



Student and Parent/Guardian Handbook
2018-2019

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INTRODUCTION

Dear Students and Parents/Guardians,

Welcome to Pivot Charter School! We strive to provide a welcoming atmosphere of respect and kindness.

Pivot Charter Schools (PCS) is a unique “blend” of both Independent Study and Site Based online educational programs, commonly referred to as blended learning. It has been designed to include significant amounts of individualized support for the students and parents to help ensure student success. The PCS program is the perfect option for students who want to receive a quality education while working at their own pace and be able to ask questions immediately when they don’t understand something; furthermore, this program meets the needs of both students who want access to Advanced Placement classes to get “ahead” in their education or those who need to “catch up” in credits.

In order to be successful in the PCS program, students should be strong, independent workers, have someone at home closely overseeing their schoolwork or they should be willing and able to attend one of the supplemental site based programs at our resource center outlined below. It is imperative that all students be willing to ask for help when they need it. Highly successful PCS students generally meet all of these conditions.

Students are responsible for logging in to their assigned online learning system(s) and completing work in their courses every school day, and students will be held accountable by the administrator, their assigned Educational Coordinator and even by their parents. The staff at PCS is here to support students and their families and determine what will work best to ensure each student’s academic success. Although PCS can individualize each student’s program, PCS may not be an appropriate placement for all students.

How to be a Successful Student at Pivot Charter School:

- ❖ Complete and submit 5 assignments (3 for elementary and middle school) each day
- ❖ Ask questions of any teacher
- ❖ Take notes and use study guides for all quizzes and tests
- ❖ Communicate regularly with your Educational Coordinator (“EC”) to discuss grades and progress
- ❖ Schedule study hours and study location every school day
- ❖ Spend the first two weeks on site, or contact your EC daily during this startup period
- ❖ Attend site based workshops
- ❖ Get started on community service early

Mission

The mission of Pivot Charter School is to instruct students in grades TK-12 through a rigorous online educational platform with significant levels of individualized attention supported by class offerings and project based programs at our resource centers. The unique educational program coupled with flexible scheduling and a caring environment provides students the skills, confidence and motivation to lead a successful and productive life in the 21st century.

Vision

The vision of Pivot Charter School is to create a network of high performing charter schools throughout California which provide an exciting blended learning program including site based and online components. By using a robust standards based online curriculum, Pivot truly individualizes students' academic programs. The key to our success is the significant level of one-on-one attention students receive at Pivot. Students can get the assistance they need in a caring and confidential environment. The high tech and comfortable resource center provides different programs such as drama, contemporary art, multi-media arts, gardening, physical education, community service, clubs, sports, and English language support classes.

Very Important Pivot Concepts

- ❖ Families are required to attend an orientation and students must take the i-Ready assessments before starting their coursework. Parents/guardians are required to attend a 1.5-hour orientation with their student and then the student is required to attend another 1.5-hour orientation to learn about and practice accessing the curriculum for their grade level.
- ❖ **Students must login to the online curriculum daily and complete and submit at least 5 assignments (for high school) or 3 assignments (for middle and elementary school) in order to remain in good standing and be considered "in attendance" at school.**
- ❖ Students must have a computer and internet access to successfully engage in the Pivot program.
- ❖ While Pivot Charter School can individualize curriculum families should realize that students who do not complete a semester worth of work each semester may delay their graduation date and may be considered "truant" if work is not being completed as expected.
- ❖ Students who are on the Mutli Tiered System of Support level II are NO LONGER PERMITTED TO REMAIN A VIRTUAL STUDENT and must come to the resource center to receive the support they need to succeed and make progress.
- ❖ All students who receive special education services must come to the resource center for those services unless the IEP specifically delineates virtual services.
- ❖ All students enrolled full-time with Pivot Charter School are required to participate in state mandated annual assessment tests.
- ❖ It is important to understand the Pivot Plagiarism Policy (see below).
- ❖ Please keep in mind that Pivot uses a modified block schedule. Students withdrawing in the middle of any semester may lose credit for their work and may not be able to matriculate well in to a traditional school schedule. Please work with your Educational Coordinator and our Registrar prior to deciding to withdrawal from Pivot.

Supportive Parent(s)/Guardian(s) at Pivot Charter School:

- ❖ Communicate regularly to discuss grades and progress with EC and student
- ❖ Establish a consistent schedule for students to work each day
- ❖ Create a supportive work environment at home since most students can not complete their required work in the time that they attend the supplemental site based programs
- ❖ Bring students to the supplemental site based programs at the resource centers where students can get help and participate in activities
- ❖ Join Pivot on field trips and special events

The Pivot Program

If there is space, students may be at the resource center five days a week for several hours but Pivot does not provide an all-day program at the resource center. The PCS program is an independent study program and the programs at the resource centers are supplemental to students' independent

study/homeschool online program. Attending Pivot’s resource center programs is a privilege and should be treated as such.

Students may also choose two and three-day afternoon programs at many resource centers. The morning programs are reserved for students attending the 5 day a week program. These programs may fill up. If this happens, students are encouraged to attend the afternoon programs. All students who wish to be in the morning program and do not get in upon enrollment due to space constraints, will be placed on a waitlist for the supplemental 5 day a week site-based program. As other students leave the 5 day a week program the school will randomly draw student names to fill those spaces. If you sign up for the 5 morning a week program and your student does not regularly attend, the student will lose their spot in that program. Parents/Guardians will be notified when the student is at risk of losing their spot in the 5 morning a week program.

If students are getting behind in their work and are placed on MTSS (see below), then they may be required to attend the resource center programs to get the assistance they need.

These resource center programs are a privilege which students must appreciate by abiding by the school policies, respecting each other and staff, and working steadfastly while at the resource center, or they can lose their opportunity to attend.

Policies and Procedures

The information in this handbook provides you information regarding our school’s policies, procedures, and guidelines. We hope it will be a useful resource for you throughout the year. If you have any questions about these, please contact your Educational Coordinator or Site Administrator.

Pivot Charter School Code

It is our intention that students who attend PCS will:

Show respect for their character and their bodies by:

- choosing a healthy lifestyle that would preclude the use, possession or distribution of drugs, alcohol or tobacco;
- choosing their speech carefully and thoughtfully, eliminating profane and vulgar language;
- choosing to conduct themselves with honesty and integrity by not engaging in theft, cheating, plagiarism, or untruthful statements; and
- choosing to exhibit a positive attitude about themselves and the world around them.

Show respect for others by:

- choosing to respect others’ boundaries, both physical and psychological, so that the environment is safe and free from violence and harassment;
- choosing to respect others’ possessions; and
- choosing to be kind and considerate at all times, using acceptable problem-solving skills to work out differences.

Show respect for their environment by:

- choosing to care for the buildings and locations made available to our school, eliminating vandalism or careless neglect and
- choosing to respect the natural environment and the issues surrounding the stewardship of our planet.

Enrollment and Student Records

Students who are eligible to enroll in Kindergarten as of September 1st of the school year through age 19 may be enrolled in Pivot Charter School. Transitional Kindergarten (TK) is also available; please contact the school for more details on the age requirements for TK. Students over 19 years of age may only be enrolled if they have been continuously enrolled in a public school since age 19 and have been making appropriate academic progress toward graduation.

Incoming students in grades TK-8 will be placed in the grade that matches their chronological age, unless the previous school indicates they would have been retained; however, students may still work on materials that are at a higher grade level if appropriate for the student.

Incoming students in grades 9-12 will be placed in a grade level based on English credits earned as demonstrated on their official transcript.

Students may be enrolled in only one school at a time. They may not be enrolled in any other public or private school while enrolled in Pivot Charter School.

Students and parents are required to inform their EC if there is a change of address, phone number or email, a proof of address on file is required to complete a change of address. A student's demographic information must be kept current at all times. Communication is an essential component of a successful educational experience.

Immunizations and Physical Examinations

To ensure a safe learning environment for all students, Pivot Charter School follows and abides by the health standards set forth by the state of California. Students will not attend school until all required records have been received. The immunization status of all students will be reviewed periodically. Those students who do not meet the State guidelines may be excluded from school activities on site until the requirements are met but students may still work on the online curriculum from home or other appropriate location other than the school resource center. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of Pivot Charter School.

Dress Code

Modesty and decency of dress is stressed at Pivot Charter School. There is a direct relationship between dress, grooming, conduct, and success in school. Students are expected to dress and groom themselves with the formality of school in mind, and make responsible decisions about how to dress appropriately for different situations.

All students of Pivot Charter Schools shall be required to maintain the level of personal hygiene necessary to ensure a healthful school environment and to refrain from any mode of dress which proves to contribute to any disruption of school functions.

Administrators and teachers shall enforce the dress code policy. The Executive Director or designee shall be the final judge as to the appropriateness, neatness, and cleanliness of the apparel, or whether or not apparel is disruptive, distracting, or in violation of the dress code.

The minimum standard of dress is as follows:

- Shoes shall be worn. No bedroom shoes or slippers are permitted. Closed toe shoes must be worn when participating in lab activities and physical education activity classes.
- Clothing or ornamentation displaying or advertising substances illegal for minors is prohibited.
- Suggestive phrases, designs, markings, or profanities are prohibited.
- Shirts must meet the following criteria:
 - No midriff shirts, blouses, or tops. No skin is to be exposed on the torso at any time.
 - No sheer or "see through" garments.
 - No low cut necklines.
 - No backless tops.
 - No body-tight spandex or stretch material.
 - No strapless shirts or "tube tops".
 - No off-the-shoulder shirts.
- Appropriate undergarments are required. Undergarments, including boxer shorts, should not be visible.
- Shorts, skirts and dresses must be of an acceptable length:
 - The length of shorts, skirts, and dresses must extend to mid-thigh.
 - Slits in shorts, skirts, dresses, and pants must not extend higher than mid-thigh.
 - Athletic shorts must not be shorter than mid-thigh.
- If leggings are worn, they must be worn under acceptable shorts, skirts, or dresses.
- When fitted properly at the waist, clothing, including pants, skirts and dresses may not contain sizeable holes above the knee.
- Pants and trousers must fit with no sagging that exposes undergarments. Pants must be secured around the waist.

Students are expected to adhere to the above guidelines when dressing for school. If there is any question about the appropriateness of an item, please do not wear it.

Dress Code Violations

Students will not be allowed to attend class improperly dressed. Dress code violations are cumulative for both semesters.

First Offense – Students will be given a warning and will be sent to home to change their attire or they must wear a Pivot shirt they are given.

Second Offense – Student may lose their privilege to attend the site-based program for a set number of days or for an entire semester.

Pivot will work with students to understand what is and is not appropriate for school.

Re-Enrollment and the Lottery

All current students who wish to re-enroll for another year must complete a re-enrollment form by the deadline provided with the paperwork each spring semester. Parents will be given a one-month notice

both by email and USPS mail prior to the deadline. According to our charter, siblings of students who are currently enrolled and other priority students as outlined in the charter are given preference for vacancies prior to the cutoff date. After the deadline, all applicants will be placed on a wait list. If necessary, a public lottery will be held where student names will be drawn at random to determine enrollment anytime within the school year when a vacancy or enrollment position becomes available. All names not selected during the first lottery will go back on a wait list. Wait lists do not carry over from one school year to the next.

Communicating with your Educational Coordinator

Educational Coordinators must meet with parents and students periodically to review the student's progress. It is their responsibility to work with families and the administration to do whatever is possible to ensure the student's academic success. The primary focus of each student meeting after an initial meeting is to review the student's work product and grades, review completion rates and log-in activity, and assess the student's needs in general.

Important: Students and parents are required to respond to communication attempts by the EC within 24 school day hours. Not doing so may result in a truancy violation. Parents/Guardians MUST check email accounts frequently. Email and text are the primary method of communication with students and families. Please make sure to inform your EC of any phone number, email address, or physical address changes.

Application of Independent Study Laws at Pivot Charter School

Pivot Charter School is considered an Independent Study Charter School according to the California Department of Education. As such, the school must abide by the laws and regulations that pertain to independent study in the California public schools.

The Governing Board of PCS has adopted the following policies for operation of Independent Study:

- ❖ For pupils in all grade levels offered by PCS, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be twenty (20) school days.
- ❖ A pupil may miss three (3) assignments during any period of twenty (20) school days before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study.
- ❖ Therefore, when any pupil fails to complete three (3) assignments during any period of twenty (20) school days, the Executive Director or his or her designee shall conduct an evaluation to determine whether it is in the best interest of the pupil to remain in independent study. A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim pupil record. This record shall be maintained for a period of three years from the date of the evaluation and if the pupil transfers to another California public school, the record shall be forwarded to that school.
- ❖ A current written agreement, called a Master Agreement, shall be maintained on file for each independent study pupil.
- ❖ A Master Agreement is a document that outlines the student's educational program for one year. The Master Agreement includes required policies as well as a summary of the courses the student will attempt. The EC, parents, and student complete the Master Agreement together

based on the student's graduation plan. The Master Agreement MUST be signed and dated by the EC, the student, the parent and any other persons involved in the student's educational program before the student will be allowed access to classes. Other core credentialed teachers and graders will also sign each student's Master Agreement on a third signature page to demonstrate their involvement in the student's educational program.

