="checkbox"/>	(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.	<input type="checkbox"/>	38-40, 49-50
<input type="checkbox"/>	(E) The English learner reclassification rate.	<input type="checkbox"/>	39, 47, 51
<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"/>	51
<input type="checkbox"/>	(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program.	<input type="checkbox"/>	51-52
For Charter Renewal, EC 47607 (a)(3)(A) defines the most important factor is the increase in pupil academic achievement for all groups of students served by the charter school. The Minimum Threshold for Student Achievement:			
<input type="checkbox"/>	1) Attained its API growth target in the prior year, or in two of the last three years both school-wide and for all groups of pupils served (Also 3 yr. average during SBAC transition) EC 52052 (e) proxies include I. Most recent API calculation II. Average of 3 most recent API calculations III. Alternative measures that show increases in pupil academic achievement for all groups of pupils school-wide and among significant student groups.	<input type="checkbox"/>	NA
<input type="checkbox"/>	2) Ranked in deciles 4 to 10, inclusive, on the API in prior year or two of the last three years	<input type="checkbox"/>	NA
<input type="checkbox"/>	3) Ranked in deciles 4 to 10 inclusive, on the API for a demographically comparable school in the prior school year, or two of the last three years.	<input type="checkbox"/>	NA
<input type="checkbox"/>	4) Academic performance of the charter school is at least equal to the academic performance of the public schools that the charter schools would have otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population served	<input type="checkbox"/>	NA

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

<input type="checkbox"/>	5) Qualified for an alternative accountability system (EC 52052)	<input type="checkbox"/>	NA	
Strengths:				
Areas of Concern:				
Conclusions:				
C	The Method by Which Pupil Progress in Meeting Outcomes Will be Measured	Evidence	Addressed in Petition	Pages
	At least one assessment method or tool listed for each of the exit outcomes	<input type="checkbox"/>		65-67
	Assessments include multiple, valid and reliable measures using traditional/ alternative tools	<input type="checkbox"/>		65-66
	Chosen assessments are appropriate for standards and skills they seek to measures	<input type="checkbox"/>		65-66
	Affirmation/description of how assessments align to mission, exit outcomes, and curriculum	<input type="checkbox"/>		66-67
	Describes minimal required performance level necessary to attain each standard	<input type="checkbox"/>		66-67
	Outlines a plan for collecting, analyzing and reporting student/school performance data	<input type="checkbox"/>		66-67
<input type="checkbox"/>	LCFF/LCAP Assurance that methods of assessment are aligned with measureable student outcomes		<input type="checkbox"/>	2, 36-38, 50, 66-67
<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"/>	65-66
<input type="checkbox"/>	(B) Include the annual assessment tools as required by state and federal assessments (CAASPP, CELDT, etc.)		<input type="checkbox"/>	2, 36-38, 50, 66
<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"/>	66-67
<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"/>	66-67
<input type="checkbox"/>	(E) Committed plan to share performance information with students, families and public agencies		<input type="checkbox"/>	67
Strengths:				
Areas of Concern:				
Conclusions				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

D	Governance Structure of School (Including Parental Involvement)	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	Describes what role parents have in the governance of the school		<input type="checkbox"/>	3, 5, 14-15, 38, 40, 43-46, 47-48, 52, 54, 65, 67, 69-70, 72, 74-75, 83
<input type="checkbox"/>	Describes key features of governing structure (usually a board of directors) such as:		<input type="checkbox"/>	68-71
	<ul style="list-style-type: none"> Size/composition of board 	<input type="checkbox"/>		68-71
	<ul style="list-style-type: none"> Board committees or advisory councils 	<input type="checkbox"/>		68-71
	<ul style="list-style-type: none"> Board's scope of authority/responsibility/conflict of interest 	<input type="checkbox"/>		68-71
<input type="checkbox"/>	Status as a non-profit or public school		<input type="checkbox"/>	2, 48, 62, 68, 71, 76, 80-82,
<input type="checkbox"/>	If non-profit, provisions for liability of debts		<input type="checkbox"/>	99
	Has set of proposed bylaws, policies or similar documents	<input type="checkbox"/>		68-71
	Initial governing board members identified by name or the process used to select them	<input type="checkbox"/>		68-71
	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"/>		68-71
<input type="checkbox"/>	Demonstrates compliance with Brown Act		<input type="checkbox"/>	4
<input type="checkbox"/>	Annual Review and Revision of the Local Control Accountability Plan (LCAP).		<input type="checkbox"/>	49
Strengths:				
Areas of Concern:				
Conclusions				
i	Special Education/SELPA	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	Identifies whether or not in an independent LEA for special education purposes		<input type="checkbox"/>	42
<input type="checkbox"/>	Consulted with the Santa Clara County SELPA Director		<input type="checkbox"/>	42
	<ul style="list-style-type: none"> Discussed special education responsibilities of charter 	<input type="checkbox"/>		42
	<ul style="list-style-type: none"> Discussed application of SELPA policies 	<input type="checkbox"/>		42

