

**YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
REGULAR MEETING
COUNCIL OF DIRECTORS
AGENDA**

**9841 Texas Hill Road
Oregon House, CA**

December 12, 2024

3:30pm

In Person

9841 Texas Hill Road, Oregon House, CA 95962

**INSTRUCTIONS FOR PRESENTATIONS TO
THE COUNCIL BY PARENTS AND CITIZENS**

The Yuba Environmental Science Charter Academy (“YES Charter Academy”) welcomes your participation at the School’s Council meetings. The purpose of a public meeting of the Council of Directors (“Council”) is to conduct the affairs of the School in public. We are pleased that you are in attendance and hope that you will visit these meetings often. Your participation assures us of continuing community interest in our School. To assist you in the ease of speaking/participating in our meetings, the following guidelines are provided:

1. Agendas are available to all audience members at the door to the meeting.
2. Blue “Request to Speak” forms are available to all audience members who wish to speak on any agenda items or under the general category of “Oral Communications.”
3. “Oral Communications” is set aside for members of the audience to raise issues that are not specifically on the agenda. However, due to public meeting laws, the Council can only listen to your issue, not respond or take action. These presentations are limited to three (3) minutes and total time allotted to non-agenda items will not exceed fifteen (15) minutes. The Council may give direction to staff to respond to your concern or you may be offered the option of returning with a citizen-requested item.
4. With regard to items that are on the agenda, you may specify that agenda item on your blue request form and you will be given an opportunity to speak for up to five (5) minutes when the Council discusses that item. Non-English speakers will be allowed twice the time limit for non-English speaker translation.
5. When addressing the Council, speakers are requested to state their name and address from the podium and adhere to the time limits set forth.
6. Citizens may request that a topic related to school business be placed on a future agenda in accordance with the guidelines in the School’s Council Policy. Once such an item is properly agendized and publicly noticed, the Council can respond, interact, and act upon the item.
7. Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by calling 530-692-2210 or lmiller@yescharteracademy.org. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

I. PRELIMINARY

A. CALL TO ORDER:

B. ROLL CALL/ESTABLISH QUORUM

President/Chair	Pam Cook	
Vice President	Linda Cohee	
Chief Financial Officer	Paul McGovern	
Secretary	Jamie Hyatt	
Staff Representative	Lance Haliday	
Principal/Director	Louise Miller	
Director	Lisa Thompson	
Director	Yvette Rodriguez	

Guests:

C. Adopt Minutes from Previous Meeting: (November 21, 2024)

D. Reading of Vision/Mission/Core Values:

Mission: YES CHARTER ACADEMY educates K-9 students in a school culture that values the scientific method and a curricular focus on environmental studies. The highest Common Core State Standards, as well as high standards of moral conduct, are emphasized.

The vision of the YES CHARTER ACADEMY is to educate K–9 students of the Sierra Foothills through a self-motivating, individualized, and comprehensive curriculum that connects learners with learning via a program, teaching staff, and school culture that value scientific methods of inquiry.

YES Charter Academy Students Are: Environmental Stewards, Positive Team Members, Academic Masters, Resourceful, Responsible Citizens, Kind!

II. PUBLIC SESSION

A. Public Comment: For Information

B. Teacher Presentation: For Information

C. Review updated ELOP Plan: For Information

D. Policy 0510: School Accountability Report Card. The COD will review and consider for approval the updates to Policy 0510: School Accountability Report Card. For Action

E. Policy 1114: YES Charter Academy-Sponsored Social Media. The COD will review and consider for approval the updates to Policy 1114: YES Charter Academy-Sponsored Social Media. For Action

- F. Policy 4040: Employee Use of Technology. The COD will review and consider for approval the updates to Policy 4040: Employee Use of Technology. **For Action**
- G. Policy 5144.1: Suspension and Expulsion/Due Process. The COD will review and consider for approval the updates to Policy 5144.1: Suspension and Expulsion/Due Process. **For Action**
- H. Policy 5147: Dropout Prevention. The COD will review and consider for approval the updates to Policy 5147: Dropout Prevention. **For Action**
- I. Policy 6112: School Day. The COD will review and consider for approval the updates to Policy 6112: School Day. **For Action**
- J. Policy 6163.4: Student Use of Technology. The COD will review and consider for approval the updates to Policy 6163.4: Student Use of Technology. **For Action**
- K. The Student Representative will address the COD: **For Information**
- L. The Staff Representative will address the COD: **For Information**
- M. The COD will receive a report from staff to review current enrollment: **For Information**
- N. Regular Review of Committees: **For Information/Action**

Facilities and Safety: Pam Cook/Deb Campbell/Dawn Kaundart/Sara Hedrick

Academic: Louise Miller/Linda Cohee/Eve Domingo/Paul McGovern/Jamie Hyatt

Outreach: Lisa Thompson/Michele Goldberg/Louise Miller/Jamie Hyatt/Frances Akers

Finance: Paul McGovern/Pam Cook

Transportation: Deb Campbell/Dawn Kaundart

Wellness: Louise Miller/ Sheila Rolfer/Yvette Rodriquez/Michelle Rodriquez

Policy & Procedure: Michele Goldberg/Pam Cook/Jamie Hyatt

III. **ADJOURNMENT**

Expanded Learning Opportunities Grant Plan

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
Yuba Environmental Science Charter Academy	Louise Miller Principal/Superintendent	lmiller@yescharteracademy.org (530) 692-2210

The following is the local educational agency’s (LEA’s) plan for providing supplemental instruction and support to students, including those identified as needing academic, social-emotional, and other supports, including the provision of meals and snacks. The plan will explain how the LEA will use the funds it receives through the Expanded Learning Opportunities (ELO) Grant to implement a learning recovery program for at least the students included in one or more of the following groups: low-income students, English learners, foster youth, homeless students, students with disabilities, students at risk of abuse, neglect, or exploitation, disengaged students, and students who are below grade level, including, but not limited to, those who did not enroll in kindergarten in the 2020–21 school year, credit-deficient students, high school students at risk of not graduating, and other students identified by certificated staff.

For specific requirements please refer to the Expanded Learning Opportunities Grant Plan Instructions.

Plan Descriptions

A description of how parents, teachers, and school staff were involved in the development of the plan.

We invited parents to Council of Directors meetings by posting on our website and directly to each family through our Parent Square app to give input. We also had discussions with teachers and school staff at regularly scheduled staff meetings to develop our plan. Parents and teachers were invited to respond to an anonymous survey question specifically about how to best offer expanded learning opportunities for students. Parents and school staff were invited to a roadmap meeting held on

A description of how students will be identified and the needs of students will be assessed.