- ❖ The Master Agreement may be altered based on the students' needs throughout the school year. If the Master Agreement is changed the parent will be notified via email as to the change and written approval will be requested.

Online Curriculum

Pivot Charter School has contracted with several online curriculum providers. To access online courses, students should go to the Student Portal of the website for their particular school.

pivotonlinecharter.com

pivotnorthbay.com

pivotnorthvalley.com

pivotriverside.com

pivotsandiego.com

To access the Student Portal, use the Resource Center tab and then click Student Portal. Links to all of the login pages are posted on the Student Portal. This is particularly useful for students who take courses through more than one of Pivot's online curriculum providers.

In order to begin working in their classes, students will receive their usernames and passwords from their EC via email once they have signed their Master Agreement and completed Pivot's mandatory orientation and i-Ready assessment. These usernames and passwords allow students to access their courses from any internet-capable computer.

Students are required to work in their courses every day school is in session. Students may also get ahead in their course work and do extra work on non-school days for course credit, but attendance cannot be claimed for that work. Students should be working on schoolwork equivalent to what would be completed at a traditional school, a minimum average of 5 assignments completed per day for high school students and a minimum average of 3 assignments completed per day for K-8 students. This may require the student to work between 5 and 7 hours a day. If students are not completing the required number of assignments each day, they may be placed on a multi-tiered system of support (see below) in order to support the student to be successful. Continued lack of work will cause the student to be considered "truant".

- o 7 hours a day for a high school student for a total of 35 hours each week
- o 5 ½ hours a day for a student in grades 4 – 8 for a total of 27.5 hours each week
- o 5 hours a day for a student in grades 1 - 3 for a total of 25 hours each week
- o 4 hours a day for a student in kindergarten for a total of 20 hours each week

Mathematics Placement Policy for Entering 9th Grade Students

This policy has been adopted to establish a fair, objective, and transparent protocol for placement in mathematics courses for students entering 9th grade, in order to ensure the success of every student and to meet the Legislative intent of the California Mathematics Placement Act of 2015.

Initial Placement

Entering 9th grade students will be initially placed in mathematics courses according to the following criteria:

- ❖ **Prior Year Report Card or Transcript:** A student's 9th grade mathematics course placement will be determined first and foremost by his or her prior performance in mathematics courses, as evidenced by an official report card or transcript. A grade of 70% C- or higher in the student's most recent mathematics course will earn an advancement to the next level course* for 9th grade. A grade of less than 70% C- in the student's most recent mathematics course will require repetition of an equivalent course* in 9th grade.
- ❖ **Standardized Test Results:** If a report card or transcript from the prior school year is not available at the time of enrollment, or if staff wish to review/confirm the validity of mathematics course placement based on a report card or transcript, the most recent standardized test results in mathematics may be used. If standardized test results are used to determine mathematics course placement, results showing that a student met or exceeded 8th grade level mathematics standards will cause the student to be placed in Algebra 1 in 9th grade. Results showing that a student did not meet or nearly met 8th grade level mathematics standards will cause the student to be placed in Pre-Algebra in 9th grade.
- ❖ **Mathematics Entry Exam:** If a report card or transcript from the prior school year is not available at the time of enrollment, a student's 9th grade mathematics course placement may be determined by his or her performance on a mathematics entry exam administered in person at the resource center. The mathematics entry exam may also be used to confirm or review placement based on a prior year report card, transcript, or standardized testing results.
- ❖ **Course Request:** If no prior year report card, transcript, or standardized testing results are available, and a student cannot physically attend the resource center to take the mathematics entry exam, the student's 9th grade mathematics course placement may be determined by a conversation between Pivot Charter School staff, the student, and the student's parent(s) or legal guardian(s). A similar conversation may be used to confirm or review placement based on a prior year report card, transcript, standardized testing results, or the results of the mathematics entry exam.

* Pivot Charter School's standard high school college preparatory mathematics course progression and equivalent courses are listed in the table below. Many variations are possible, and some additional/optional mathematics course offerings are not listed. The table below shows only the courses that 8th graders and entering 9th graders routinely take.

Pivot Charter School Course Progression (Examples of Equivalent Courses)

Pre-Algebra Algebra Readiness 8th Grade Math	Algebra 1 Mathematics I	Geometry Mathematics II	Algebra 2 Mathematics III
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Placement Review Checkpoint

The aforementioned criteria will determine initial placement in mathematics courses. However, 9th grade students' performance in mathematics courses will be reviewed within one month of the start of the school year, and some students' mathematics course placements may change. Each student's course placement will be confirmed or changed based on his or her performance in the initially assigned mathematics course. If a student is struggling significantly, he or she may be placed in a mathematics support course or tutorial, or may be reassigned to a lower level course.

The Executive Director, or his or her designee, shall examine aggregate student placement data annually to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures included in this policy are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. Pivot Charter School shall annually report the aggregate results of this examination to the PCS Board.

Recourse

In the event that a student or his or her parent or legal guardian wishes to question the student's mathematics course placement, a request must be made in writing to the student's Educational Coordinator (EC). The EC will review the student's progress and performance, discuss options with the person who made the request, and apply any changes agreed upon by the concerned parties. If the requesting party is dissatisfied with the results of the EC's review or recommendations, a request for mathematics course placement review must be made in writing to the Executive Director. The Executive Director will resolve any dispute and make the final determination regarding the student's mathematics course placement.

Laptop Loan Policy

Students must have a computer and internet access to successfully engage in the Pivot program. Pivot has a limited number of laptops that can be issued to students who are in good standing (submitting a minimum of 3 or 5 assignments daily, depending on grade level) for at least 30 consecutive school days and are in financial need (as determined by the income survey supplied to the school with the application). If a student needs a laptop, they should speak with their EC and they will provide the student and parent with information regarding the laptop loan program. Laptops generally reach the family within 1-2 weeks of submission of the hardware agreement. PCS has the right to request the return of a laptop at any time. All laptops will be collected at the end of the year. Any laptop not returned will be pursued through all possible remedies available to Pivot under the law.

Credits, Course Completion, and Early Promotion

High school students should attempt no less than 30 credits per semester and will not be permitted to attempt more than 35 credits each semester unless written approval is obtained by the Executive Director or their designee. Additionally, students who wish to attempt less than 30 credits in one semester will also be required to receive the Executive Director's written approval. The EC of the student must submit a Request for Credit Limit Waiver form signed by the parent, student, and EC for consideration by the Executive Director. If a student completes more than 35 credits without prior approval, the student and EC must meet with the Executive Director and undergo a review process to determine if all of the credits will be awarded. Only students who have a track record of successfully working independently and completing all assigned work will be permitted to attempt credits in excess

of 35 per semester. A successful track record is defined as at least two consecutive semesters (25 to 30 credits per semester) of completing all courses with a 70% grade of “C-” or higher.

In order to be approved to progress ahead of schedule, any K-12 student must:

- Earn a final grade of 80% B- or higher in all of the currently assigned courses.
- Complete all course assignments with no zeros.
- Demonstrate standards mastery and readiness for the next courses or grade level on i-Ready, SBAC, and other appropriate proctored assessments. In general, students should score at or above their current grade level. For example, a 7th grader wishing to start Spring courses early should have minimum scores in their most recent i-Ready assessment that reflect skills mastered by the middle of the 7th grade year. SBAC scores should reflect that the student has met or exceeded standards for the grade level tested.
- Have a record of appropriate study habits and consistent progress in all course work.
- Work with their EC to obtain written administrative approval from the Curriculum Coordinator before beginning the next set of courses or the next grade level.

If a student tries a class and feels unable to complete it, they may choose to “Drop” the course without the course being posted to their transcript. This must occur within ten calendar days of beginning the course. The student must contact their EC immediately if they know they want to drop a class or if they feel they should put a class on hold before beginning. If a student is not able to work in their classes for any reason, they should notify their EC immediately.

If a student does not pass a class with a 59% or higher, no credits will be granted, an F grade will be posted on the transcript, and the course will be repeated if necessary for graduation. Students who fail a course are responsible for working with their EC to be re-enrolled in the course.

Students must complete all assignments for every course unless otherwise determined by the teacher, the EC, a special education service provider, or the Executive Director.

It is recommended that students complete all assignments and assessments in order. Teachers will assign zeros to work not completed and this will affect the overall grade the student receives for the course. However, if a student has more than three zeros in a course, the student will not earn full credit.

Students taking a class or receiving tutoring at the resource center should also work in their online courses on those days. Attending one or two resource center classes does not constitute a full day of school work.

Partial Credit Policy

PCS will grant either 2.5 credits for completion of work equal to 1/4 of a yearlong course (half of a semester) or 5 credits for completion of work equal to ½ of a yearlong course (one semester). PCS does not give partial credit less than a quarter of a year’s worth of work unless the student is classified as foster or homeless, or the student needs partial credits to complete a course attempted prior to attending Pivot. In the event that a student comes to PCS midway through the school year with completed work from another school, PCS reserves the right to grant 2.5 credits for work that equates to ¼ of a year. Students enrolling midway through a year may be enrolled in a partial course or a prescriptive course by their EC, allowing the students to enter the courses as close to where they left off as possible.

Course Pacing and Block Schedules

Students will be expected to complete their assigned coursework within each “block” of each semester. At the end of each block, the current courses will be locked (completed or not) and the new courses provided in the student’s Credit Evaluation will be opened. If students finish their assigned block coursework before the end of that block, they will have the opportunity to finish unfinished coursework from previous blocks in that same semester. If students have not completed courses at the end of Fall semester, the student may be allowed to “roll over” that same course and continue it Spring semester. However, if they are not able to complete the first semester in addition to the second semester of that course by the end of the year, they will either have to take summer school or start over in that course the next year, thus delaying graduation.

Families should also know that many times an incomplete course will not properly transfer to another high school, and your students may lose more time and credits if they transfer before completing all of their assigned courses therefore, families should consider when they choose to withdrawal from Pivot as a student may lose credits for the work they have completed with Pivot. Please work with your EC to determine student standing in courses and credits.

Graduation Requirements

Academies

UPREP Academy

University Preparatory Academy (“UPREP”) requires students to complete 225 credits to graduate. These graduation requirements are aligned to Cal State Universities and the University of California A-G minimum requirements for acceptance. Graduating from the UPREP Academy does not guarantee acceptance into any UC or CSU school. The student who graduates from the UPREP academy will have met the minimum acceptance criteria. Students are encouraged to take classes above the minimum requirements for entry into the University of California or Cal State schools and are also encouraged to take Advanced Placement courses. Students will work in Apex Learning and Edmentum curriculum as well as science courses through concurrent enrollment at local community colleges. Please keep in mind that the UC and CSU system does not accept any courses with a grade of a D or less. Therefore, those classes would have to be repeated to be considered a UPREP course. This may extend the student’s graduation date.

Liberal Arts Academy

The Liberal Arts Academy also requires the student to complete 225 credits to graduate. The course requirements are NOT aligned to the University of CA or CSU requirements for admissions. Students who graduate from the Liberal Arts Academy will still be eligible to attend thousands of other four and two year colleges as well as universities in California and throughout the country. Liberal Arts Academy students will work in the Apex Learning and Edmentum curriculum. The primary differentiation from the University Preparatory Academy is that since the focus is not on completing the University of California A-G course requirements, students have more flexibility of which courses will meet their high school diploma requirements. For example, all Pivot students must finish 2 years of science in order to receive a diploma; one year of physical science and one in a life science. University Prep students must take Biology, Chemistry, and sometimes Physics. Liberal Arts Academy students can substitute different

courses to fulfill their science requirements by taking other rigorous courses such as Earth Science or Environmental Studies.

Graduation Requirements Chart

The graduation chart below reflects changes made by the Governing Board of Roads Education Organization at a regularly scheduled meeting in June, 2018. Student enrolled in grades 9-12 at Pivot Charter School prior to September, 2018 will be held to the graduation requirements that existed when they enrolled in the school. For more information about those requirements, please contact your Educational Coordinator.