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

<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"/>	42-46
• Includes fiscal allocation plan	<input type="checkbox"/>	42
<input type="checkbox"/> If charter not an independent LEA:	<input type="checkbox"/>	42-46
• Clarifies in charter the responsibilities of each party for service delivery	<input type="checkbox"/>	42-44
<input type="checkbox"/> Referral	<input type="checkbox"/>	43, 45
<input type="checkbox"/> Assessment	<input type="checkbox"/>	45
<input type="checkbox"/> Instruction	<input type="checkbox"/>	44
<input type="checkbox"/> Due Process	<input type="checkbox"/>	46, 83
<input type="checkbox"/> Agreements describing allocation of actual and excess costs	<input type="checkbox"/>	42
<input type="checkbox"/> Charter fiscally responsible for fair share of any encroachment on general funds	<input type="checkbox"/>	42
<input type="checkbox"/> If charter is LEA within County SELPA	<input type="checkbox"/>	NA
• Notifies SELPA Director of intent prior to February 1 st of the preceding school year	<input type="checkbox"/>	NA
• Located within SELPA geographical boundaries	<input type="checkbox"/>	NA
• Provides current operating budget in accordance with Ed Code § 42130 and § 42131	<input type="checkbox"/>	NA
• Provides assurances that all be instructed in safe environment	<input type="checkbox"/>	NA
• Provides copy of original charter petition and any amendments	<input type="checkbox"/>	NA
• Responsible for any legal fees relating to application and assurances process	<input type="checkbox"/>	NA
• Meets the terms of the "Agreement Regarding the Organization, Implementation, Administration and Operation of the SELPA (Section 12-13, Appendix A)	<input type="checkbox"/>	NA
• Meets the terms of all SELPA policies and procedures	<input type="checkbox"/>	NA
• Charter fiscally responsible for fair share of any encroachment on general funds	<input type="checkbox"/>	NA
<input type="checkbox"/> Petition includes the following assurances:	<input type="checkbox"/>	3-4, 14, 33, 42-47, 73, 99
• The charter will comply with all provisions of IDEA	<input type="checkbox"/>	3-4, 14, 45
• No student will be denied admission based on disability or lack of available services	<input type="checkbox"/>	3-4, 42
• 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	<input type="checkbox"/>	44, 46
<input type="checkbox"/> Staff members providing special education services are appropriately credentialed	<input type="checkbox"/>	3, 33, 44, 47, 49, 73
<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"/>	14, 77
<input type="checkbox"/> The charter school will assume full responsibility for appropriate accommodation to address the needs of any student	<input type="checkbox"/>	42
<input type="checkbox"/> The responsibility of the school to provide special education, instruction and related serves to the	<input type="checkbox"/>	42

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

	students enrolled in the school regardless of students' district of residence			
<input type="checkbox"/>	Specialized instruction and services available at the school	<input type="checkbox"/>		43-46
<input type="checkbox"/>	The provision of Designated Instruction and Services (DIS)	<input type="checkbox"/>		43-46
<input type="checkbox"/>	Special transportation for students whose IEPs indicate that service is necessary for the provision of FAPE	<input type="checkbox"/>		99
<input type="checkbox"/>	The procedures for ensuring that students are referred, assessed and served in a timeline manner	<input type="checkbox"/>		42-46
<input type="checkbox"/>	A description of the school's "Search and Service" procedures	<input type="checkbox"/>		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"/>		46-47
<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
	Overview of how special education funding and services will be provided by:	<input type="checkbox"/>		42-44
	• Charter School	<input type="checkbox"/>		43
	• Charter Granting Agency	<input type="checkbox"/>		42
	• SELPA			42-44
<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"/>		44
ii	Implementation of Section 504 of the Rehabilitation Act	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	All eligible enrolled students will receive appropriate accommodations and modifications consistent with Section 504 of the Rehabilitation Act	<input type="checkbox"/>		3, 45, 46, 65
<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"/>		2-3
<input type="checkbox"/>	All staff members providing services to the student are familiar with the identified needs of the student	<input type="checkbox"/>		44-45
<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"/>		14, 77
<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"/>		44
Strengths:				
Areas of Concern:				
Conclusions				
E	Qualifications to be Met by Individuals to be Employed by The School	Evidence	Addressed in Petition	Pages