Students will be identified and have needs assessed by the homeroom teacher and Learning Center teacher in collaboration. They will administer and analyze ELA and math I-Ready assessments, as well as reading fluency assessments, to create an Individualized Learning Plan, ILP, tailored to each student.

A description of how parents and guardians of students will be informed of the opportunities for supplemental instruction and support.

The school will contact parents and guardians to inform them of opportunities for supplemental instruction and support through Parent Square and through paper informational sheets sent home with students. Teachers will reach out to parents through Parent Square, email or phone call to Inform them of ILP goals and to personally invite them to have their child participate in supplemental instruction and support opportunities.

A description of the LEA’s plan to provide supplemental instruction and support.

We will create an ILP for each student and offer curriculum tailored to their needs. This will be offered during the summer enrichment program. We will continue delivering intervention based upon ILP goals during the current and future school years under the Rtl and small group intervention programs as well as offering before and after school opportunities.

Expenditure Plan

The following table provides the LEA’s expenditure plan for how it will use ELO Grant funds to support the supplemental instruction and support strategies being implemented by the LEA.

Supplemental Instruction and Support Strategies	Planned Expenditures	Actual Expenditures
Extending instructional learning time	19100	
Accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports	58680	
Integrated student supports to address other barriers to learning		
Community learning hubs that provide students with access to technology, high-speed internet, and other academic supports		
Supports for credit deficient students to complete graduation or grade promotion requirements and to increase or improve students’ college eligibility		
Additional academic services for students	1633	
Training for school staff on strategies to engage students and families in addressing students’ social-emotional health and academic needs		

Supplemental Instruction and Support Strategies	Planned Expenditures	Actual Expenditures
Total Funds to implement the Strategies	79413	

A description of how ELO Grant funds are being coordinated with other federal Elementary and Secondary School Emergency Relief Funds received by the LEA.

We work with all funds to best coordinate them to most effectively provide the services needed to reach students.

Expanded Learning Opportunities Grant Plan Instructions: Introduction

The Expanded Learning Opportunities Grant Plan must be completed by school districts, county offices of education (COE), or charter schools, collectively referred to as LEAs, that receive Expanded Learning Opportunities (ELO) Grant funds under California Education Code (EC) Section 43521(b). The plan must be adopted by the local governing board or body of the LEA at a public meeting on or before June 1, 2021, and must be submitted to the county office of education, the California Department of Education, or the chartering authority within five days of adoption, as applicable. The plan must be updated to include the actual expenditures by December 1, 2024.

For technical assistance related to the completion of the Expanded Learning Opportunities Grant Plan, please contact ELOGrants@cde.ca.gov. <mailto:lcff@cde.ca.gov>

Instructions: Plan Requirements

An LEA receiving ELO Grant funds under *EC* Section 43521(b) is required to implement a learning recovery program that, at a minimum, provides supplemental instruction, support for social and emotional well-being, and, to the maximum extent permissible under the guidelines of the United States Department of Agriculture, meals and snacks to, at a minimum, students who are included in one or more of the following groups:

- low-income,
- English learners,
- foster youth,
- homeless students,
- students with disabilities,
- students at risk of abuse, neglect, or exploitation,
- disengaged students, and
- students who are below grade level, including, but not limited to, those who did not enroll in kindergarten in the 2020–21 school year, credit-deficient students, high school students at risk of not graduating, and other students identified by certificated staff.

For purposes of this requirement

- “Supplemental instruction” means the instructional programs provided in addition to and complementary to the LEAs regular instructional programs, including services provided in accordance with an individualized education program (IEP).
- “Support” means interventions provided as a supplement to those regularly provided by the LEA, including services provided in accordance with an IEP, that are designed to meet students’ needs for behavioral, social, emotional, and other integrated student supports, in order to enable students to engage in, and benefit from, the supplemental instruction being provided.
- “Students at risk of abuse, neglect, or exploitation” means students who are identified as being at risk of abuse, neglect, or exploitation in a written referral from a legal, medical, or social service agency, or emergency shelter.

EC Section 43522(b) identifies the seven supplemental instruction and support strategies listed below as the strategies that may be supported with ELO Grant funds and requires the LEA to use the funding only for any of these purposes. LEAs are not required to implement each supplemental instruction and support strategy; rather LEAs are to work collaboratively with their community partners to identify the supplemental instruction and support strategies that will be implemented. LEAs are encouraged to engage, plan, and collaborate on program operation with community partners and expanded learning programs, and to leverage existing behavioral health partnerships and Medi-Cal billing options in the design and implementation of the supplemental instruction and support strategies being provided (*EC* Section 43522[h]).

The seven supplemental instruction and support strategies are:

1. Extending instructional learning time in addition to what is required for the school year by increasing the number of instructional days or minutes provided during the school year, providing summer school or intersessional instructional programs, or taking any other action that increases the amount of instructional time or services provided to students based on their learning needs.
2. Accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports including, but not limited to, any of the following:
 - a. Tutoring or other one-on-one or small group learning supports provided by certificated or classified staff.
 - b. Learning recovery programs and materials designed to accelerate student academic proficiency or English language proficiency, or both.
 - c. Educator training, for both certificated and classified staff, in accelerated learning strategies and effectively addressing learning gaps, including training in facilitating quality and engaging learning opportunities for all students.
3. Integrated student supports to address other barriers to learning, such as the provision of health, counseling, or mental health services, access to school meal programs, before and after school programs, or programs to address student trauma and social-emotional learning, or referrals for support for family or student needs.
4. Community learning hubs that provide students with access to technology, high-speed internet, and other academic supports.
5. Supports for credit deficient students to complete graduation or grade promotion requirements and to increase or improve students' college eligibility.
6. Additional academic services for students, such as diagnostic, progress monitoring, and benchmark assessments of student learning.
7. Training for school staff on strategies, including trauma-informed practices, to engage students and families in addressing students' social-emotional health needs and academic needs.

As a reminder, *EC* Section 43522(g) requires that all services delivered to students with disabilities be delivered in accordance with an applicable IEP.

Fiscal Requirements

The following fiscal requirements are requirements of the ELO grant, but they are not addressed in this plan. Adherence to these requirements will be monitored through the annual audit process.

- The LEA must use at least 85 percent (85%) of its apportionment for expenditures related to providing in-person services in any of the seven purposes described above.
- The LEA must use at least 10 percent (10%) of the funding that is received based on LCFF entitlement to hire paraprofessionals to provide supplemental instruction and support through the duration of this program, with a priority for full-time paraprofessionals. The supplemental instruction and support provided by the paraprofessionals must be prioritized for English learners and students with disabilities. Funds expended to hire paraprofessionals count towards the LEAs requirement to spend at least 85% of its apportionment to provide in-person services.
- An LEA may use up to 15 percent (15%) of its apportionment to increase or improve services for students participating in distance learning or to support activities intended to prepare the LEA for in-person instruction, before in-person instructional services are offered.