State Mandated Requirements (EC 51225.3) For High School Graduation	Liberal Arts Academy	UPREP Academy
English Three Years 30 Credits	English Four years 40 credits	English Four years of college preparatory English that integrates reading of classic and modern literature, frequent and regular writing, and practice listening and speaking 40 credits
Math Two years, including Algebra I, beginning in 2003–04. (EC 51224.5) 20 Credits	Math Two years including Algebra 1 and other 20 credits	Math Three years of college-preparatory mathematics that include or integrate the topics covered in elementary and advanced algebra and two- and three-dimensional geometry 30 credits
Science Two years, including biological and physical sciences. 20 Credits	Science One Year Physical Science - One Year Life or Biological 20 credits	Science Two years of laboratory science providing fundamental knowledge in at least two of the three disciplines of biology, chemistry and physics. Three years recommended 20 credits
History Three years of history/social studies, including one year of U.S. history and geography; one year of world history, culture, and geography; one semester of American government and civics, and one semester of economics 30 Credits	History Three years of history/social science including one year of U.S. history and geography, one year of world culture and geography, and one semester each of American Government and Economics 30 credits	History Three years of history/social science, including one year of U.S. history & geography; one year of world history, culture, and geography; and one semester each of American government and Economics. 30 credits

Technology/Computers N/A	Tech One year 10 credits	Tech One year 10 credits
PE Two years 20 credits	PE Two years 20 credits	PE Two years 20 credits
Community Service N/A	Community Service 5 credits per year = 20 total	Community Service 5 credits per year = 20 total
VAPA, Foreign Language, CTE One year of either visual and performing arts, foreign language, or career technical education** 10 credits	VAPA, Foreign Language Two years of either visual and performing arts or foreign language 20 credits	Foreign Language Two years of the same language other than English or equivalent to the second level of high school instruction. 20 credits
	CTE One year of career and technical education courses. 10 credits	VAPA One year of visual and performing arts chosen from the following: dance, drama/theater, music, or visual art. 10 credits
Electives N/A	Electives 35 credits	Electives, CTE One year chosen from the “a-f” courses beyond those used to satisfy the requirements above, or courses that have been approved solely in the “g” elective area 25 credits
130	225 credits	225 credits

Grading Scale

A+	98% – 100%
A	93% – 97%
A-	90% – 92%
B+	87% – 89%
B	83% – 86%
B-	80% – 82%

C+	77% – 79%
C	73% – 76%
C-	70% – 72%
D+	67% - 69%
D	63% - 66%
D-	60% - 62% F

0%-59%

Below 60% = no credit

Approved University of California A-G Course List Links

Pivot Charter School North Bay - <https://hs-articulation.ucop.edu/agcourselist#/list/details/4208/>

Pivot Charter School North Valley - <https://hs-articulation.ucop.edu/agcourselist#/list/details/4617/>

Pivot Charter School Riverside - <https://hs-articulation.ucop.edu/agcourselist#/list/details/4796/>

Pivot Charter School San Diego - <https://hs-articulation.ucop.edu/agcourselist#/list/details/4618/>

Grade Reports

Grade reports (report cards) will be provided at the end of each semester.

Progress Reports

Progress reports will be sent out at the end of blocks 1 and 2 of Fall semester and blocks 4 and 5 of Spring semester. They will provide a snapshot of the students current standing in courses attempted up to that point. Grades on progress reports are not final.

Community College Courses

We encourage and support students who want to take college classes. Your local Pivot college counselor will assist students in enrolling in these classes. Students who take community college classes receive college credit on their transcript AND it counts as a high school credit class (if they pass the class). The local college counselors encourage all students (some junior colleges have age and/or Grade Point Average (GPA) requirements) to take at least one junior college course, even if it is just something the student will enjoy. The course does not have to be core content area like Physics or English (unless the student is UPREP and a lab science has to be taken at the junior college).

If a student is planning on taking a class at a community college, or other accredited college either online or on campus, the student must receive the EC's written approval by obtaining the appropriate forms from the college.

It is the responsibility of the student who wishes to take a class at a college to obtain this form from the community college. PCS is not responsible for notifying families of college deadlines. Students must provide written verification of enrollment in the course within one week of enrollment if they want the classes to be applied toward PCS requirements for graduation from high school. The verification will remain in the student's file. All college courses will be entered on the Master Agreement with a

designation of a “CC” or other designation showing that the course will not be completed at PCS but through a community college. This way PCS can track the courses each student committed to complete at a community college, and know what transcripts to expect at the end of the semester. Student must provide the PCS Registrar with an official copy of the college transcript within three weeks of completion of a course if they want the course to be applied to their high school transcripts. The Registrar will add the college courses that are successfully completed to the student’s transcript.

Community College Credits

Community college courses may be transferred to PCS as follows:

- 4-5 unit community college class, successfully completed = 10 credits at PCS
- 2-3 unit community college class, successfully completed = 5 credits at PCS
- 1 unit or less community college class, successfully completed = 1 credit at PCS

Community Service Credits

High school students are required to complete 40 hours of community service every year that they are enrolled at Pivot. Community Service credits may be completed by submission of properly documented and approved community service hours through an outside agency. Students are eligible for 2.5 credits for every 20 hours and 5 credits for every 40 hours of community service. The grade issued will be pass/fail. Students are only required to complete community service hours from the beginning of enrollment at PCS (i.e. students will not be required to “make up” hours from previous semesters if they are transferring into PCS).

Multi-Tiered System of Support (MTSS)

The following progressive tiered program is designed to provide structured individualized support to students who are not succeeding at Pivot. MTSS is designed to be a collaborative process that works to meet the unique needs of the individual student who may be struggling for various reasons. These interventions will be implemented prior to a conference being held to determine if it is in the best interest for the student to remain in Independent Study pursuant to the Pivot Governing Board approved policies. There are generally two reasons for students not being successful: 1) the student is coming with deficits in basic skills and are struggling with content of the courses, or 2) the student is just not putting in the time in the courses; not logging in or completing assignments daily. Students may also lack the motivation or fundamental study skills required to be success in an independent study program, including time management and organization.

At PCS, MTSS signifies that a change in how an EC works with a student and/or the student’s family and how the student engages with their academics will be implemented. This could require changes in the student’s education plan and/or in how the EC implements the education plan. The EC employs new customized strategies and additional supports to help a student obtain new skills and adapt to and subsequently succeed in our program. PCS may not be an appropriate placement for every student. The intervention process will sometimes lead Pivot Charter School to determine that it is not in the best interest of the student to remain in independent study.

Identification of Students for MTSS

Identifying students who are struggling is crucial for student success! In order to do this, ECs run daily and weekly reports on the work that every student is completing. Students whose reports indicate that they have not been making adequate progress will be flagged. Either the student is not turning in a satisfactory amount of work or the student is receiving poor grades (or both). In general, the EC will initiate the MTSS process.

Pivot Charter School provides Multi-Tiered System of Support (MTSS) to ensure that students in independent study make satisfactory progress toward graduation and promotion each year. But independent study can be challenging for students. Attendance in independent study at Pivot is measured by demonstration of learning as documented by completion of work product (“assignments”). If a student continuously falls behind in their work, it may be determined that it is not in the best interest of a student to remain in independent study. But Pivot will first make many efforts to redirect, support and guide students prior to making this determination.

TIER I

Everyone is on MTSS Tier 1 and should be receiving many different levels of support including online tutoring, workshops at the resource center, one on one assistance, and constant monitoring and communication from their Educational Coordinator (EC). The role of the EC is to “meet the student where they are at” and figure out what each student needs to achieve at Pivot and ensure that they get that support.

TIER II

Option 1 (generated by lack of progress): If the student is not getting a minimum of 5 assignments completed (with a passing grade, and not including retakes) per day for more than one week then the student will be placed on MTSS Tier 2 by their EC. New students will have 2 weeks after first enrollment to adapt their learning to Pivot before being placed on MTSS Tier 2.

Families will be notified via email and mail by the MTSS Coordinator that their student has been placed on MTSS Tier 2 and a mandatory student support/success team (SST) meeting will be scheduled. The student, their parent/guardian, and their EC will attend the SST meeting.

Option 2 (generated by lack of completion at the end of a block): At the end of a block, high school students that completed less than 10 credits during that block will automatically be placed on MTSS Tier 2. The progress report will show how many credits a student should complete and how many they actually completed.

Middle and elementary students who are not at the target completion rate for that block will automatically be placed on MTSS Tier 2.

Families will be notified via email and mail by the MTSS Coordinator that their student has been placed on MTSS Tier 2. They will notify the family that the student is on MTSS Tier 2 for lack of completion of work which in independent study is attendance and may therefore be considered truant.

The following will occur at MTSS Tier 2 for all students:

- Student must attend a reorientation to the program within 1 week of their MTSS Tier 2 notification.

- A student support/success team (SST) meeting will be scheduled by the EC and family within 1 week of their MTSS Tier 2 notification. Families must request an alternate date and time if the one provided cannot be met.
- At the SST meeting, an Action Plan will be developed to ensure the greatest chances of student success at Pivot. All parties must agree on program and educational setting changes to be implemented by everyone on the team.
- Student makes changes to their study system, schedule, or habits
- Parent makes changes to the support they provide to their student
- EC makes changes to the student's program, curricula, or provides other supports
- Any student on MTSS II MUST come to the campus each week with a frequency deemed by the EC. No student who is on MTSS II may remain 100% virtual under any circumstances.

The MTSS level II plan will be implemented for 2 weeks. If the student makes adequate progress during that time, the plan will continue throughout the semester. If at any point the student fails to continue to make satisfactory progress, or if the student does not make progress within the first two weeks of implementing the plan, another SST meeting will be held and the student will be moved to MTSS Tier 3. The Action Plan will be refined as needed to ensure student success. This new Action Plan will be incorporated into the Academic Probation in MTSS Tier 3.

Failure of a family to respond to or attend a SST meeting within 2 weeks of their MTSS Tier 2 notification will result in the student being placed on MTSS Tier 3 and immediate referral to the Truancy Committee.

TIER III

MTSS Tier 3 is for students that are not advancing academically since they are not making adequate progress toward graduation or promotion. The following will occur at MTSS Tier 3:

- Student is on Academic Probation and is referred to the MTSS Truancy Committee. They are then within 2 weeks of the MTSS Truancy Committee making a determination if it is in the best interest of the student to remain in independent study. The student must continue working during this time. If they are able to complete the minimum of 5 completed assignments per day for those two weeks, then the Truancy Committee determination will be put on hold.
- If the MTSS Truancy Committee determines that there are additional measures that can be taken and additional supports that can be provided to the student, then the student will revert back to MTSS Tier 2 and those changes will be implemented. If after 2 weeks adequate progress is still not made, then the student will be placed back on MTSS Tier 3 and the Truancy Committee will make a new determination to see if it is in the best interest of the student to remain in independent study.
- If the MTSS Truancy Committee determines that it is not in the best interest of the student to remain in independent study and the student continues to not complete assignments or make adequate progress, then the student will be referred back to their school of residence. Parents may appeal this decision within 5 days. Pivot is required to notify the district of residence when a student is no longer enrolled at Pivot.

The decision of the MTSS Truancy Committee to refer the student to their school of residence can be "adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate." Any such request

for an appeal hearing must be directed to the site administrator and must be received prior to referring a student to their school of residence.

Academic Contracts

As part of the intervention process, academic contracts may be used. Sometimes they are included as one of the strategies utilized in a standard intervention, but they can also be used as a “last chance” method to determine whether or not a student is serious about committing to his/her education. Here are some example scenarios:

When a student has gone through two interventions without improvement in effort or progress over the course of the school year, but an MTSS Truancy decision was not made due to the timing of the second intervention (Pivot does not determine MTSS for students near the end of the school year), then the student may be placed on an academic contract from the start of the following school year.

Sometimes a student who was previously enrolled at Pivot, but was determined Truant after going through two interventions, enrolls at Pivot again. These students may be placed on academic contracts from the first day of their new enrollment at Pivot. In these “last chance” situations, there is no need to go through the entire intervention process again. If the student is not demonstrating effort and commitment to his/her school work, MTSS Truancy may be requested after three weeks of enrollment.

Remediation Policy (and Dealing with “Lockouts” in Apex)

Apex Learning Unit Tests

The Apex Learning curriculum has a feature where all unit tests are initially locked. A student must complete all assignments in a unit before being allowed to take the unit test. When a student reaches a unit test (called a Computer Scored Test or CST), they should contact their EC immediately to request that the test be unlocked. An EC may insist that certain assignments in the unit need to be completed before the test will be unlocked. Students MUST comply with this request and turn in all necessary assignments before taking a unit test.

Note: Requests for multiple attempts or resets are expected to be honored on a case-by-case basis for students with extenuating circumstances such as IEP, 504, illness/hospitalization, death in the family, or other serious circumstances.

Course Transferability

All PCS schools are fully accredited through the Western Association of Schools and Colleges. Courses taken at PCS will then be transferable to other accredited high schools.

Promotion and Retention

Pivot Charter Schools do not support social promotion (promoting simply because students are chronologically at the age for promotion); students must demonstrate sufficient knowledge in one grade level in order to be successful in the next grade level. Except in rare situations with administrative approval, grade level promotion will only occur at the end of the school year (not in the middle of the school year or between semesters). In order to be promoted to the next grade level, students must demonstrate the following:

A. Achievement:

Elementary and Middle School Students

The standard minimum requirement for K-8 student promotion to the next grade level at the end of the school year is earning 60% D- or higher as the final grade in ALL four core academic subjects. In extreme cases, a student who has not completed all four core subjects with passing grades may be promoted via waiver and approval from the Executive Director.