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

	Identifies roles and functions of staff members (including...) <ul style="list-style-type: none"> • Job Descriptions for Positions • Identifies key staff positions with the charter school 	<input type="checkbox"/>		72-75
	Process for staff selection	<input type="checkbox"/>		72-74
	Procedure for adequate background checks	<input type="checkbox"/>		73
	Salaries and benefits for all employees	<input type="checkbox"/>		85, 87
	Measures of assessment of performance	<input type="checkbox"/>		72
	Describes specific key qualifications (knowledge, experience, education, certification, etc.) sufficient to ensure the health and safety of pupils and staff.	<input type="checkbox"/>		74-75, 121-142
<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"> • Identifies whether these teachers will teach only within the restrictions of their credentials 		<input type="checkbox"/>	3, 73
	Verification that teachers and paraprofessionals who are required to be certified are "highly qualified" as required by the federal No Child Left Behind Act	<input type="checkbox"/>		NA
	Identifies any non-core, non-college prep teaching positions staffed by non-certified teachers and their qualifications	<input type="checkbox"/>		3
	The credentials/qualifications of other charter school staff (e.g., counselors, librarians, administrators, nurses and others)	<input type="checkbox"/>		74-75, 121-142
	Statement of acknowledgment that all employees, even if not public, are subject to state and federal employment laws	<input type="checkbox"/>		3, 68, 72
	Explains how teachers will learn the curricula	<input type="checkbox"/>		55-57
Strengths:				
Areas of Concern:				
Conclusions				
F	Health and Safety Procedures	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	Affirms that each employee will furnish the school with a criminal record summary		<input type="checkbox"/>	73-74
	Outlines specific health and safety practices addressing such key areas as:	<input type="checkbox"/>		76-77
	<ul style="list-style-type: none"> • Seismic safety (structural integrity and earthquake preparedness) 	<input type="checkbox"/>		76
	<ul style="list-style-type: none"> • Natural disasters and emergencies 	<input type="checkbox"/>		76
	<ul style="list-style-type: none"> • Immunizations, health screenings, administration of medications, employee TB testing 	<input type="checkbox"/>		74, 76
	<ul style="list-style-type: none"> • Tolerance for use of drugs and/or tobacco 	<input type="checkbox"/>		76
	<ul style="list-style-type: none"> • Staff training on emergency and first aid response 	<input type="checkbox"/>		76-77

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

	<ul style="list-style-type: none"> Description of the charter school's safety plan and disaster preparedness plan 	<input type="checkbox"/>		76-77
	References/accompanied by more detailed set of health and safety related policies/procedures	<input type="checkbox"/>		76-77
<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"/>	73
Strengths:				
Areas of Concern:				
Conclusions				
G	Means to Achieve a Reflective Racial and Ethnic Balance	Evidence	Addressed in Petition	Pages
	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 groups	<input type="checkbox"/>		78-79
	<ul style="list-style-type: none"> 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"/>		78-79
Strengths:				
Areas of Concern:				
Conclusions				
H	Admissions Requirements	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	Mandatory assurances regarding non-discriminatory admission procedures		<input type="checkbox"/>	2, 80
<input type="checkbox"/>	No contradiction of admissions requirements <i>re: conversion schools and public random drawings</i> <ul style="list-style-type: none"> Describes how random drawing will be conducted 		<input type="checkbox"/>	81
	Clearly describes admissions requirements, including any preferences <ul style="list-style-type: none"> Identifies that the charter school will give preference to pupils who reside in the district and how the charter school will employ this preference 	<input type="checkbox"/>		80-81

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Includes a copy of an annual parent/student contract, if available	<input type="checkbox"/>		70
Proposed admissions and enrollment process and timeline	<input type="checkbox"/>		13, 80-81

Note that with regard to student recruitment, charter schools cannot recruit students in any way that discriminates against students on the basis of race, gender, gender identity, gender expression, color, national origin or disability. 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).