Instructions: Plan Descriptions

Descriptions provided should include sufficient detail yet be sufficiently succinct to promote a broad understanding among the LEA's local community.

A description of how parents, teachers, and school staff were involved in the development of the plan

Describe the process used by the LEA to involve, at a minimum, parents, teachers, and school staff in the development of the Expanded Learning Opportunities Grant Plan, including how the LEA and its community identified the seven supplemental instruction and support strategies that will be implemented. LEAs are encouraged to engage with community partners, expanded learning programs, and existing behavioral health partnerships in the design of the plan.

A description of how parents and guardians of students will be informed of the opportunities for supplemental instruction and support.

Describe the LEA’s plan for informing the parents and guardians of students identified as needing supplemental instruction and support of the availability of these opportunities, including an explanation of how the LEA will provide this information in the parents’ and guardians’ primary languages, as applicable.

A description of how students will be identified and the needs of students will be assessed

Describe the LEA’s plan for identifying students in need of academic, social-emotional, and other integrated student supports, including the LEA’s plan for assessing the needs of those students on a regular basis. The LEA’s plan for assessing the academic needs of its students may include the use of diagnostic and formative assessments.

As noted above in the Plan Requirements, “other integrated student supports” are any supports intended to address barriers to learning, such as the provision of health, counseling, or mental health services, access to school meal programs, before and after school programs, or programs to address student trauma and social-emotional learning, or referrals for support for family or student needs.

A description of the LEA’s plan to provide supplemental instruction and support

Describe the LEA’s plan for how it will provide supplemental instruction and support to identified students in the seven strategy areas defined in the Plan Requirements section. As a reminder, the LEA is not required to implement each of the seven strategies; rather the LEA will to work collaboratively with its community to identify the strategies that will be implemented. The plan must include a description of how supplemental instruction and support will be provided in a tiered framework that bases universal, targeted, and intensive supports on students’ needs for academic, social-emotional, and other integrated student supports. The plan must also include a description of how the services will be provided through a program of engaging learning experiences in a positive school climate.

As a reminder, *EC* Section 43522(g) requires that all services delivered to students with disabilities be delivered in accordance with an applicable individualized education program. Additionally, LEAs are encouraged to collaborate with community partners and expanded learning programs, and to leverage existing behavioral health partnerships and Medi-Cal billing options in the implementation of, this plan (*EC* Section 43522[h]).

Instructions: Expenditure Plan

The ‘Supplemental Instruction and Support Strategies’ column of the Expenditure Plan data entry table lists the seven supplemental instruction and support strategies that may be supported with ELO Grant funds.

Complete the Expenditure Plan data entry table as follows:

In the ‘Planned Expenditures’ column of the data entry table, specify the amount of ELO Grant funds being budgeted to support each supplemental instruction and support strategies being implemented by the LEA and the total of all ELO Grant funds being budgeted.

An LEA may amend its ELO Grant Plan, including the planned expenditures, based on changes in student needs identified as part of the LEAs ongoing assessment of the needs of students identified for supplemental instruction and support. LEAs are encouraged to collaborate with community partners when amending their plan.

A materially altered plan should be brought to the governing board or body of the LEA for adoption. School districts must submit the amended plan to their COE; charter schools must submit their amended plans to their chartering authority; COEs and school districts in a single-district county must submit their amended plans to the California Department of Education (CDE). COEs and school districts in a single-district county must submit their amended plans to the CDE by email at ELOGrants@cde.ca.gov. LEAs are also strongly encouraged to post an amended plan to the same web page as their LCAP.

The plan must be updated to include the actual expenditures by **December 1, 2024**. In the 'Actual Expenditures' column of the data entry table the LEA will report the amount of ELO Grant funds that the LEA actually expended in support of the strategies that it implemented, as well as the total ELO Grant funds expended.

A description of how these funds are being coordinated with other federal Elementary and Secondary School Emergency Relief Funds received by the LEA

Describe how the LEA is coordinating its ELO Grant funds with funds received from the federal Elementary and Secondary School Emergency Relief (ESSER) Fund provided through the federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (Public Law 116-260), also known as ESSER II, to maximize support for students and staff.

California Department of Education
March 2021

FIRST INTERIM
SPECIAL EDUCATION MAINTENANCE OF EFFORT (MOE)
2024-25 PROJECTED EXPENDITURES VS. ACTUAL COMPARISON YEAR
2024-25 PROJECTED EXPENDITURES BY LEA (LP-1)

Yuba Environmental Science Charter Academy

Object Code	Description	Special Education Unspecified (Goal #5001)	Severely Disabled (Goal #5750)	Nonseverely Disabled (Goal #5770)	Adjustments Unduplicated Pupil Count	Total
						28
TOTAL PROJECTED EXPENDITURES						
1000 - 1999	Certificated Salaries	104,420.00				104,420.00
2000 - 2999	Classified Salaries	111,061.00				111,061.00
3000 - 3999	Employee Benefits	50,200.00				50,200.00
4000 - 4999	Books & Supplies					0.00
5000 - 5999	Services & Other Operating Expenditures	90,000.00				90,000.00
6000 - 6999	Capital Outlay					0.00
7130	State Special Schools					0.00
7430 - 7439	Debt Service					0.00
	Total Direct Costs	355,681.00	0.00	0.00	0.00	355,681.00
7310	Transfers of Indirect Costs					0.00
7350	Transfers of Indirect Costs - Interfund					0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00	0.00
	TOTAL COSTS	355,681.00	0.00	0.00	0.00	355,681.00
FEDERAL PROJECTED EXPENDITURES (Resources 3000-5999)						
1000 - 1999	Certificated Salaries					0.00
2000 - 2999	Classified Salaries					0.00
3000 - 3999	Employee Benefits					0.00
4000 - 4999	Books & Supplies					0.00
5000 - 5999	Services & Other Operating Expenditures					0.00
6000 - 6999	Capital Outlay					0.00
7130	State Special Schools					0.00
7430 - 7439	Debt Service					0.00
	Total Direct Costs	0.00	0.00	0.00	0.00	0.00
7310	Transfers of Indirect Costs					0.00
7350	Transfers of Indirect Costs - Interfund					0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00	0.00
	TOTAL COSTS	0.00	0.00	0.00	0.00	0.00
STATE & LOCAL PROJECTED EXPENDITURES (Resources 0000-2999, 3385, 6000-9999)						
1000 - 1999	Certificated Salaries	104,420.00				104,420.00
2000 - 2999	Classified Salaries	111,061.00				111,061.00
3000 - 3999	Employee Benefits	50,200.00				50,200.00
4000 - 4999	Books & Supplies	0.00				0.00
5000 - 5999	Services & Other Operating Expenditures	90,000.00				90,000.00
6000 - 6999	Capital Outlay					0.00
7130	State Special Schools					0.00
7430 - 7439	Debt Service					0.00
	Total Direct Costs	355,681.00	0.00	0.00	0.00	355,681.00
7310	Transfers of Indirect Costs					0.00
7350	Transfers of Indirect Costs - Interfund					0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00	0.00
	TOTAL COSTS BEFORE CONTRIBUTIONS	355,681.00	0.00	0.00	0.00	355,681.00
8980	Contributions from Unrestricted Revenue Resources					
	TOTAL COSTS	355,681.00	0.00	0.00	0.00	355,681.00
LOCAL PROJECTED EXPENDITURES (Resources 0000-1999 & 8000-9999)						
1000 - 1999	Certificated Salaries					0.00
2000 - 2999	Classified Salaries	43,080.00				43,080.00
3000 - 3999	Employee Benefits	50,200.00				50,200.00
4000 - 4999	Books & Supplies					0.00
5000 - 5999	Services & Other Operating Expenditures	90,000.00				90,000.00
6000 - 6999	Capital Outlay					0.00
7130	State Special Schools					0.00
7430 - 7439	Debt Service					0.00
	Total Direct Costs	183,280.00	0.00	0.00	0.00	183,280.00
7310	Transfers of Indirect Costs					0.00
7350	Transfers of Indirect Costs - Interfund					0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00	0.00
	TOTAL COSTS BEFORE CONTRIBUTIONS	183,280.00	0.00	0.00	0.00	183,280.00
8980	Contributions from Unrestricted Revenue Resources					
	TOTAL COSTS	183,280.00	0.00	0.00	0.00	183,280.00