High School Students

High school student grade level promotion is determined based on successful completion of appropriate grade level courses and total number of credits earned. Within specified guidelines, schools shall have the authority to “place” a student who does not meet promotion requirements based on the best educational interest of the child.

B. Attendance:

Please refer to your Master Agreement and the School’s Independent Study Policy for information on how attendance is determined.

C. Social & Emotional component:

The student’s academic achievement level and cognitive ability are important, but emotional and social characteristics are also determining factors. If necessary, the student’s EC and an administrator may conduct a student interview in the presence of the parents in order to review social and emotional characteristics. Generally, Pivot will not retain a student who is academically achieving in 7th or 8th grade due solely to social or emotional factors.

Accelerated Advancement

In addition to the criteria listed above, further requirements must be met before any student will be allowed to progress through course work or grade levels ahead of schedule.

Elementary and Middle School Students

For K-8 students, this includes beginning 2nd semester courses before 2nd semester begins, beginning courses from the next grade level before the current school year ends, and/or being promoted to a grade level higher than what is chronologically expected.

High School Students

For high school students, this includes students who are on track for graduation attempting more than 35 credits in a semester (in an effort to graduate early, for example). Any high school student wishing to attempt more than 35 credits in a semester must work with their EC to complete a Request for Credit Limit Waiver form and earn administrative approval.

In order to be approved to progress ahead of schedule, any K-12 student must:

- Earn a final grade of 80% B- or higher in all of the currently assigned courses.
- Complete all course assignments with no zeros.
- Demonstrate standards mastery and readiness for the next courses or grade level on i-Ready, SBAC, and other appropriate proctored assessments. In general, students should score at or

above their current grade level. For example a 7th grader wishing to start Spring courses early should have minimum scores in their most recent i-Ready assessment that reflect skills mastered by the middle of the 7th grade year. SBAC scores should reflect that the student has met or exceeded standards for the grade level tested.

- Have a record of appropriate study habits and consistent progress in all course work.
- Work with their EC to obtain written administrative approval from the Curriculum Coordinator before beginning the next set of courses or the next grade level.

It is important to note that while a K-8 student may sometimes be allowed to work on content from advanced grade levels in order to support academic progress, this does not necessarily mean that the student will be officially promoted early. Some students wishing to progress ahead of schedule will also be asked to participate in a social emotional evaluation to ensure they are not only academically prepared to advance, but also developmentally ready for advanced coursework and concepts.

Retention

Parents will be notified of the school's intention to retain a student in their current grade level at least 3 weeks prior to the end of the school year. If parents do not receive written notification of the school's decision to retain, it is assumed the student will be promoted.

Appealing a Decision of Promotion or Retention

If a parent or legal guardian chooses to contest the School's decision to retain or promote a student:

1. Within five business days from the notification of intent to retain or promote, parent or legal guardian will complete a Retention Appeal form or Promotion Appeal form and submit it to the school Site Coordinator who will then schedule a meeting with an administrator or their designee.
2. The appeal process will start immediately upon the parent/legal guardian's completion and submission of an Appeal form.
3. Within five business days of the receipt of the parent's Appeal form, the teacher must complete a Teacher Promotion or Teacher Retention Justification memo and attach any required documentation. The teacher's memo is submitted to the Site Coordinator with required documentation.
4. The Site Coordinator will collect all forms, with the required documentation, and forward the packet to the Curriculum Coordinator and Site Administrator for review.
5. The Curriculum Coordinator and Site Administrator will confer with the Executive Director and a decision will be made within 5 business days of receipt of the teacher's Justification memo. The decision will be conveyed to the parent/guardian in writing.
6. If the parent/guardian still does not agree with the decision, the matter will be placed on the next regularly scheduled Governing Board meeting agenda for review and action, upon written request of the parent/guardians in writing to the Executive Director.

The Teacher Promotion/Retention Justification memo requires the following documentation

- a. Promotion/Retention Appeal Form from parent(s)/legal guardian(s)
- b. Copies of Report Cards

- c. Copy of the student's attendance record
- d. Copy of standardized testing scores, including i-Ready assessment scores
- e. Examples of the student's work and examples of an average student's work (with names of sample student redacted)
- f. Copy of the student's MTSS letters, SST meeting notes, and/or MTSS Action Plan, or documentation of MTSS advancement during the year
- g. Records of communication with the student's parents/legal guardians (telephone logs and copies of written/electronic communication)
- h. Statement of justification for promotion or retention, grounded in the school's policies

Graduation

Graduation planning should begin early in a student's educational career. Each semester, ECs will evaluate their students' goals, successes, and strengths. Students must complete ALL required courses prior to the end of their senior year in order to participate in the graduation ceremony. If students fail courses required for graduation second semester of their senior year, the student may not participate in the graduation ceremony.

ECs/students/parents must complete and submit a Request for Graduation form at least 3 months prior to the date of graduation in order to be considered for graduation. Parents should check with their student's EC to ensure that the proper forms have been filed for graduation. Students who intend to graduate in January will submit their request for graduation approval forms October 1. There is no formal graduation ceremony for January graduates; however, January graduates are welcome to wear caps and gowns and graduate with their class during the ceremony in June.

Resource Center Policies

- ❖ No lingering outside of the resource center or in the parking lot. If you are waiting for a ride, you need to stay inside the resource center.
- ❖ Do not go out the backdoor without a teacher present.
- ❖ Students are never to be left unsupervised or be alone in any classrooms.
- ❖ PCS is a drug and tobacco free environment.
- ❖ Students may not smoke or vape in, around or near the facility, even if they are over 18.
- ❖ Students may not discuss gangs or gang related issues.
- ❖ Students may not wear gang related clothing or colors. Students who are not enrolled in PCS may not be on at the resource center without permission slips for each specific date or event.
- ❖ Students cannot be dropped off earlier than 15 minutes before their time at the resource center and cannot be picked up later than 15 minutes after the resource center program is done or may lose the privilege to attend the resource center.
- ❖ Students must be working on their courses or with a teacher while at the resource center. If students are not working on schoolwork they will be required to stay at school for the amount of time that they were unproductive at the resource center. Consistent non productivity or disruption of the resource center program and learning of other students may result in further discipline.

- ❖ Please only use the student bathroom and only one student will be allowed in the bathroom or bathroom stall at one time.
- ❖ Swearing is not tolerated at the resource center.
- ❖ No food or drink is allowed except during breaks and only away from the computers in the break room or student lounge areas.
- ❖ No use of cell phones, texting, Facebook, YouTube, or any social media or online social networking and picture-sharing sites permitted during program times. Cell phones may only be used as phones for calls and texting during breaks. If cell phones are being used during work time, the phone will be confiscated for the duration of the time the student is at the Resource Center. Violation of the policy will result in the parent being called and the student being prohibited from bringing their cell phone to the resource center at all.
- ❖ No inappropriate web pages, pictures or content of any kind may be viewed or stored on school computers. This includes websites used to plagiarize or cheat on assignments.
- ❖ If students engage in any form of fighting or bullying (verbal or physical), they will receive an Incident Report and/or a Suspension.
- ❖ Students must use headphones if listening to music or the online program.
- ❖ Students are expected to come on time to all resource center programs. If students are late, they may be required to stay afterwards for the same amount of time that they were late or the time that they may not have been productive at the resource center. Some Pivot resource centers have varying policies on tardiness. These policies will be shared with all families locally.
- ❖ The resource center programs are intended to support students and help students successfully complete their online work. When a student commits to the program they are expected to attend as scheduled. If students are not going to attend on a given day, the parent must call the EC.
- ❖ If the student misses one program day without a valid excuse, they are to make up that day by attending one of the other programs offered.
- ❖ If the student misses two program days without a valid excuse, a student/parent conference will be required with the EC.
- ❖ If the student has three (to five depending on the Pivot schools) unexcused absences from the program in one semester, the student will lose their spot in the computer lab and may lose their privilege to attend the resource center.

Discipline Consequences

Attending the resource center is a privilege. Not abiding by the resource center policies while at the resource center or disrupting the learning of other students can result in loss of resource center privileges. If a student engages in any behavior that takes away from the learning experience of another student or is disrespectful or disruptive in any way, or engages in ANY behavior that is prohibited, an incident report may be written and placed in the student's file. Disciplinary actions such as suspension or expulsion may result based on the number and the nature of the incidents. See consequences below.

Consequences of Incident Reports and/or Suspensions

1st Incident Report of Semester

- Student conference with Site Administrator and/or EC.
- Parents notified.

- Student will lose privilege to attend the resource center program for the remainder of the day.

2nd Incident Report of Semester

- Student and parent conference with Site Administrator and/or EC.
- Student will lose privilege to attend the resource center program for 2-5 days.
- Student will be notified that another Incident Report may result in a loss of resource center privileges for the remainder of the semester.

3rd Incident Report of Semester

- Student and parent conference with Site Administrator Teacher, EC and Program Director.
- Student may lose privilege to attend resource center for remainder of semester.
- Student will be reevaluated upon Semester completion.

Gang, drug or violence-related incidents will result in a Suspension. A Suspension will result in an immediate loss of privilege to attend the resource center program for a day, week, or up to an entire semester/school year and may also result in a formal suspension or expulsion that remains on a student's permanent record. Parents will be immediately contacted when a gang, drug or violent incident occurs and required to immediately take the student home. Law enforcement may also be contacted.

Suspension and Expulsion Policy and Procedures

The following Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at Pivot Charter School.

When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the charter school's policy and procedures for student suspension and expulsion. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion. The policy may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This policy and its procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student Handbook, which is sent to each student at the beginning of the school year. The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

Discipline includes, but is not limited to, advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension, and expulsion.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

Suspended or expelled students shall be excluded from all school and school-related activities unless

otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom charter school has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- while on school grounds;
- while going to or coming from school;
- during the lunch period, whether on or off the school campus; or
- during, going to, or coming from a school-sponsored activity.

Enumerated Offenses - Suspension

1. **Discretionary Suspension Offenses:** A student may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant

of any kind.

- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a pupil's 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 any drug paraphernalia, as defined in Health and Safety Code 11014.5.
- k) 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.

1. Except as provided in Education Code Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision.

- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) 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.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing"

means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades four to 12, inclusive.

s) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades four to 12, inclusive.

t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades four to 12, inclusive.

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her

age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video, or image.
- ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

- (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- v) Aided or abetted, as defined in Section 31 of the Penal Code, the infliction or attempted infliction

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

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

2. **Non-Discretionary Suspension Offenses:** Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- b) Brandishing the knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. **Conference:** Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Executive Director. The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i).

This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians: At the time of suspension, the Executive Director or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.
3. Suspension Time Limits/Recommendation for Expulsion: Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Executive Director or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Enumerated Offenses – Expulsion

1. **Discretionary Expellable Offenses**: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self-defense.
 - c) 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.
 - d) 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.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a pupil's 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 any drug paraphernalia, as defined in Health and Safety Code 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of

this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades four to 12, inclusive.

- r) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades four to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades four to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of

having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

- (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv) , inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3). Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- u) Aided or abetted, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined

in Education Code Section 48900(n).

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

E. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Board following a hearing before it or by the Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Board. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

F. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

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

G. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter school or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the Administrative Panel, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The Administrative Panel may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Administrative Panel may also limit time for taking the testimony of the complaining witness to

the hours he/she is normally in school if there is no good cause to take the testimony during other hours.

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

H. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students With Disabilities

1. Notification of SELPA

The Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student that the Charter School or the SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the charter school, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the charter school had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review it and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and the charter school agree to a change of placement as part of the modification of the behavioral intervention plan.

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

4. Due Process Appeals

If the parent of a child with a disability disagrees with any decision regarding placement or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, they may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 USC Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

5. Special Circumstances

Charter school personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

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

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

6. Interim Alternative Educational Setting

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

7. Procedures for Students Not Yet Eligible for Special Education Services

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

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

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

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

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

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

I. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

J. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session

closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

K. Written Notice to Expel

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

- a. Notice of the specific offense committed by the student
- b. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the District. This notice shall include the following:

- a. The student's name
- b. The specific expellable offense committed by the student

L. Disciplinary Records

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

M. No Right to Appeal

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

N. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the county or their school district of residence.

O. Rehabilitation Plans

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

P. Readmission

The decision to readmit a pupil or to admit a previously-expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Executive Director and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the school's capacity at the time the student seeks readmission.

Q. Notice to Teachers

The Charter School shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

Drug Free Work Place and Drug Free Schools

In compliance with the Drug-Free Workplace Act and the Drug-Free Schools and Campuses Act, PCS prohibits the unlawful possession, use, manufacture, or distribution of illicit drugs and alcohol by students, faculty members, parents and staff members on its property or as part of any Pivot-sponsored activities. This prohibition extends to offsite professional activities of Pivot faculty and staff members, parents and students including attendance at field trips, professional conferences and participation in student programs when those activities are sponsored by Pivot.