Strengths:

Areas of Concern:

Conclusions

I	Financial Audit	Evidence	Addressed in Petition	Page
	Procedure to select and retain independent auditor	<input type="checkbox"/>		82
	Qualifications of independent auditor	<input type="checkbox"/>		82
	Audit will employ generally accepted accounting procedures	<input type="checkbox"/>		82
	Describe specific scope of audit	<input type="checkbox"/>		82
	Timing of audit and whom it will be sent to	<input type="checkbox"/>		82
	Process for resolving audit exceptions to satisfaction of granting agencies	<input type="checkbox"/>		82
	Describes manner in which the audit will be made public	<input type="checkbox"/>		82
	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			
	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)			
	Describes services the charter intends to contract out to the district or another provider (if not included in a memorandum of understanding)			
	Describes manner in which audit exceptions and deficiencies will be resolved to the satisfaction of the authorizing board			
Strengths:				
Areas of Concern:				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Conclusions				
J	Pupil Suspension Expulsion	Evidence	Addressed in Petition	Pages
	Student code of conduct and process by which this information is given to students and parents/guardians	<input type="checkbox"/>		70, 83
	Procedure for involving parents, students and staff in designing and implementing a discipline policy	<input type="checkbox"/>		14-15, 48, 52-53, 69, 83-84
	Reference to a comprehensive set of student disciplinary policies OR detailed process by which student may be suspended or expelled	<input type="checkbox"/>		83-84
	Describes disciplinary steps to be taken prior to suspension or expulsion	<input type="checkbox"/>		83
	Evaluation Criteria [5CCR § 11967.5.1(f)(10)] (A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of 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.	<input type="checkbox"/>		83-84
	(B) Identify the procedures by which pupils can be suspended or expelled.	<input type="checkbox"/>		83-84
	(C) 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"/>		83
	(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter 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"/>		83
	(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D): 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and 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.	<input type="checkbox"/>		83