FIRST INTERIM
SPECIAL EDUCATION MAINTENANCE OF EFFORT (MOE)
2024-25 PROJECTED EXPENDITURES VS. ACTUAL COMPARISON YEAR
2023-24 ACTUAL EXPENDITURES BY LEA (LA-1)

Yuba Environmental Science Charter Academy

Object Code	Description	Special Education (Goal #5001)	Severely Disabled (Goal #5750)	Nonseverely Disabled (Goal #5770)	Adjustments	Unduplicated Pupil Count	Total
						26	
TOTAL ACTUAL EXPENDITURES							
1000 - 1999	Certificated Salaries	114,889.54					114,889.54
2000 - 2999	Classified Salaries	32,016.81					32,016.81
3000 - 3999	Employee Benefits	38,801.34					38,801.34
4000 - 4999	Books & Supplies						0.00
5000 - 5999	Services & Other Operating Expenditures	84,262.58					84,262.58
6000 - 6999	Capital Outlay						0.00
7130	State Special Schools						0.00
7430 - 7439	Debt Service						0.00
	Total Direct Costs	269,970.27	0.00	0.00	0.00		269,970.27
7310	Transfers of Indirect Costs						0.00
7350	Transfers of Indirect Costs - Interfund						0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00		0.00
	TOTAL COSTS	269,970.27	0.00	0.00	0.00		269,970.27
FEDERAL ACTUAL EXPENDITURES (Resources 3000-5999)							
1000 - 1999	Certificated Salaries						0.00
2000 - 2999	Classified Salaries						0.00
3000 - 3999	Employee Benefits						0.00
4000 - 4999	Books & Supplies						0.00
5000 - 5999	Services & Other Operating Expenditures	2,012.00					2,012.00
6000 - 6999	Capital Outlay						0.00
7130	State Special Schools						0.00
7430 - 7439	Debt Service						0.00
	Total Direct Costs	2,012.00	0.00	0.00	0.00		2,012.00
7310	Transfers of Indirect Costs						0.00
7350	Transfers of Indirect Costs - Interfund						0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00		0.00
	TOTAL COSTS	2,012.00	0.00	0.00	0.00		2,012.00
STATE & LOCAL ACTUAL EXPENDITURES (Resources 0000-2999, 3385, 6000-9999)							
1000 - 1999	Certificated Salaries	114,899.54					114,899.54
2000 - 2999	Classified Salaries	32,016.81					32,016.81
3000 - 3999	Employee Benefits	38,801.34					38,801.34
4000 - 4999	Books & Supplies						0.00
5000 - 5999	Services & Other Operating Expenditures	82,251.00					82,251.00
6000 - 6999	Capital Outlay						0.00
7130	State Special Schools						0.00
7430 - 7439	Debt Service						0.00
	Total Direct Costs	267,968.69	0.00	0.00	0.00		267,968.69
7310	Transfers of Indirect Costs						0.00
7350	Transfers of Indirect Costs - Interfund						0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00		0.00
	TOTAL COSTS BEFORE CONTRIBUTIONS	267,968.69	0.00	0.00	0.00		267,968.69
8980	Contributions from Unrestricted Revenue Resources						
	TOTAL COSTS	267,968.69	0.00	0.00	0.00		267,968.69
LOCAL ACTUAL EXPENDITURES (Resources 0000-1999 & 8000-9999)							
1000 - 1999	Certificated Salaries						0.00
2000 - 2999	Classified Salaries						0.00
3000 - 3999	Employee Benefits	1,126.14					1,126.14
4000 - 4999	Books & Supplies						0.00
5000 - 5999	Services & Other Operating Expenditures	69,212.58					69,212.58
6000 - 6999	Capital Outlay						0.00
7130	State Special Schools						0.00
7430 - 7439	Debt Service						0.00
	Total Direct Costs	70,338.72	0.00	0.00	0.00		70,338.72
7310	Transfers of Indirect Costs						0.00
7350	Transfers of Indirect Costs - Interfund						0.00
	Total Indirect Costs	0.00	0.00	0.00	0.00		0.00
	TOTAL COSTS BEFORE CONTRIBUTIONS	70,338.72	0.00	0.00	0.00		70,338.72
8980	Contributions from Unrestricted Revenue Resources						
	TOTAL COSTS	70,338.72	0.00	0.00	0.00		70,338.72

SPECIAL EDUCATION MAINTENANCE OF EFFORT (MOE)
 2024-25 PROJECTED EXPENDITURES VS. ACTUAL COMPARISON YEAR
 LEA MAINTENANCE OF EFFORT CALCULATION (LMC-I)

SELPA: Yuba County

CHARTER: Enter School Name Here

This form is used to check Maintenance of Effort (MOE) for a Charter LEA,

Per the federal Subsequent Years Rule, in order to determine the required level of effort, the LEA must look back to the last fiscal year in which the Charter LEA maintained effort using the same method by which it is currently establishing the compliance standard. To meet the requirement of the Subsequent Years Rule, the LMC-I worksheet has been revised to add Section 3.A.1, 3.A.2, 3.B.1, 3.B.2 and Section 3.B.2. The revised sections allow the LEA to compare the 2023-24 projected expenditures to the most recent fiscal year the LEA met MOE using that method, which is the comparison year.