For a complete copy of our Suspension and Expulsion Policy including the procedures for such discipline, please see a copy of our Charter Petition or request a copy at the Main Office.

Education and School Records Policy

DEFINITIONS

Education Record

An education record is any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche containing information directly relating to a student that is maintained by Pivot Charter School or by a party acting for PCS. Such information includes, but is not limited to:

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

photographs, biometric record or any other type of information that aids in identification of a student.

- An education record does not include any of the following:
- Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;
- Records maintained by a law enforcement unit of PCS that were created by that law enforcement unit for the purpose of law enforcement;
- In the case of a person who is employed by PCS but who is not in attendance at such agency

- or institution, records made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for use for any other purpose;
- Records of a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at PCS;
- Records that only contain information about an individual after he or she is no longer a student at PCS;
- or Grades on peer-graded papers before they are collected and recorded by a teacher.

Personally Identifiable Information

Personally identifiable information is information about a student that is contained in his or her education records that cannot be disclosed without compliance with the requirements of FERPA. Personally identifiable information includes, but is not limited to: a student's name; the name of a student's parent or other family member; the address of a student or student's family; a personal identifier, such as the student's Social Security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combinations, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the PCS reasonably believes knows the identity of the student to whom the education record relates.

Directory Information

PCS does not currently have a Directory that is shared with other families. However, when teachers and parents are making attempts to organize special events Directory Information is sometimes shared. PCS may disclose the personally identifiable information that it has designated as directory information, consistent with the terms of PCS' annual notice provided pursuant to the Family Educational Rights and Privacy Act of 2001 (20 U.S.C. § 1232g) ("FERPA"). PCS has designated the following information as directory information:

- Student's name
- Student's address
- Parent/guardian's address
- Telephone listing
- Student's electronic mail address
- Parent/guardian's electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level

- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

Parent

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

Eligible Student

Eligible student means a student who has reached eighteen (18) years of age.

School Official

A school official is a person employed by PCS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board of Directors of PCS. A school official also may include a volunteer or an independent contractor outside of PCS who performs an institutional service or function for which PCS would otherwise use its own employees and who is under the direct control of PCS with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

Legitimate Educational Interest

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Disclosure of Directory Information

At the beginning of each year, PCS shall provide parents and eligible students with a notice containing the following information: 1) The type of personally identifiable information it designates as directory information; 2) The parent's or eligible student's right to request that PCS not release "directory information" without obtaining prior written consent from parent or eligible student; and 3) The period of time within which a parent or eligible student may notify PCS in writing of the categories of "directory information" that it may not disclose without the parent or eligible student's prior written consent.

ANNUAL NOTIFICATION TO PARENTS AND ELIGIBLE STUDENTS

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

- Inspect and review the student's education records;
- Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;

- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that disclosure is permitted without prior written consent pursuant to FERPA; and
- File with the U.S. Department of Education a complaint concerning alleged failures by PCS to comply with the requirements of FERPA and its promulgated regulations.
- Request that PCS not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

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

PARENTAL AND ELIGIBLE STUDENT RIGHTS RELATING TO EDUCATION RECORDS

Parents and eligible students have the right to review the student's education records. In order to do so, parents and eligible students shall submit a request to review education records in writing to the Executive Director. Within five (5) business days, PCS shall comply with the request.

Copies of Education Records

PCS will provide copies of requested documents within five (5) business days of a written request for copies. PCS may charge reasonable fees for copies it provides to parents or eligible students. The charge will not include a fee to search for or to retrieve the education records.

Request for Amendment to Education Records

Following the inspection and review of a student's education record, a parent or eligible student may file a written request with the Executive Director to correct or remove any information in the student's education record that is any of the following:

- Inaccurate;
- An unsubstantiated personal conclusion or inference;
- A conclusion or inference outside of the observer's area of competence;
- Not based on the personal observation of a named person with the time and place of the observation noted;
- Misleading; or
- In violation of the privacy rights of the student.

PCS will respond within thirty (30) days of the receipt of the request to amend. PCS's response will be in writing and if the request for amendment is denied, PCS will set forth the reason for the denial and inform the parent or eligible student of his or her right to a hearing challenging the content of the education record. If the Executive Director sustains any or all of the allegations, he or she must order the correction or the removal and destruction of the information. The Executive Director or Executive Director's designee must then inform the parent or eligible student of the amendment in writing.

However, the Executive Director shall not order a pupil's grade to be changed, unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade.

Hearing to Challenge Education Record

If PCS denies a parent or eligible student's request to amend an education record, the parent or eligible student may request in writing that he/she be given the opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading or in violation of the privacy rights of the student.

The Executive Director or the Board Chair may convene a hearing panel to assist in making determinations regarding educational record challenges provided that the parent has given written consent to release information from the pupil's records to the members of the panel convened. The hearing panel shall consist of the following persons:

- (1) The Executive Director of a public school other than the public school at which the record is on file;
- (2) A certificated employee; and
- (3) A parent appointed by the Executive Director or by the Board of Directors, depending upon who convenes the panel.

The hearing to challenge the education record shall be held within thirty (30) days of the date of the request for a hearing, notice of the date, time and place of the hearing will be sent by PCS to the parent or eligible student no later than twenty (20) days before the hearing.

The hearing will be conducted by the Executive Director or his/her designee, who shall not be required to use formal rules of evidence or procedure. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues relating to the challenge to the education record. The parent or eligible student may also, at his/her own expense, be assisted or represented by one or more individuals of his/her choice, including an attorney. The decision of the Executive Director or his/her designee will be based solely on the evidence presented at the hearing and is final. Within thirty (30) days after the conclusion of the hearing, PCS' decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, the PCS decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it will amend the record accordingly and inform the parent or eligible student of the amendment in writing.

If, as a result of the hearing, PCS decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of PCS, or both. If PCS places a statement by the parent or eligible student in the education records of a student, it will maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

DISCLOSURE OF EDUCATION RECORDS AND DIRECTORY INFORMATION

PCS must have a signed and dated written consent from the parent or eligible student before releasing any non-directory information from a student's education record except as provided below. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent. PCS will only disclose personally identifiable information on the condition that the receiving party not disclose the information to any party without the prior written consent of the parent or eligible student and that the receiving party use the information for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below. PCS must maintain the appropriate records related to these disclosure exceptions, as described below. Except for disclosures pursuant to a judicial order or lawfully issued subpoena, or directory information or to parents or eligible students, the PCS will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior written consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made.

PCS will disclose education records, without prior written consent of the parent or eligible student, to the following parties:

- School employees who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
- Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. PCS will make a reasonable attempt to notify the parent or eligible student of the request for records at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, PCS will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing pursuant to Section (IV)(3) above;
- Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
- Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
- Organizations conducting certain studies for the PCS in accordance with 20 U.S.C. § 1232g(b)(1)(F);
- Accrediting organizations in order to carry out their accrediting functions;
- Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
- Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
- Persons who need to know in cases of health and safety emergencies;
- State and local authorities, within a juvenile justice system, pursuant to specific State law;

- A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by PCS with respect to that alleged crime or offense. PCS may disclose the final results of the disciplinary proceeding, regardless of whether PCS concluded a violation was committed.

RECORD KEEPING REQUIREMENTS

PCS will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.

For disclosures of personally identifiable information to institutions that make disclosures of the information on behalf of PCS in accordance with 34 C.F.R. 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of PCS and the legitimate interests that each of the additional parties has in requesting or obtaining the information.

These record keeping requirements do not apply to requests from or disclosure to parents and eligible students, PCS officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.

The records relating to disclosures of personally identifiable student information may be inspected by parents and eligible students, PCS officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of PCS.

Student cumulative records may not be removed from the premises of PCS, unless the individual removing the record has a legitimate educational interest, and is authorized by the Executive Director, or by a majority of a quorum of the Board of Directors at a duly agendized meeting. Employees who remove student cumulative records or other student records from the PCS premises without a legitimate educational interest and authorization may be subject to discipline. Employees are permitted to take student work-product, or other appropriate student records, off premises without authorization for legitimate academic purposes (e.g. grading work-product, assigning credit, reviewing materials for classroom discussion, etc.).

COMPLAINTS

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

Family Policy Compliance Office

U.S. Department of Education 400 Maryland Avenue. S.W.

Washington, D.C. 20202-5920

Special Education Services for Students

In accordance with state and federal mandates, PCS serves students with disabilities. Every student is entitled to a free appropriate public education and placement in the least restrictive environment. PCS actively works with families to be sure that students receive all the educational benefits for which they are entitled.

PCS serves students with Individualized Educational Plans (IEP) and Section 504 plans. Parents who suspect their children have disabilities should contact PCS and ask for assistance. All students receiving special education services must come to the school resource center for services outlined in the IEP unless the IEP specifically delineates virtual services.

Child Find

We are dedicated to the belief that all students can learn and must be guaranteed equal opportunity to become contributing members of the academic environment and society. PCS provides special education instruction and related services in accordance with the Individuals with Disabilities in Education Improvement Act (“IDEIA”), Education Code requirements, and applicable policies and procedures of the El Dorado Charter SELPA. These services are available for special education students enrolled at the School. We offer high quality educational programs and services for all our students in accordance with the assessed needs of each student. The School collaborates with parents, the student, teachers, and other agencies, as may be indicated, in order to appropriately serve the educational needs of each student.

Special Education Records

When a student reaches graduation or age 21, a request to have special education records destroyed can be made. This request can be made by the graduated student (age 18 or older), the non-graduated student, age 21 or older, or a person assigned as guardian to the student.

To request that special education records be destroyed, please write to the Executive Director at PCS.

Governing Board Meetings

PCS’s Governing Board is the governing body of the not for profit organization that oversees PCS. The Board’s role is to ensure that the PCS are implementing their programs efficiently, that they are fiscally sound and viable, and to hold the Executive Director and school staff accountable for implementing the charters. The role of the governing board is less about day-to-day operations at the site level and more about oversight and accountability. Specifically, the Board is fully responsible for the operation and fiscal affairs of all PCS including, but not limited to, the following:

- approving and monitoring the implementation of general policies of PCS;
- approving and monitoring the school’s annual budget and budget revisions;
- hiring and conducting ongoing evaluations of the Executive Director;
- executing all applicable responsibilities provided for in the California Corporations Code;
- approving the school calendar and schedule of Board meetings;
- reviewing requests for out of state or overnight field trips;
- participating in the dispute resolution procedure and complaint procedures as applicable;
- approving charter amendments as necessary and submit material revisions as necessary for Granting Agency consideration;
- approving annual fiscal audit and performance report;

- appointing an administrative panel or act as a hearing body and take action on recommended student expulsions;
- hiring auditors;
- approving check registry;
- conducting strategic planning.

Roads Education Organization Board meetings are held at least quarterly and in accordance with Brown Act requirements. Meeting agendas are posted online and at the resource centers, as well as at any meeting location. Although the physical location of the Board meetings rotates among the areas served by each Pivot Charter School, in alignment with the Brown Act, parents and the public are welcomed to access and participate in all meetings, regardless of meeting locations, by utilizing video conferencing technology which is provided at each Pivot Charter School (at least one resource location per charter school). A Pivot staff member will be present at each video conference location to ensure the technology is working properly, and that speakers participate when desired. Parents and members of the public can also participate live in all Board meetings regardless of where they are being held in the comfort of their own home by downloading free video conferencing software. Parents and staff do not have to travel to have access to the Board members or the Board meetings.

Roads Governing Board membership is designed to ensure that the charter schools have a high level of experienced professionals providing oversight and making decisions for the charter schools, so that parents and staff can feel comfortable knowing that there are people who are considered experts in their fields helping to make the most prudent and fiscally responsible decisions for the students. While the Board members' fiduciary duty is to the Roads Education Organization, Board members are also expected to "represent" the interests of the constituencies in their geographic region. Board members are accessible to the employees, students, and parents of the charter schools closest to their home base.

Parents and staff have significant levels of access to the Governing Board members. Roads Education Organization expanded its Board during the 2016-17 school year to allow for local representation from each Pivot charter school. The local Governing Board members meet every other month with the parents of the charter schools in the region they "represent." These meetings are informal, on site meetings with access to live video conferencing for families who are unable to make the trip to the resource center. They are a way that Board members can listen to parents' concerns and ideas and stay in touch with local issues and in turn make strong decisions for the charter schools.

Dispute Resolution Policy

PCS has confidence in the competency and professionalism of its staff. However, if the school is not measuring up to parent expectations, we would like to know about it. We cannot fix what we do not know about. PCS encourages open and respectful communication from individuals and groups within the community regarding compliments, suggestions, questions, and complaints about any part of the school program or any employee of PCS. PCS uses this information to effect improvement and positive change in our program whenever possible. This dispute resolution process provides parents, students, and volunteers who have a grievance concerning the school with a procedure to follow to have the grievance heard by staff. If it cannot be resolved at this level or with the Executive Director of Roads Education Organization, the dispute resolution process allows it to be heard by the Governing Board at a regularly scheduled Board meeting.