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

What educational alternative, if any, will be provided to students who were suspended or expelled	<input type="checkbox"/>		83	
Describes who or what body will be responsible for final suspension/expulsion decisions	<input type="checkbox"/>		83	
Describes appeal procedures	<input type="checkbox"/>		83	
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"/>		3	
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"/>		83	
Policies balance students' rights to due process with responsibility to maintain a safe learning environment	<input type="checkbox"/>		83	
Explains how resident school district or COE will be involved in disciplinary matters	<input type="checkbox"/>		83	
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"/>	85
	Relationship between teachers and district/county bargaining unit	<input type="checkbox"/>		85
	Process by which salaries, benefits, working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined	<input type="checkbox"/>		85
	Labor procedures which will be applied to employees	<input type="checkbox"/>		85
	Process for resolving complaints/grievances	<input type="checkbox"/>		85
	Process for ensuring due process	<input type="checkbox"/>		85
	Manner by which staff members will be covered by STRS, PERS, Social Security or Medicare	<input type="checkbox"/>		85
	Process for staff recruitment, selection, evaluation and termination	<input type="checkbox"/>		85
	Procedure for processing and monitoring credentials if required	<input type="checkbox"/>		85
Strengths:				
Areas of Concern:				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Conclusions:				
L	Attendance Alternatives	Evidence	Addressed in Petition	Page
<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"/>	86
Strengths:				
Areas of Concern:				
Conclusions				
M	Description of Employee Rights	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Description of employee rights upon leaving school district		<input type="checkbox"/>	87
	Acknowledgment whether collective bargaining contract in sponsor district will be controlling	<input type="checkbox"/>		87
	Whether and how charter school staff may resume employment within the district	<input type="checkbox"/>		87
	Sick/vacation leave (ability to carry it over to and from charter school)	<input type="checkbox"/>		87
	Whether charter school staff will continue to earn service credit (tenure) in district while at charter school	<input type="checkbox"/>		87
	How employees will be paid (e.g. salaried, hourly, etc.)	<input type="checkbox"/>		87
	Describes employee benefits	<input type="checkbox"/>		87
	Identifies intended employment status of charter school employees	<input type="checkbox"/>		87
	Identifies whether the charter school will be responsible for the payment of social security and applicable taxes for charter school employees	<input type="checkbox"/>		87
	Describes how rights will be communicated to prospective employees	<input type="checkbox"/>		87
Strengths:				
Areas of Concern:				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Conclusions				
N	Dispute Resolution Process	Evidence	Addressed in Petition	Pages
	Outlines a simple process for charter and granting agency to settle disputes	<input type="checkbox"/>		88-89
	Process indicates whether it is binding on school or granting agency/fair process	<input type="checkbox"/>		89
	Step by step process for identifying/framing dispute points	<input type="checkbox"/>		88-89
	<ul style="list-style-type: none"> Whether internal charter disputes may be brought to granting agency 	<input type="checkbox"/>		89
	<ul style="list-style-type: none"> Identifies specific parties to be involved at each step 	<input type="checkbox"/>		89
	<ul style="list-style-type: none"> Basic rules at each step 	<input type="checkbox"/>		89
	<ul style="list-style-type: none"> Which results are binding 	<input type="checkbox"/>		89
Strengths:				
Areas of Concern:				
Conclusions:				
O	Labor Relations	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Whether charter or local school district will be employer for EERA purposes		<input type="checkbox"/>	90
	If local district the employer, includes provisions clarifying charter's roles in collective bargaining	<input type="checkbox"/>		90
	A declaration of whether charter school employees will be part of the collective bargaining unit in the sponsoring district	<input type="checkbox"/>		90
	Statement that charter school employees who are part of the sponsoring district's or county's employee union will be employed under the terms of the district or county collective bargaining agreement	<input type="checkbox"/>		90
	If the petitioners elect not to have charter school employees join the sponsoring district's or county's employee union, a declaration as to whether petitioners intend to organize and bargain as a separate unit. Note the charter employees are not required to engage in collective bargaining, but they have that right if they choose as a group to do so.	<input type="checkbox"/>		90
Strengths:				
Areas of Concern:				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Conclusions				
P	Closure of Charter School	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	Outlines an adequate process to be used if the charter school closes	<input type="checkbox"/>		91-93
	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"/>		91-93
	What the employment status relative to the district/county of charter school employees is and what it will be in the event the charter school ceases or in the event employees seek employment in the district/county	<input type="checkbox"/>		91-93
Strengths:				
Areas of Concern:				
Conclusions				
REQUIRED SUPPLEMENTAL INFORMATION: Education Code § 47605(g)				
i	Administrative Services	Evidence	Addressed in Petition	Pages
<input type="checkbox"/>	Outlines an adequate process to be used if the charter school closes		<input type="checkbox"/>	97-99
	Process includes a final audit of the charter school that includes specific plans for disposition of any net assets and for the maintenance and transfer of pupil records	<input type="checkbox"/>		91-93
Strengths:				
Areas of Concern:				
Conclusions				
ii	Civil Liability	Evidence	Addressed in Petition	Pages
<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		<input type="checkbox"/>	99-100

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

operates or proposes to operate and upon the county board of education?				
Strengths:				
Areas of Concern:				
Conclusions				
iii	Financial Plan	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> • First year operational budget includes: 		<input type="checkbox"/>	[REDACTED]
	<ul style="list-style-type: none"> • Start-up costs 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Cash flow for first three years 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Financial projections for first three years 	<input type="checkbox"/>		[REDACTED]
Strengths:				
Areas of Concern:				
Conclusions				
iv	Planning Assumptions	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> • Number/types of students 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Number of staff 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Teacher/student ratio 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Facilities needs 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Whether the charter school will participate in the National School Lunch Program 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Costs of all major items are identified and within reasonable market ranges 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Revenue assumptions in line with state and federal funding guidelines 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Revenue from "soft sources" (e.g., donations, grants and fundraisers) less than 10% of ongoing operational costs 	<input type="checkbox"/>		[REDACTED]
	<ul style="list-style-type: none"> • Timeline allows window for grant applications to be submitted and funded 	<input type="checkbox"/>		[REDACTED]
Strengths:				
Areas of Concern:				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Conclusions				
v	Start-Up Costs	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Clearly identifies most major start-up costs 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Staffing 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Facilities 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Equipment and Supplies 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Professional Services 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Assumptions in line with overall school design plan 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Identifies potential funding source that could or would fund these costs 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Timeline allows for grant and fundraising 	<input type="checkbox"/>		
Strengths:				
Areas of Concern:				
Conclusions				
vi	Annual Operating Budget	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Annual revenues and expenditures clearly identified by source and expenditures are clearly identified by destination (i.e. object codes). 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Revenue assumptions closely related to applicable state and federal funding formulas 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Expenditure assumptions reflect school design plan 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Expenditure assumptions reflect prevailing or market costs 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> "Soft" revenues (e.g. fund-raises and grants) are not critical to solvency 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Strong reserve or projected ending balance (the larger of 2-5% of expenditure or \$25,000) 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> 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"/>		
	<ul style="list-style-type: none"> Budget clearly indicates restricted versus general operating/flexible funds. 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Expenditure for sufficient insurance to name district as also insured/hold harmless agreement 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Expenditure sufficient for reasonably expected legal services 	<input type="checkbox"/>		