There are four methods that the LEA can use to demonstrate the compliance standard. They are (1) combined state and local expenditures; (2) combined state and local expenditures on a per capita basis; (3) local expenditures only; and (4) local expenditures only on a per capita basis.

The LEA is only required to pass one of the tests to meet the MOE requirement. However the LEA is required to show results for all four methods. These results are necessary both for historical purposes and for the possibility that the LEA may want, or need, to switch methods in future years.

SECTION #1 Exempt Reduction Under 34 CFR Section 300.204

If your Charter LEA determines that a reduction in expenditures occurred as a result of one or more of the following conditions, you may calculate a reduction to the required MOE standard. Reductions may apply to local only MOE standard, combined state and local MOE standard, or both.

1. Voluntary departure, by retirement, or otherwise, or departure for just cause, of special education or related services personnel.
2. A decrease in the enrollment of children with disabilities
3. The termination of the obligation the agency to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the SEA, because the child:
 - a. Has left the jurisdiction of the agency;
 - b. Has reached the age at which the obligation of the agency to provide free appropriate public education (FAPE) to the child has terminated; or
 - c. No longer needs the program of special education.
4. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.
5. The assumption of cost by the high cost fund operated by the SEA under 34 CFR Section 300.704 (c)

Provide the condition number , if any, to be used in the calculation below	State & Local	Local Only
Total Exempt Reductions	0.00	0.00

SECTION #2

Reduction to MOE Requirement Under IDEA, Section 613 (a)(2)(C) (34CFR Section 300.205)

IMPORTANT NOTE: Only Charter LEAs that have a "meets requirement" compliance determination and are not found significantly disproportionate for the current year are eligible to use this option to reduce their MOE requirement

Up to 50% of the increase in IDEA Part B, Section 611 funding in current year compared with prior year may be used to reduce the required level of state and local expenditures. This option is available only if the LEA used or will use the freed up funds for activities authorized under the Elementary and Secondary Education Act of 1965. Also, the amount of Part B funds used for early intervening services (34 CFR 300.226(a)) will count toward the maximum amount by which the LEA may reduce its MOE requirement under this exception.

	<u>State & Local</u>	<u>Local Only</u>
Current Year Funding		
Local Assistance Grant Award, Resource #3310	_____	
Less Prior Year Funding		
Local Assistance Grant Award, Resource #3310	_____	
Increase in Funding (if difference is positive)	_____	0.00
Maximum available for MOE Reduction (50% of increase in funding)	_____	0.00
Current year funding (IDEA Section 619 - Resource 3315)	_____	
Maximum available for early intervening services (EIS) (15% of current year funding - Resources 3310 and 3315)	_____	(b)

SECTION NOT APPLICABLE		
If (b) is greater than (a).		
for EIS	_____	(c)
Available for MOE reduction. (line (a) minus line (c), zero if negative)	_____	0 (d)
Enter portion used to reduce MOE requirement (cannot exceed line (d). Available for MOE reduction).	_____	_____

SECTION NOT APPLICABLE		
If (b) is less than (a).		
exceed line (a), Maximum available for MOE reduction, second and	_____	(e)
Available to set aside for EIS (line (b) minus line (e), zero if negative)	_____	0 (f)

NOTE: If you LEA exercises the authority under 34 CFR 300.205(a) to reduce the MOE requirement, the LEA must list the activities (which are authorized under the ESEA) paid with the freed up funds:

SPECIAL EDUCATION MAINTENANCE OF EFFORT (MOE)
 2024-25 PROJECTED EXPENDITURES VS. ACTUAL COMPARISON YEAR
 LEA MAINTENANCE OF EFFORT CALCULATION (LMC-I)

SECTION #3

	Column A	Column B	Column C
	Projected Expenditures FY 2024-25 (LP-I Worksheet)	Actual Expenditures Comparison Year FY 2023-2024	Difference (Col A - Col B)
A. Combined State and Local Expenditures Method			
1. Under "Comparison Year," enter the most recent year in which MOE compliance was met using the actual vs. actual method based on state and local expenditures			
a. Total Special Education Expenditures	355,681.00		
b. Less: Expenditures paid from Federal Sources	0.00		
c. Expenditures paid from State & Local Sources	355,681.00	267,968.00	
Add/Less: Adjustments required for MOE Calculation Comparison Year's expenditures, adjusted for MOE Calculation			
Net Expenditures paid from state and Local Sources		267,968.00	
Less: Exempt Reduction(s) from Section 1		0.00	
Less: 50% reduction from Section 2		0.00	
e. Net Expenditures paid from State and Local Sources	355,681.00	267,968.00	87,713.00

If the difference in Column C for the Section 3.A.1 is positive or zero, the MOE compliance requirement is met based on the combination of state and local expenditures.

	Projected Exps. FY 2024-25 (LP-I Worksheet)	Comparison Year FY 2023-24	Difference
2 Under "Comparison Year," enter the most recent year in which MOE compliance was met using the actual vs. actual method based on the per capita state and local expenditures capita state and local expenditures.			
a. Total Special Education Expenditures	355,681.00		
b. Less: Expenditures paid from Federal Sources	0.00		
c. Expenditures paid from State & Local Sources	355,681.00	267,968.00	
Add/Less: Adjustments required for MOE Calculation Comparison Year's expenditures, adjusted for MOE Calculation			
Net Expenditures paid from State and Local Sources		267,968.00	
Less: Exempt Reduction(s) from Section 1		0.00	
Less: 50% reduction from Section 2		0.00	
Net Expenditures paid from State and Local Sources	355,681.00	267,968.00	
d. Special Education Unduplicated Pupil Count	28.00	26.00	
e. Per Capita State and Local Expenditures	12,702.89	10,306.46	2,396.43

If the difference in Column C for the Section 3.A.2. is positive or zero, the MOE compliance requirement is met based on the per capita state and local expenditures.

SPECIAL EDUCATION MAINTENANCE OF EFFORT (MOE)
 2024-25 PROJECTED EXPENDITURES VS. ACTUAL COMPARISON YEAR
 LEA MAINTENANCE OF EFFORT CALCULATION (LMC-I)

SECTION #3

B. Local Expenditures Only Method

	Projected Exps. FY 2024-25 (LP-I Worksheet)	Comparison Year FY 2023-24	Difference
1. Under "Comparison Year," enter the most recent year in which MOE compliance was met using the actual vs. actual method based on the local expenditures only.			
a. Expenditures paid from Local Sources	183,280.00	70,338.72	
Add/Less: Adjustments required for MOE Calculation			
Comparison Year's expenditures, adjusted for MOE Calculation		70,338.72	
Net Expenditures paid from state and Local Sources		0.00	
Less: Exempt Reduction(s) from Section 1		0.00	
Less: 50% reduction from Section 2		0.00	
Net Expenditures paid from Local Sources	183,280.00	70,338.72	112,941.28

If the difference in Column C for the Section 3.B.1 is positive or zero, the MOE compliance requirement is met based on the local expenditures only.