A grievance is defined as any feeling of dissatisfaction or injustice in connection with any matter related to the program, school, or staffing. Any grievance should be brought to the attention of the respective party as soon as possible with the intention to resolve the issue. If it cannot be resolved at this level, then an appointment should be made with an administrator to attempt further resolution.

Parents or students who disagree with the established rules on conduct, policies, procedures, or practice can express those concerns directly to their ECs or to the Site Administrator. No parent will be penalized, formally or informally, for voicing a grievance or complaint with PCS in a reasonable, business-like manner, or for using this dispute resolution process. PCS requests that parents and students first attempt to resolve concerns at the site level with their teacher or Site Administrator before bringing a concern to the Executive Director of the not for profit corporation, Roads Education Organization, that oversees PCS.

The ECs and the Site Administrator is the official representative between parents and the Executive Director. The Executive Director is the official representative between the schools and the Governing Board. S/he or any administrator is accessible and ready to hear suggestions, concerns, and complaints. PCS cannot act on any problem unless it is aware of it, so we request that grievances be brought to the appropriate party as soon as possible.

While not every problem may be resolved to all parties' complete satisfaction, effort will be made on the behalf of PCS and its staff to bring resolution to any problem. This will only be possible through both parties' willingness to listen, attempt toward understanding, and exploration of all aspects of the issue at hand. Through this process, parents, teachers, and management will be able to develop confidence in each other. This confidence is important to the smooth, effective operation of PCS and will directly benefit the students. PCS will strive to provide such an atmosphere at all times. Parents are encouraged to offer positive and constructive criticism, and to take the following steps if they believe they have dissatisfaction, or believe that an injustice has occurred, or that a decision affecting them or their student is unjust or inequitable:

When a problem first arises, the grievant should discuss the matter with the respective party as soon as possible. If he/she is unable to resolve the issue at this level, the grievant should then contact the Site Administrator to make an appointment to discuss the issue as soon as possible.

If the problem cannot be resolved informally through discussion or meeting, the grievance shall be stated in written format specifying the problem to the fullest extent possible and any remedies sought. It should also include any and all documentation related to the grievance along with any solutions that have been proposed by the grievant, an administrator, and any other related parties. The request for the meeting is to be delivered to the Site Administrator or designee who, unless sick or out of town, who will meet with the grievant within ten (10) working days of receiving the written request.

Following any necessary investigation, the Site Administrator shall prepare a written response to the grievant no later than ten (10) working days from the date of meeting, unless for good cause, additional time is required for the response.

If the matter cannot be resolved by the Site Administrator, the grievant may request a meeting with the Executive Director or designee. The Site Administrator will present all materials from prior meetings to the Executive Director or designee. The request for the meeting must be delivered to the Executive

Director, who, unless sick or out of town, will meet with the grievant within ten (10) working days of receiving the written request.

Following any necessary investigation, the Executive Director shall prepare a written response to the grievant no later than ten (10) working days from the date of meeting, unless for good cause, additional time is required for the response.

If the matter cannot be resolved at the Executive Director level, the grievant may request to have the matter properly placed upon the agenda for the next regularly scheduled Board meeting. All applicable laws of the Brown Act will apply.

The Governing Board and the Executive Director will set a date and time for the hearing of any evidence to be presented concerning the grievance. At the hearing, the grievant and a representative of PCS shall have the opportunity to present evidence, both oral and documentary. Within three (3) working days from the date of the hearing, the Board and Site Administrator shall make a decision on the grievance in writing. This decision will serve as the final decision of PCS.

Nondiscrimination Statement

PCS does not discriminate against any student or employee on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, religious affiliation, sexual orientation, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

PCS adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 ("ADA"), and the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA").

PCS is committed to providing a work and educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination in Employment Act of 1967; The Age Discrimination Act of 1975; the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability). PCS also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. PCS does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which PCS does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. PCS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the PCS Uniform Complaint Procedures ("UCP") Compliance Officer: Kareen Poulsen 707-843-4676

Harassment, Intimidation, Discrimination & Bullying

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school

safety, and contribute to a hostile school environment. As such, PCS prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school- owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, PCS will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. PCS school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, PCS will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which PCS does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. PCS will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator"):

Kareen Poulsen (Program Director)

707-843-4676

Prohibited Unlawful Harassment

Verbal conduct such as epithets, derogatory jokes or comments or slurs

Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis

Retaliation for reporting or threatening to report harassment

Deferential or preferential treatment based on any of the protected classes above

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 et. seq; 34 C.F.R. § 106.1 et. seq) and California state law prohibit harassment on the basis of sex. In accordance with these existing laws, discrimination on the basis of sex in education institutions is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by PCS.

PCS is committed to provide an educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
- Rape, sexual battery, molestation or attempts to commit these assaults and
- Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body
- Unwanted sexual advances, propositions or other sexual comments, such as:
- Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
- Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct
- Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex
- Sexual or discriminatory displays or publications anywhere in the workplace or educational environment, such as:
- Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view at work or the educational environment
- Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic, and
- Displaying signs or other materials purporting to segregate an individual by sex in an area of the workplace or educational environment (other than restrooms or similar rooms)

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

Prohibited Bullying

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

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

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

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

Electronic act means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- A message, text, sound, video, or image.
- A post on a social network Internet Web site including, but not limited to:
- Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
- Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated
- Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

An act of "Cyber sexual bullying" including, but not limited to:

The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

"Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

Grievance Procedures

Reporting

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

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

Kareen Poulsen (Program Director)

707-843-4676

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

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

PCS prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter's filing of a complaint or the reporting of instances of misconduct prohibited by this Policy. Such participation shall not in any way affect the status, grades, or work assignments of the reporter.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

Investigation

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of PCS, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than seven (7) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than seven (7) school days, he or she will inform the complainant and any other relevant parties and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, in no case may the Coordinator or administrative designee reveal confidential information related to other students or employees, including the type and extent of discipline issued against such students or employees.

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

Consequences

Students or employees who engage in misconduct prohibited by this Policy will be subject to disciplinary action.

Right of Appeal

Should the reporting individual find the Coordinator's resolution unsatisfactory, he/she may follow the Dispute Resolution Process found in this Student/Parent Handbook

Uniform Complaint Procedure

When harassment or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a Uniform Complaint Procedures ("UCP") complaint form at any time during the process, consistent with the procedures laid out in this Handbook.

PCS has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs and the charging of unlawful pupil fees.

PCS shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure ("UCP") adopted by our Governing Board. Unlawful discrimination, harassment,

intimidation, or bullying complaints may be based on actual or perceived characteristics of age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, genetic information, physical disability, mental disability, medical condition, marital status, nationality, national origin, race or ethnicity, religion, sex, sexual orientation, or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any PCS program or activity that receives or benefits from state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Foster and Homeless Youth Services
- Consolidated Categorical Aid Programs
- Career Technical and Technical Education and Training Programs
- Every Student Succeeds Act / No Child Left Behind Act (2001) Programs (Titles I-VII)
- Economic Impact Aid
- Tobacco-Use Prevention Education

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:

A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.

A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fee complaint shall not be filed later than one (1) year from the date the alleged violation occurred.

Complaints of noncompliance with laws relating to pupil fees are filed with the Executive Director of a school. A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees. Complaints other than complaints relating to pupil fees must be filed in writing with the following compliance officer:

NAME: Jayna Gaskell

TITLE: Executive Director

ADDRESS: Roads Education Organization 1350 E 9th Street Chico CA 05028 Telephone: 530-550-7616

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the Executive Director or his or her designee in writing.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The compliance officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with the PCS's procedures.

The complainant has a right to appeal PCS's Decision to the California Department of Education ("CDE") by filing a written appeal within fifteen (15) days of receiving the Decision. The appeal must include a copy of the complaint filed with the School and a copy of PCS's Decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of PCS'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.

A copy of the UCP policy and complaint procedures shall be available free of charge online. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Executive Director.

Homeless Students

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence due to economic hardship. It includes children and youths who (42 USC 11434(a)):

- Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
- Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
- Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition of "homeless."

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

School Liaison: The Executive Director or designee designates the following staff person as the School Liaison for homeless students ((42 USC 11432(g)(1)(J) & (e)(3)(C).):

Jennifer Clopton, Site Administrator Pivot North Bay

2999 Cleveland Ave, Santa Rosa CA 95403 707-843-4676

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

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

For any homeless student who enrolls at PCS, a copy of the School's complete policy shall be provided at the time of enrollment and at least twice annually.

Transcripts

A high school transcript must be requested at least two weeks prior to the date that it is needed. A parent or a teacher may request a transcript by submitting a transcript request form. If the transcript is to be sent officially to another school or university, the address of the institution must be included.

State Mandated Testing

PCS recognizes that in order to continue to offer innovative and alternative educational programs, we, as educators, must abide by the governing laws that allow us to exist. One of the most vital differences between charters and the traditional public schools is that charters are performance based. Charter schools are only legislatively granted the right to exist if they 'perform'. The California Department of Education measures that performance primarily by our school's standardized test scores). The two components that are crucial are: 1. a minimum participation level of 95% and, 2. continuing to meet

goals of increasing our school scores. Convenience, work schedules, transportation, etc. should not take priority over students attending testing when so very much is at stake.

All students enrolled full-time with PCS are required to participate in state mandated annual assessment tests. Testing facilities locations will be announced prior to testing. In most cases, the tests will be conducted at the PCS resource centers. Parents/students are responsible for the transportation to and from testing facilities.

California Assessment of Student Performance and Progress (“CAASPP”)

The School shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress.) Notwithstanding any other provision of law, a parent’s or guardian’s written request to School officials to excuse his or her child from any or all parts of the state assessments shall be granted.

Academic Integrity

PCS expects a full commitment to academic integrity from each of our students. By enrolling in PCS a student is commitment to academic integrity as follows:

A student’s work on each assignment will be completely their own.

Collaboration with another classmate on any assignment will be pre-approved by an EC.

A student will not practice plagiarism in any form.

A student will not allow others to copy their work.

A student will not misuse content from the Internet.

A student will not use resources outside of the online curriculum to complete work.

Academic Honesty

Students should maintain a level of honesty and sincerity as a commitment to being at Pivot Charter School. This means the school expects students to be honest about their education by not cheating (different than plagiarism) in their courses. It means students are honest about how much they are working. The curriculum systems have reports that show how much time a student spends in the instruction of a course as opposed to the time they are spending possibly trying to “guess” on assessments. Many times parents tell Pivot that they see their student “on the computer” for hours every day and they insist the student is working in school. But the systems log every second the student is logged in and shows how the student’s time is being used. Pivot expects students to be honest with the school, with themselves and the adults in their lives.

Extreme violation of this academic policy can result in suspension or possibly expulsion. An example of an “extreme” violation of this policy is forging signatures, lying about computer use, finding and using answers to coursework online. Students may also be asked to demonstrate they understand what they have learned in a proctored environment.

Any student who is “virtual” or works predominantly at home may also be required to engage in the curriculum and take assessments through in a proctored environment.

Plagiarism Policy

What is it and why does it matter?

Plagiarism is using other people's words, phrases, or ideas without giving them credit. Even if you put someone else's ideas into your own words, you must still give them credit. Plagiarism can also take the form of copying the organization and/or sentence structure of another source. Plagiarism is intellectual theft and is unethical. Many colleges and universities expel students who have been found guilty of plagiarizing.

Consequences of Plagiarism

1st offense: If a student is found to have plagiarized an assignment in part or in full, the EC will file an incident report detailing the student's plagiarism, contact the student's parent to discuss consequences (including future consequences if plagiarism continues), and contact the student to ensure they understand what constitutes plagiarism and how to avoid it. The student will receive a grade of 0 for the assignment, and the student will be required to redo the assignment. The new attempt will be graded and the student's grade will be adjusted to reflect the quality of the new work.

2nd offense: If a student is found to have plagiarized for a second time, the consequences will be the same as for the first offense (including a second incident report) with the addition of a formal conference with the student, EC, parent/guardian, and Site Administrator.

3rd offense: The student will earn a grade of F for the course and the entire course must be redone for credit. A third incident report will be filed.

4th offense overall (combined for all courses): The student will be formally suspended, a fourth incident report will be filed, a formal conference will be held to determine whether the student will fail a course for which they submitted plagiarized assignments, and a final decision will be made about the appropriateness of independent study for the student.

PLAGIARISM POLICY STATEMENT (Adapted from the Saint Louis University)

This Plagiarism Policy Statement provides a uniform definition of plagiarism, with explanations and illustrations, for the purpose of giving students notice of their obligation to acknowledge and cite their sources in written work submitted to the faculty for evaluation. In addition, this Policy Statement describes situations that give rise to plagiarism, offers guidelines for avoiding such situations and provides examples of plagiarism and correct citation.