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

<ul style="list-style-type: none"> Expenditure for Special Education excess costs consistent with current experience in county 	<input type="checkbox"/>		
<ul style="list-style-type: none"> Description of all insurance the charter school will purchase, complete with annual cost 	<input type="checkbox"/>		

Strengths:

Areas of Concern:

Conclusions

vii	Cash Flow Analysis	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Monthly projection of revenue receipts in line with state/federal funding disbursements 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Expenditures projected by month and correspond with typical/reasonable schedules 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Show positive fund balance each month and/or identify sources of working capital 	<input type="checkbox"/>		

Strengths:

Areas of Concern:

Conclusions

viii	Long-term Plan	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Projects revenues and expenditures for at least three additional years (in addition to first year budget). 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Revenue assumptions based on reasonable potential growth in state and federal revenues 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Revenue assumptions based on reasonable student growth projections 	<input checked="" type="checkbox"/>		
	<ul style="list-style-type: none"> Expenditure projections are inflated by reasonable cost-of-living and inflation assumptions and school growth assumptions. 	<input type="checkbox"/>		
	<ul style="list-style-type: none"> Projected annual fund balances are positive or likely sources of working capital are identified to cover projected deficits. 	<input type="checkbox"/>		

Strengths:

Areas of Concern:

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Conclusions				
ix	District Impact Statement	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Does the charter include an impact statement? 	<input type="checkbox"/>		13-14, 100, 155-160
	<ul style="list-style-type: none"> Provides estimated numbers of students anticipated to enroll 	<input type="checkbox"/>		32
	<ul style="list-style-type: none"> Identify whether or not will request district-owned facilities 	<input type="checkbox"/>		13-14
Strengths:				
Areas of Concern:				
Conclusions				
x	Grade Level, Geographic and Site Limitations	Evidence	Addressed in Petition	Pages8
	<ul style="list-style-type: none"> 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"> If not, does the Petition demonstrate any basis for an exception 	<input type="checkbox"/>		13-14
	<ul style="list-style-type: none"> Does the Petition identify where the school will operate 	<input type="checkbox"/>		13-14
	<ul style="list-style-type: none"> Does the Petition demonstrate that it will not serve grade levels not served by this district unless it serves all of the grade levels 	<input type="checkbox"/>		NA
Strengths:				
Areas of Concern:				
Conclusions				
xi	Annual Financial Report	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> 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. 	<input type="checkbox"/>		82
Strengths:				
Areas of Concern:				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Conclusions				
xii	Facilities / Transportation	Evidence	Addressed in Petition	Pages
	<ul style="list-style-type: none"> Specify where school intends to be located and describes facilities to be used by the charter school. 	<input type="checkbox"/>		13-14, 18, 31, 22-23
	<ul style="list-style-type: none"> 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. 	<input type="checkbox"/>		13-14
	<ul style="list-style-type: none"> 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. 	<input type="checkbox"/>		13-14
	<ul style="list-style-type: none"> Transportation arrangements, if any. (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.) 	<input type="checkbox"/>		31, 99
Strengths:				
Areas of Concern:				
Conclusions				
xiii	Insurance Coverage	Evidence	Addressed in Petition	Pages
	<ul style="list-style-type: none"> 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. 	<input type="checkbox"/>		3, 97-99
	<ul style="list-style-type: none"> Liability of district/county to handle payments if charter school defaults: <ul style="list-style-type: none"> for schools organized pursuant to Non-Profit Benefit Corporation Law for schools not covered by Non-Profit Benefit Corporation Law AB 1994 General Assurances "Boiler Plate" Language 	<input type="checkbox"/>		97-99
Strengths:				

OPPORTUNITY YOUTH ACADEMY CHARTER PETITION

Areas of Concern:
Conclusions

ⁱ It is our belief that we, as petitioners, are demonstrably likely to successfully implement the program. Data from our partner SIATech demonstrate exceptional student growth and the success of our model; please see APPENDIX G on pg. 115 of the petition.