	Projected FY 2024-25 (LP-I Worksheet)	Comparison Year FY 2023-24	Difference
2. Under "Comparison Year", enter the most recent year in which MOE compliance was met using the actual vs. actual method based on the per capita local expenditures only			
a. Expenditures paid from Local Sources	183,280.00	70,338.72	
Add/Less: Adjustments required for MOE Calculation			
Comparison Year's expenditures, adjusted for MOE Calculation			
Net Expenditures paid from Local Sources		70,338.72	
Less: Exempt Reduction(s) from Section 1		0.00	
Less: 50% reduction from Section 2		0.00	
Net Expenditures paid from Local Sources	183,280.00	70,338.72	
b. Special Education Unduplicated Pupil Count	28	26	
c. Per Capita Local Expenditures (B2a/B2b)	6545.71	2705.34	3840.37

If the difference in Column C for the Section 3.B.2 is positive or zero, the MOE compliance requirement is met based on the per capita local expenditures only.

Susan Lefkowitz
 Contact Name

530-520-5556
 Telephone Number

Title

Email Address

THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY

CHARTER SCHOOL NUMBER: 0990

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

YEAR ENDED JUNE 30, 2024



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**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
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YEAR ENDED JUNE 30, 2024**

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INDEPENDENT AUDITORS' REPORT

Board of Directors
The Yuba Environmental Science Charter Academy
Oregon House, California

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of The Yuba Environmental Science Charter Academy (the School), a California nonprofit public benefit corporation, which comprise the statement of financial position as of June 30, 2024, and the related statements of activities, cash flows, and functional expenses for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the School as of June 30, 2024, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of The Yuba Environmental Science Charter Academy and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the School's ability to continue as a going concern for one year after the date the financial statements are available to be issued.

Auditors' Responsibility for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the School's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the School's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the School’s financial statements as a whole. The supplementary information (as identified in the table of contents) are presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the local education agency organization structure but does not include the financial statements and our auditors’ report thereon. Our opinion on the financial statements does not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report dated December 12, 2024 on our consideration of the School’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the School’s internal control over financial reporting and compliance.



CliftonLarsonAllen LLP

Glendora, California
December 12, 2024

THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
STATEMENT OF FINANCIAL POSITION
JUNE 30, 2024

ASSETS

CURRENT ASSETS

Cash and Cash Equivalents	\$	909,445
Accounts Receivable - Federal and State		787,257
Prepaid Expenses and Other Assets		18,821
Total Current Assets		1,715,523

LONG-TERM ASSETS

Property, Plant, and Equipment, Net		851,175
Right-of-Use Lease Assets - Operating		226,929
Total Long-Term Assets		1,078,104

Total Assets	\$	2,793,627
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LIABILITIES AND NET ASSETS

CURRENT LIABILITIES

Accounts Payable and Accrued Liabilities	\$	386,453
Deferred Revenue		568,595
Notes Payable, Current Portion		24,691
Operating Lease Liabilities, Current Portion		105,035
Total Current Liabilities		1,084,774

LONG-TERM LIABILITIES

Notes Payable, Net of Current		141,621
Operating Lease Liabilities, Net of Current Portion		123,656
Total Long-Term Liabilities		265,277

Total Liabilities		1,350,051
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NET ASSETS

Without Donor Restriction		1,123,760
With Donor Restriction		319,816
Total Net Assets		1,443,576

Total Liabilities and Net Assets	\$	2,793,627
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See accompanying Notes to Financial Statements.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2024**

	<u>Without Donor Restrictions</u>	<u>With Donor Restrictions</u>	<u>Total</u>
REVENUES			
State Revenue:			
State Aid	\$ 1,771,695	\$ -	\$ 1,771,695
Other State Revenue	877,961	311,795	1,189,756
Federal Revenue:			
Grants and Entitlements	468,634	-	468,634
Local Revenue:			
In-Lieu Property Tax Revenue	400,800	-	400,800
Contributions	93,868	-	93,868
Other Revenue	10,099	-	10,099
Net Assets Released from Restrictions	61,234	(61,234)	-
Total Revenues	<u>3,684,291</u>	<u>250,561</u>	<u>3,934,852</u>
EXPENSES			
Program Services	2,516,550	-	2,516,550
Management and General	1,115,164	-	1,115,164
Fundraising	7,776	-	7,776
Total Expenses	<u>3,639,490</u>	<u>-</u>	<u>3,639,490</u>
CHANGE IN NET ASSETS	44,801	250,561	295,362
Net Assets - Beginning of Year	<u>1,078,959</u>	<u>69,255</u>	<u>1,148,214</u>
NET ASSETS - END OF YEAR	<u>\$ 1,123,760</u>	<u>\$ 319,816</u>	<u>\$ 1,443,576</u>

See accompanying Notes to Financial Statements.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
STATEMENT OF CASH FLOWS
YEAR ENDED JUNE 30, 2024**

CASH FLOWS FROM OPERATING ACTIVITIES

Change in Net Assets	\$ 295,362
Adjustments to Reconcile Change in Net Assets to Net Cash	
Provided by Operating Activities:	
Depreciation	221,468
Right-of-Use Lease Assets - Operating	168,285
Change in Operating Assets:	
Accounts Receivable - Federal and State	(80,302)
Prepaid Expenses and Other Assets	(5,772)
Change in Operating Liabilities:	
Accounts Payable and Accrued Liabilities	6,343
Deferred Revenue	(121,077)
Operating Lease Liabilities	(170,860)
Net Cash Provided by Operating Activities	313,447

CASH FLOWS FROM INVESTING ACTIVITIES

Purchases of Property, Plant, and Equipment	(263,834)
Net Cash Used by Investing Activities	(263,834)

CASH FLOWS FROM FINANCING ACTIVITIES

Proceeds from Notes Payable	130,000
Repayments of Notes Payable	(19,758)
Net Cash Provided by Financing Activities	110,242

NET CHANGE IN CASH AND CASH EQUIVALENTS

159,855

Cash and Cash Equivalents - Beginning of Year

749,590

CASH AND CASH EQUIVALENTS - END OF YEAR

\$ 909,445

SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION

Cash Paid for Interest	\$ 6,125
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See accompanying Notes to Financial Statements.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
STATEMENT OF FUNCTIONAL EXPENSES
YEAR ENDED JUNE 30, 2024**