PLAGIARISM DEFINED

Plagiarism results from the unacknowledged use of material found in print sources, oral presentations, or visual, electronic or other media sources. Plagiarism does not require an intention to deceive. It can result when a student submits as his or her own work ideas, language, data or other material contained in a source not acknowledged by the student, if the student knew or should have known that such acknowledgement was required. Plagiarism includes, without limitation, the following:

- ❖ Submitting another author's published or unpublished work, in whole, in part, or in paraphrase, as one's own work, without fully and properly crediting the other author with footnotes, citations or other bibliographical reference.

- ❖ Submitting as one's own original work any material, including data, tables, graphs, charts, or other visual material obtained from any source, without acknowledgement and citation of the source.
- ❖ Submitting as one's own original work material produced through unacknowledged collaboration with others, unless such collaboration is permitted by the instructor.

EXPLANATIONS

Plagiarism as defined above is any use of a source—for example, another person's words, ideas, data or visual material—without proper acknowledgement and citation.

Acknowledgement and citation of a source must be sufficient to specify the extent of the student's use of the source. It is not sufficient merely to cite the source in a bibliography, footnote or other reference if specific words, ideas or other material are appropriated without specific acknowledgement.

Plagiarism is not limited to unacknowledged copying of another author's words. Plagiarism results from any unacknowledged use, even when ideas taken from a source are expressed in the student's own words.

All material taken from a source, including citations, numerical data, formulae and equations, organization and format, graphical or visual materials, must be acknowledged and cited, just as words and ideas must be acknowledged and cited.

Material appropriated from any source, including the internet, speeches and lectures, or films, television, radio and other visual or audio media, must be acknowledged and cited, just as material appropriated from print sources must be acknowledged and cited.

Plagiarism can result when no deception could have occurred, as when a student makes unacknowledged use of a source recommended by the teacher.

GUIDELINES

PURPOSE OF STUDENT WRITING

The purpose of student writing is not only to convey information but also to provide evidence of the student's proficiency in research, analysis and verbal style. Students submit written work for evaluation and grading. Plagiarism is wrong not only because it violates the rights of the author whose work is used without acknowledgement but also because it gives the student who plagiarizes an unfair advantage over other students.

STRICT ENFORCEMENT

The PCS community must enforce rules against plagiarism to avoid putting honest students at a disadvantage. The perception that such a disadvantage exists strengthens the temptation to plagiarize on the false ground that "everybody does it." Therefore, the rules set forth in this Plagiarism Policy Statement are strict and must be strictly enforced. Strict enforcement applies, because plagiarism has harmful effects on other students, even when the student who plagiarizes does so without an intention to deceive.

SPECIFIC ACKNOWLEDGEMENT OF SOURCES

Student writing must contain specific and detailed acknowledgement of all sources used by the student, because the student is submitting his or her work for evaluation and grading. Unless instructed

otherwise, students should not limit their acknowledgement of sources to a bibliographical list of “Works Consulted”, even though this procedure is sometimes used in academic writing not produced by students. For evaluation purposes, the teacher must know precisely what material is original to the student and what material was obtained from other sources.

QUOTATION AND PARAPHRASE

When a student uses the exact words of another author or duplicates a chart, diagram, table or other production of another author, the student must indicate that such duplication has occurred. Thus, it would be insufficient to use another author’s words (or substantially the same words) and merely acknowledge in a footnote that the other author was a source of the idea expressed. Direct appropriation of another author’s words must be indicated by quotation marks, a block quotation or other formatting, and a footnote or other reference must identify the source from which the quoted material was taken. Duplication of charts, diagrams, tables and other material from a source must also be acknowledged, for example by a textual reference (“Reproduced below is Professor Smith’s diagram.”) by a caption (“Figure 3. N. J. Smith’s Diagram of Litigation Alternatives”), or by other means. In addition, a footnote or other reference must identify the publication where the diagram or other material was found.

Paraphrase occurs when a student expresses in his or her own words information found in a source. The student must cite the source of the information, even though the student has restated the information in different words not used by the original author.

AVOIDING PLAGIARISM BY TAKING CAREFUL NOTES

Students must take careful notes when doing research in order to retain information they will need later on to acknowledge their sources.

The bottom line on plagiarism...

When you use an actual sentence from a published article or unpublished essay, you must put the sentence in quotation marks and give a footnote or citation to indicate who said it. The citation should include full bibliographic information.

When you paraphrase or summarize another person’s ideas, you must give a footnote or citation to indicate whose ideas they are and where you got them.

When you adopt a significant idea from someone else’s work, you must give a footnote or citation to indicate where you got the idea.

When you use a method developed by someone else, you must give a footnote or citation to indicate the source of the method.

When you fail to do this, it is considered plagiarism.

When do I need to document sources used in an assignment?

Here are general guidelines that will help you determine if you need to document any sources used in an assignment. If you have any questions about whether you should document a source, ask your teacher before you turn in the assignment.

You need to document your sources in the following situations:

- When you use or refer to someone else’s words or ideas from a magazine, book, newspaper, song, TV program, movie, Web site, computer program, or any other format.
- When you copy the exact words from a source.
- When you paraphrase or summarize someone else’s words or ideas.
- When you copy or reprint any diagrams, charts, illustrations, or pictures.

You do NOT need to document sources in these situations:

- When you write from your own experiences, observations, or insights.
- When you write about your own conclusions about a subject or event.
- When you are using “common knowledge” that can be found in several sources. An example of common knowledge is: “George Washington was the first president of the United States.” This is a fact that is found in several sources.

How do I document sources in my assignment?

If you have any questions about documenting sources in an assignment, ask your teacher before you turn in the assignment. Also, here are links to information about MLA documentation style, which is the format that many PCS teachers prefer:

<http://www.unc.edu/depts/wcweb/handouts/mla.html>

http://campusgw.library.cornell.edu/newhelp/res_strategy/citing/mla.html

<http://www.wisc.edu/writing/Handbook/DocMLA.html>

When in doubt, ask your teacher!

Student Maternity/Paternity Leave Policy

Students who give birth, adopt, or who are currently mothering/fathering their own child may be granted up to four weeks of maternity/paternity leave to engage with their child and to adjust to motherhood/fatherhood. Students may continue to be enrolled in the school and will not be subject to the Board adopted independent study policies which stipulate that conferences be held when a student does not generate work or attendance during a learning period which may result in disenrollment.

Requests for maternity or paternity leave must be made in writing and signed by the student’s parent if the student is under the age of 18. Extensions to the allotted four weeks may be granted if requested in writing to the Executive Director, signed by a parent or guardian in under the age of 18 and if there are extenuating circumstances such as health issues to consider.

Oral Health Assessment

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

Diabetes

PCS shall provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but not be limited to, all of the following:

- A description of type 2 diabetes.
- A description of the risk factors and warning signs associated with type 2 diabetes.
- A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
- A description of treatments and prevention methods of type 2 diabetes.
- A description of the different types of diabetes screening tests available.

Work Permits

Working during the school year is a privilege and requires the issuance of a work permit. The number of hours that a student may work is set by law and depends on his/her age. No work permits will be issued to students who are on academic probation. Should a student's work schedule interfere with his/her ability to succeed in their academic plan, the student's EC will confer with the Site Administrator or Executive Director regarding the possibility of revoking the work permit. The following is the process followed by PCS in issuing a work permit:

- Student obtains a work permit application from their EC.
- Student, parent/guardian and employer complete their sections of the application. Student must obtain parent/guardian signature.
- Student delivers completed work permit application to the EC for signature and review.
- EC creates the official work permit document and delivers it to the student for signing.
- Student submits a copy of the signed work permit to their employer.

School Recognized Field Trips and Student Activities

Field trips can be an important component of a student's development. Besides supplementing and enriching learning experiences, such trips encourage new interests among students, make them more aware of community resources, and help them relate their school experiences to the outside world. PCS takes great care in logistical planning in order to greatly enhance the value and safety of such trips.

Written approval of a student's parent/guardian is required for the student to participate in a school-recognized field trip and appropriate instruction shall precede and follow each trip. Additionally, written approval of the student's parent/guardian is required for transporting students to/from a school-recognized field trip. Adults approved to supervise and/or transport students to/from field trips are expected to provide for the reasonable safety of the students and may be asked to attend preparatory training sessions and/or meetings.

The ratio of adults to students on school-recognized trips shall be at least one to ten. If the trip involves water activities or any other activity that could pose a higher degree of risk to or require greater security for students, the ratio shall be revised to ensure closer supervision of students.

Field Trips and Medications

Any student requiring medical care or medication during school hours or during a field trip will need written consent by both the parent/guardian and the healthcare provider; this includes over-the-counter medications. Please note, forms are needed annually for each medication your child will take at school and to be filled out completely (if needed, you may obtain forms from the resource center). Even if your child does not routinely take medication to school, but may need it for one of our all-day or overnight field trips, please consider turning the forms in at the start of the school year to prevent

potential ineligibility for a trip. Students completed forms must be approved by the school nurse prior to participation in any field trip. It may take time to get written permission by your healthcare provider.

Field Trip Scholarships

NO student shall be denied access to any school trip due to financial restraints. In cases of need, parents should contact the Educational Coordinator or Site Administrator and scholarship monies will be made available. Explanation of available financial aid must be incorporated in the letter to parents explaining the objectives of the field trip.

Safety Plan

PCS has developed a school safety plan which is kept on file for review. Staff are trained annually on the safety procedures outlined in the plan and conduct all required safety drills.

Withdrawal Policy

Please keep in mind that Pivot uses a block schedule. Students withdrawing in the middle of any semester may lose credit for their work and may not be able to matriculate well in to a traditional school schedule. Please work with your Educational Coordinator and our Registrar prior to deciding to withdraw from Pivot.

Students planning on returning to their resident school districts should follow the below procedures:

- Student contacts his/her EC (assigned teacher) to request withdrawal from PCS.
- EC sends withdrawal form to student.
- Student/parent sends parent-signed withdrawal form to EC.
- EC submits withdrawal form to school registrar.
- Registrar enters withdrawal in to the management systems and signs withdrawal form.
- Registrar notifies family that withdrawal is completed.
- PCS notifies district of residence that student has withdrawn (required under California Education code).
- The resident school district requests the student's cumulative file from PCS.

In order to secure all credits for work completed by the student, students must continue to work in their courses until the withdrawal has been approved and parents are notified. Remember, if a student has a Pivot laptop, it must be returned in order to process grades in a timely fashion.

Technology

Internet access is required for all PCS students. PCS acknowledges that some internet sites contain illegal, inaccurate, or offensive information. It is impossible to control such misuses, but PCS urges our students to use the internet in a responsible, safe, efficient, ethical, and legal manner. With responsible use, the benefits of the internet as an educational tool will be most beneficial.

Security Information

All the data you provide to us is protected to ensure both the privacy and security of your information. We use state-of-the art technology to keep your personal information as secure as possible and to ensure that no one will be able to tamper with, intercept, or access your data. Remember to keep your account information private and secure.

Internet Etiquette (Netiquette)

When using the Internet, there are widely accepted rules and behaviors to follow. At times being online can feel “pretend” because you cannot see the person you are communicating with. Students must remember they are dealing with real people online and they should use the same manners they would use in a traditional school setting. It is also important to note that once the student logs on to the curriculum website(s), all communication and activity is permanently recorded. Below are some general netiquette guidelines to follow:

Students are responsible for good behavior while logged into any school related website, just as they are in a traditional school building. Always use a computer in a way that shows consideration and respect. It is illegal to use obscene, profane, threatening, or disrespectful language. Refrain from threatening or disrespecting an instructor or administrator. These actions not only violate PCS’s policy but may also violate penal laws in the United States. (f.s. 847.001 Obscene Literature; Profanity).

It is illegal to create harmful computer viruses. This violates the privacy of others.

Do not create computer viruses that may harm a computer. Never transmit or publish any information or content that you think will be harmful. This violates school policy and also violates penal laws in the United States. (f.s. 815 Computer-Related Crimes).

While PCS works to ensure data privacy, email must not always be considered private. Never say anything via email that you wouldn't mind seeing on the school bulletin board or in the local newspaper. Protect your password. Keep it secret from anyone except your parents.

Never publish any information, software, or content that violates the rights of others.

Do not violate the terms and conditions of any web site you access.

Never view files that were not intended for your use.

DO NOT give out personal information to non-PCS staff, for example:

Your full name

Home phone number

Home address

Email

Suicide Prevention Policy

The Governing Board of Pivot Charter School (“PCS”) recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

The policy has been developed in consultation with PCS and community stakeholders, PCS - employed mental health professionals, and suicide prevention experts and shall, at a minimum, address procedures relating to suicide prevention, intervention, and postvention.

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 PCS and is characterized by caring staff and harmonious interrelationships among students.

PCS's instructional and student support program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and resilience.

The Executive Director or designee may offer parents/guardians education or information which describes the severity of the youth suicide problem, PCS's suicide prevention efforts, risk factors and warning signs of suicide, basic steps for helping suicidal youth, reducing the stigma of mental illness, and/or PCS and community resources that can help youth in crisis.