	<u>Program Services</u>	<u>Management and General</u>	<u>Fundraising</u>	<u>Total Expenses</u>
Salaries and Wages	\$ 1,148,460	\$ 653,637	\$ -	\$ 1,802,097
Pension Expense	158,500	-	-	158,500
Other Employee Benefits	132,731	56,734	-	189,465
Payroll Taxes	55,783	23,846	-	79,629
Management Fees	15,514	6,631	-	22,145
Legal Expenses	-	20,501	-	20,501
Accounting Expenses	15,778	6,744	-	22,522
Instructional Materials	98,920	8,348	-	107,268
Other Fees for Services	226,810	55,944	-	282,754
Advertising and Promotion Expenses	9,739	4,163	-	13,902
Office Expenses	73,112	31,253	-	104,365
Information Technology Expenses	19,679	8,412	-	28,091
Occupancy Expenses	184,842	79,011	-	263,853
Travel Expenses	4,823	2,062	-	6,885
Interest Expense	-	6,125	-	6,125
Depreciation Expense	155,150	66,318	-	221,468
Insurance Expense	-	48,441	-	48,441
Other Expenses	216,709	36,994	7,776	261,479
	<u>216,709</u>	<u>36,994</u>	<u>7,776</u>	<u>261,479</u>
Total	<u>\$ 2,516,550</u>	<u>\$ 1,115,164</u>	<u>\$ 7,776</u>	<u>\$ 3,639,490</u>

See accompanying Notes to Financial Statements.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024**

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Activities

The Yuba Environmental Science Charter Academy (the School) was incorporated in the state of California on July 19, 2007, under the Nonprofit Public Benefit Corporation Law for public and charitable purposes. The School petitioned and was approved through the Yuba County Office of Education for a five-year period with the current charter expiring in June 2026. The School was approved by the state of California Department of Education on May 8, 2008.

The mission of the School is to educate TK-8 students in a School culture that values the scientific method and a curricular focus on environmental studies. The highest California academic standards, as well as high standards of moral conduct, will be emphasized.

Basis of Accounting

The financial statements have been prepared on the accrual method of accounting and accordingly, reflect all significant receivables and liabilities.

Basis of Presentation

The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America as prescribed by the Financial Accounting Standards Board.

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, and disclosures. Accordingly, actual results could differ from those estimates.

Functional Allocation of Expenses

Costs of providing the School's programs and other activities have been presented in the statement of functional expenses. During the year, such costs are accumulated into separate groupings as either direct or indirect. Indirect or shared costs are allocated among program and support services by a method that best measures the relative degree of benefit. The expenses that are allocated include occupancy and depreciation, which are allocated on a square footage basis, as well as salaries and wages, benefits, payroll taxes, other professional services, office expenses, information technology, interest, insurance, and other expenses which are allocated on the basis of estimates of time and effort.

Cash and Cash Equivalents

The School defines its cash and cash equivalents to include only cash on hand, demand deposits, and liquid investments with original maturities of three months or less.

THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Net Asset Classes

Net assets, revenues, gains, and losses are classified based on the existence or absence of donor or grantor-imposed restrictions. Accordingly, net assets and changes therein are classified and reported as follows:

Net Assets Without Donor Restrictions – Net assets available for use in general operations and not subject to donor (or certain grantor) restrictions.

Net Assets With Donor Restrictions – Net assets subject to donor- (or certain grantor-) imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Donor-imposed restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

Contributions restricted by donors are reported as increases in net assets without donor restrictions if the restrictions expire (that is, when a stipulated time restriction ends or purpose restriction is accomplished) in the reporting period in which the revenue is recognized.

Accounts Receivable

Accounts receivable primarily represent amounts due from federal and state governments as of June 30, 2024. Management believes that all receivables are fully collectible, therefore, no provisions for uncollectible accounts were recorded.

Property, Plant, and Equipment

Property, plant, and equipment are stated at cost, if purchased, or at estimated fair value, if donated. Maintenance and repair costs are charged to expense as incurred. The School capitalizes all expenditures for land, building and building improvements, and expenditures in excess of \$2,000 for equipment. Depreciation is provided on a straight-line basis over the estimated useful lives of the asset. The useful lives range varies from 3 to 35 years, depending on the asset category.

Property Taxes

Secured property taxes attach as an enforceable lien on property as of January 1. Taxes are levied on September 1 and are payable in two installments on or before November 1 and February 1. Unsecured property taxes are not a lien against real property and are payable in one installment on or before August 31. The County bills and collects property taxes for all taxing agencies within the County and distributes these collections to the various agencies.

The sponsor agency of the School is required by law to provide in-lieu property tax payments on a monthly basis, from August through July. The amount paid per month is based upon an allocation per student, with a specific percentage to be paid each month.

THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Compensated Absences

The School does not allow employees to carryover unused vacation. Accordingly, there were no accumulated compensated absence benefits at June 30, 2024.

Revenue Recognition

Amounts received from the California Department of Education are conditional and recognized as revenue by the School based on the average daily attendance (ADA) of students. Revenue that is restricted is recorded as an increase in net assets without donor restriction, if the restriction expires in the reporting period in which the revenue is recognized. All other restricted revenues are reported as increases in net assets with donor restriction.

Contributions

All contributions are considered to be available for use unless specifically restricted by the donor. Amounts received that are restricted to specific use or future periods are reported as contributions with donor restrictions. Restricted contributions that are received and released in the same period are reported as promises to give without donor restrictions. Unconditional promises to give expected to be received in one year or less are recorded at net realizable value. Unconditional promises to give expected to be received in more than one year are recorded at fair value at the date of the promise. Conditional promises to give (those with a measurable performance or other barrier and a right of return) are not recognized until they become unconditional, that is, when the conditions on which they depend are substantially met.

Conditional Grants

Grants and contracts that are conditioned upon the performance of certain requirements or the incurrence of allowable qualifying expenses (barriers) are recognized as revenues in the period in which the conditions are met. Amounts received are recognized as revenue when the School has incurred expenditures in compliance with specific contract or grant provisions. Amounts received prior to incurring qualifying expenditures are reported as deferred Revenues in the statement of financial position. As of June 30, 2024, the School has conditional grants of \$675,857, of which \$568,595 is recognized as deferred revenue in the statement of financial position.

Other Revenue

Other revenue consist primarily of revenue for other student services. The performance obligation for providing these services is simultaneously received and consumed by the students; therefore, the revenue is recognized ratably over the course of the academic year.

THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Income Taxes

The School is a nonprofit entity exempt from the payment of income taxes under Internal Revenue Code Section 501(c)(3) and California Revenue and Taxation Code Section 23701d. Accordingly, no provision has been made for income taxes. Management has determined that all income tax positions are more likely than not of being sustained upon potential audit or examination; therefore, no disclosures of uncertain income tax positions are required. The School files an exempt organization return in the U.S. federal jurisdiction and with the California Franchise Tax Board.