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

Students shall be encouraged through the education program and in PCS activities to notify a teacher, Executive Director, another PCS administrator, psychologist, PCS counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

PCS Employees Acting Within Scope

PCS shall ensure that employees act only within the authorization and scope of the employee's credential or license. Nothing in this Policy shall be construed as authorizing or encouraging a PCS employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so.

Student Use of Technology Policy

Introduction

Our culture relies on computer networks, including the Internet, as a resource tool. The potential educational value of these systems is great: they provide access to resources that are vast, diverse, and important to students in the 21st Century. Computer technology includes, but is not limited to, computers, computer networks, the Internet and electronic mail. Such technologies are available at all Pivot Charter Schools ("PCS") resource centers.

Philosophy

PCS's philosophy is to offer all its students access to computer networks and the Internet in support of the educational goals and objectives of the PCS. Student use of PCS computer technology must be for educational purposes. Students are encouraged to use these systems for classroom activities, continuing their education, gathering college or career information and other educationally enriching research.

While PCS believes in the educational benefits of Internet access, it also recognizes that such access makes possible the availability of controversial materials. Therefore, it is important to teach individual responsibility to all students and for students to accept such responsibility rather than rely exclusively on PCS firewall and filtering software or other such blocking techniques. While PCS staff will make reasonable efforts to supervise student use of the network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

Personal Responsibility

Students agree to follow the rules in the policy and are agreeing to report any misuse of the network to site administration, teacher or designated staff member. Misuse means any violations of this policy or any other use that is not included in this policy, but has the effect of harming another or his or her property or violating any laws.

Student Access

PCS shall notify students and parents/guardians about authorized uses of school computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities. A student who enrolls in Pivot will have computer network and Internet access during the course of the current school year for which access is granted. A student who violates the technology policy may have his/her access denied.

In addition to access to the Internet, each student is assigned a curriculum username and passwords along with an electronic folder in which to store his or her work. Students are responsible for the contents of their folders. Although the Pivot Charter School does not issue student email accounts, students may use Pivot Charter School computers to access their personal email accounts via the Internet but must do so for educational purposes and must comply with all Pivot Charter School guidelines. Student use of Pivot Charter School computer technology is a privilege, which may be revoked at any time. Pivot Charter School is not responsible for personal computers or mobile devices brought to school.

Acceptable Uses

Pivot Charter School is providing access to its equipment, computer networks and the Internet for educational purposes only. Such educational purposes, include, but are not limited to, research in academic subjects, preparing for educational instruction, and communicating with others, as it directly relates to the educational curriculum. Students shall comply with all copyright laws.

Any teacher-directed student-created web pages that are intended for publication on school or Pivot Charter School web sites must comply with all Pivot Charter School guidelines.

Unacceptable Uses

Equipment use and network access is a privilege, not a right. Inappropriate use means a use that is inconsistent with an educational purpose or that is in clear violation of this policy. Inappropriate use of the equipment and the network by a student will result in disciplinary action up to and including suspension, expulsion, cancellation of student user privileges, and/or legal action (criminal and/or civil) in accordance with the law and the Pivot Charter School policy. Students must follow appropriate online behavior at all times, including interacting with other individuals on social networking websites and in

chat rooms and cyber bullying awareness and response. The following uses of the network are considered unacceptable by Pivot Charter School.

1. Personal Safety

Students may not post, use, or store personal contact information about themselves or other people when using electronic communication forms, such as but not limited to, email, chat rooms, social media sites. Personal contact information includes the student's address, telephone, social security number or other personal data, or school address.

Student will immediately disclose to their teacher or site administrator any message they receive that is inappropriate or makes them feel uncomfortable.

2. Illegal Activity

Students may not use the Internet to perform any illegal act or to help others perform illegal acts. Illegal acts include, but are not limited to, any activities in violation of local, state, and federal law and/or accessing information designed to further criminal or dangerous activities. Such information includes, but is not limited to, information that if acted upon could cause damage, present a danger, or cause disruption to PCS, other students, or the community.

Students may not post, submit, publish or display harmful or inappropriate material that is harassing, insulting, threatening or attacking any individual, including prejudicial or discriminatory attacks or insults. This includes any material, taken as a whole, which to the average person, applying contemporary statewide standards, appeal to the prurient interest and is material which depicts or describes in an offensive way sexual conduct and which lacks serious literary, artistic, political, or scientific value for students.

Students may not vandalize, misuse or harm, and /or steal computers, software, computer systems, or computer networks.

Students may not participate in hacking activities or any form of unauthorized access to other accounts (online or site stored), computers, networks, or information systems. Any unauthorized online access to other computers by means of hacking into other computers, downloading hacker tools such as port scanners and password crackers designed to evade restrictions shall also be strictly prohibited.

Student may not deliberately attempt to disrupt the computer system or destroy data by uploading, downloading, or creating computer viruses.

Students may not use the system to engage in any other illegal act, such as arranging for a drug sale illegal activities, or the purchase of alcohol, engaging in gang activity, or the threatening the safety of a person.

3. System Security

Students are responsible for their individual accounts and may not reveal their personal computer logon identification or those of other students, staff members.

Students must immediately notify a teacher or other school employee if they have identified a security problem.

Students may not download software to any computer unless instructed to do so by a teacher or site administrator.

The system may not be used to connect personnel hardware such as iPods unless it is needed for educational purposes.

4. Inappropriate Language and Behavior

Students may not use obscene, profane, vulgar, inflammatory, threatening, disrespectful or other inappropriate language on the systems. This includes use of Pivot equipment, curriculum vendors, and software and any use of the Internet.

Student will not display inappropriate materials (i.e. offensive messages or pictures, obscene language references, etc.) on the system. This includes use of district equipment and software and any use of the Internet.

Students will not post, submit, or publish information that could cause damage or danger of disruption to the school district, the student or others.

5. Inappropriate Access to Materials

Students may not use the system to access materials that are profane or obscene, that advocates illegal or dangerous acts, or that advocates violence or discrimination towards others (i.e. hate literature).

If a student mistakenly accesses inappropriate information, they should immediately report it to their teacher. This may protect students from any claim that they have intentionally violated the policy. c. Messages relating to or in support of illegal, inappropriate activities may be reported to the proper authorities.

6. Respecting Resources

Student will not engage in vandalism (i.e. uploading/downloading inappropriate files, introducing computer viruses, disrupting the operation or the system through the abuse of hardware or software, modifying another person's files or data.)

Students may not attempt to read, delete, copy, modify or forge the content of other users' folders, files, electronic communications, or online accounts.

Students will subscribe to only high-quality discussion group mail lists that are relevant to education and/or career development.

Students will be supervised while accessing the Internet; however, they are still responsible for their proper use and access.

7. Plagiarism and Copyright Infringement

Students will not plagiarize works that they find on the Internet. Plagiarism is adopting the ideas or writing of others and presenting them as your own.

Students must respect the copyright owners. Copyright infringement occurs when the student inappropriately reproduces a work that is protected by a copyright. If a student has a question about this, they should ask a teacher or refer to the plagiarism policy.

Copyrighted material may not be placed on the system without the author's permission. Students may download copyrighted material for their own educational use only and must footnote copyrighted material when used in academic work.

8. Search and Seizure

Users should have no expectation of privacy when using the district network or equipment. Pivot Charter School reserves the right to inspect student folders, personal files, electronic communications, downloaded material, including deleted files from a user's computer, records of online activity and other information on the Pivot Charter School's network or equipment when there is a reasonable suspicion that the student is engaging in an inappropriate use.

Pivot Charter School will strive to protect student privacy; however, Pivot Charter School will not be responsible for any damages (consequential, incidental or otherwise), which a student may suffer arising from access to or use of the Pivot Charter School's computers and computer network, including damages arising as a result of the actions of the Pivot Charter School. These damages include loss of data and delayed, lost or damaged electronic correspondence or files due to system or service provider interruptions and system shutdowns for emergency or routine maintenance of the system. Use or conveyance of information via Pivot Charter School computer technology is at the user's own risk.

9. Other Misuse

Students shall not use Pivot Charter School technology for:

Commercial uses, including offering to sell or purchase products or services;

Games, entertainment or personal non-education related uses (downloading music or videos may violate copyright laws);

Political campaigning.

Technology Protection Measure

1. The Pivot Charter School makes use of an Internet content filter to prevent access to sites with obscene, pornographic, or harmful content. Given the nature of the Internet and the limitations of content filtering systems, it is impossible to block all inappropriate sites. Students who access inappropriate sites should immediately disclose the site to their teacher or the school principal.

2. Students may make written requests to the school site administrator if they believe the content filter is blocking access to appropriate sites.

While PCS is able to exercise reasonable control over content created and purchased by PCS, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither PCS nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence.

Network Etiquette (“Netiquette”)

All users must abide by the rules of netiquette, which include the following:

Be polite. Use appropriate language.

Avoid language and uses that may be offensive to other users.

Do not reveal or request personal information.

Respect the intellectual property of other users and information providers.

Acceptable Use

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

Security. Students shall not impair the security of PCS technology resources. Students are expected to:

- ❖ Safeguard all personal passwords. Students should not share passwords with others and should change passwords frequently. Students are expected to notify an administrator immediately if they believe their student account has been compromised.
- ❖ Access technology only with their account or with a shared account as directed by their teacher and not to allow others to use their account or to use the accounts of others, with or without the account owner’s authorization.

Authorized Use: Students may use PCS technology resources when directed by a teacher, when technology has been designated for open student use (e.g., computers in the library), and for other educational purposes.

Protection Measures: While PCS is able exercise reasonable control over content created and purchased by PCS, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither PCS nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. The student and parent agree not to hold PCS or any PCS staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They also agree to indemnify and hold harmless PCS and PCS I personnel for any damages or costs incurred.

Inappropriate Use: PCS technology, hardware, software and bandwidth are shared and limited resources and all users have an obligation to use those resources responsibly. Students are provided access to PCS technology primarily for educational purposes. Students shall not use PCS technology or equipment for personal activities or for activities that violate school policy or local law. These include but are not limited to:

- Playing games or online gaming.
- Downloading software, music, movies or other content in violation of licensing requirements, copyright or other intellectual property rights.
- Installing software on PCS equipment without the permission of a teacher or other authorized PCS staff person.

- Downloading, viewing or sharing inappropriate content, including pornographic, defamatory or otherwise offensive material.
- Conducting any activity that is in violation of school policy, the student code of conduct or local, state or federal law.
- Engaging in any activity that is harmful to other student(s), including the use of technology to harass, intimidate, bully or otherwise disrupt the educational process.
- Participating in political activities.
- Conducting for-profit business.
- Using hacking tools on the network or intentionally introducing malicious code or viruses into the PCS network.
- Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
- Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
- Accessing or attempting to access material or systems on the network that the student is not authorized to access.

No Expectation of Privacy: Student acknowledges that computer equipment, Internet access networks, email accounts, and any other technology resources are owned PCS and provided to students for educational purposes. PCS may require staff to monitor and supervise all access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens may be positioned so that they are visible to the staff member supervising the students. PCS reserves the right to access stored computer records and communications, files, and other data stored on PCS equipment or sent over PCS networks. Such communications, files, and data are not private and may be accessed during routine system maintenance; during inspection of PCS equipment at the end of the school year/term or agree to use period; and review of individual files or monitoring of individual activity when there is a reasonable suspicion that the student is engaging in an inappropriate use.

Disruptive Activity: Students should not intentionally interfere with the performance of PCS network or intentionally damage any PCS technology resources.

Unauthorized Networks: Students may not create unauthorized wireless networks to access PCS' network. This includes establishing wireless access points, wireless routers and open networks on personal devices.

Consequences of Inappropriate Use: Students who violate this policy will be subject to discipline, which may include loss of access to PCS technology resources and/or other appropriate disciplinary or legal action in accordance with the PCS discipline policy and applicable laws.

Technology Systems/Equipment Care: Students are not permitted to have food or drink near computers/other technology and must keep equipment and assigned areas free of vandalism.

By this policy posted to the Parent and Student handbook, families agree to the following:

- ❖ That computer use is a privilege and not a right.
- ❖ If a student violates this policy in any way, they will be subject to a referral and possible suspension.

- ❖ Students understand that the parent or guardian of a minor student shall be liable for the replacement cost for property PCS loaned to the student that the student fails to return or that is willfully cut, defaced or otherwise damaged, up to an amount not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. When the minor and parent are unable to pay for the damages, PCS will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. A student over the age of majority shall be liable for the same. (Ed. Code 48904).

ACKNOWLEDGEMENT

All families will be sent this Student and Parent Handbook via email within the first week of enrollment or the beginning of the school year. Pivot tracks delivery of the handbook to ensure families receive their copy of the handbook. The provisions in the handbook are designed to provide parents and students with information and guidance as to the procedures and rules of the school. The provisions are not a contract and impose no obligation on the school. The contents of the handbook may be changed as necessary at the school's discretion and, if changed, written notification of such changes will be provided to parents and students.