Leases

The School leases certain school facilities, equipment, and office space. The School determines if an arrangement is a lease at inception. Operating leases are included in operating lease right-of-use (ROU) assets, and operating lease liabilities on the statement of financial position. Finance leases are included in financing ROU assets, and lease liabilities – financing on the statement of financial position.

ROU assets represent the School's right to use an underlying asset for the lease term and lease liabilities represent the School's obligation to make lease payments arising from the lease. ROU assets and liabilities are recognized at the lease commencement date based on the present value of lease payments over the lease term. As most of leases do not provide an implicit rate, the School uses its incremental borrowing rate based on the information available at commencement date in determining the present value of lease payments. The operating lease ROU asset also includes any lease payments made and excludes lease incentives. The lease terms may include options to extend or terminate the lease when it is reasonably certain that the School will exercise that option. The School has elected to recognize payments for short-term leases with a lease term of 12 months or less as expense as incurred and these leases are not included as lease liabilities or ROU assets on the statement of financial position.

The School has elected not to separate nonlease components from lease components and instead accounts for each separate lease component and the nonlease component as a single lease component. The School's lease agreements do not contain any material residual value guarantees or material restrictive covenants.

In evaluating contracts to determine if they qualify as a lease, the School considers factors such as if the School has obtained substantially all of the rights to the underlying asset through exclusivity, if the School can direct the use of the asset by making decisions about how and for what purpose the asset will be used and if the lessor has substantive substitution rights. This evaluation may require significant judgment.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024**

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Evaluation of Subsequent Events

The School has evaluated subsequent events through December 12, 2024, the date these financial statements were available to be issued.

NOTE 2 LIQUIDITY AND AVAILABILITY

Financial assets available for general expenditure are those without donor or other restrictions limiting their use within one year of the statement of financial position date. Financial assets available for general expenditures as of June 30, 2024 are comprised of:

Cash and Cash Equivalents	\$ 909,445
Accounts Receivable - Federal and State	787,257
Less: Net Assets With Donor Restrictions	<u>(319,816)</u>
Financial Assets Available for General Expenditure	<u><u>\$ 1,376,886</u></u>

As part of the liquidity management plan, the School monitors liquidity required and cash flows to meet the operating needs on a monthly basis. The School structures financial assets to be available as the general expenditures, liabilities and other obligations come due.

NOTE 3 CONCENTRATION OF CREDIT RISK

The School maintains cash balances in banks which are insured up to \$250,000 by the Federal Deposit Insurance Corporation (FDIC). At times, cash in these accounts exceeds the insured amounts. The School has not experienced any losses in such accounts and believes it is not exposed to any significant credit risk on its cash and cash equivalents.

NOTE 4 PROPERTY, PLANT, AND EQUIPMENT

Property, plant, and equipment in the accompanying financial statements is presented net of accumulated depreciation. Depreciation expense was \$221,468 for the year ended June 30, 2024.

The components of property, plant, and equipment as of June 30, 2024 are as follows:

Land	\$ 223,883
Equipment, Furniture, and Fixtures	772,340
Leasehold Improvements	500,315
Construction in Progress	<u>31,345</u>
Total	1,527,883
Less: Accumulated Depreciation	<u>(676,708)</u>
Total Property, Plant, and Equipment	<u><u>\$ 851,175</u></u>

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024**

NOTE 5 NOTES PAYABLE

The School contracted with Pacific Gas and Electric Company in December 2019 for a noninterest-bearing note payable for the provision of energy efficiency demand response equipment and services. The total amount of the loan is \$25,487, and the note requires monthly payment of \$220 for a total of 116 payments. The note matures in August 2029 and the outstanding balance on this note as of June 30, 2024 was \$16,883.

The School obtained financing with John Deer Financial in June 2022 for the purchase of a utility tractor by obtaining a noninterest-bearing note payable. The total amount of the note is \$41,567 and requires monthly payment of \$577 for a total of 72 payments. The note matures in June 2028 and the outstanding balance on this of June 30, 2024 was \$27,712.

The School obtained a \$130,000 loan with a private party to purchase land in October 2023. The loan is secured by the land purchased located in Oregon House, California. The loan carries an interest of 8% per annum, requires monthly payments of principal and interest, and has a maturity date of November 1, 2030. The outstanding balance on the loan as of June 30, 2024 was \$121,717.

Total interest paid during the year ended June 30, 2024 is \$6,125 for all the debt described above. Future maturities under notes payable are as follows:

<u>Year Ending June 30,</u>	<u>Amount</u>
2025	\$ 24,691
2026	25,947
2027	27,307
2028	28,778
2029	23,445
Thereafter	36,144
Total	<u>\$ 166,312</u>

NOTE 6 LINE OF CREDIT

The School has a line of credit with Tri Counties Bank for \$50,000 with an annual interest rate of 7.25%. The line of credit expires in September 2025. At June 30, 2024, the School does not have outstanding balance with the line of credit.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024**

NOTE 7 NET ASSETS WITH DONOR RESTRICTIONS

Net assets with donor restrictions are restricted for the following purposes or periods:

Subject to Satisfaction of Purpose:

State Grants	\$ 319,816
Total	<u>\$ 319,816</u>

Release of net assets with donor restrictions during the year ended June 30, 2024 is as following:

Released by Satisfaction of Purpose:

National School Lunch Program	<u>\$ 61,234</u>
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NOTE 8 EMPLOYEE RETIREMENT

Multiemployer Defined Benefit Pension Plans

Qualified employees are covered under multiemployer defined benefit pension plans maintained by agencies of the state of California.

The risks of participating in these multiemployer defined benefit pension plans are different from single employer plans because: (a) assets contributed to the multiemployer plan by one employer may be used to provide benefits to employees of other participating employers, (b) the required member, employer, and state contribution rates are set by the California Legislature, and (c) if the School chooses to stop participating in the multiemployer plan, it may be required to pay a withdrawal liability to the plan. The School has no plans to withdraw from this multiemployer plan.

State Teachers' Retirement System (STRS)

Plan Description

The School contributes to the State Teachers' Retirement System (STRS), a cost-sharing multiemployer public employee retirement system defined benefit pension plan administered by STRS. The plan provides retirement, disability and survivor benefits to beneficiaries. Benefit provisions are established by state statutes, as legislatively amended, within the State Teachers' Retirement Law. According to the most recently available Comprehensive Annual Financial Report and Actuarial Valuation Report for the year ended June 30, 2023 total STRS plan net assets are \$316.9 billion, the total actuarial present value of accumulated plan benefits is \$455 billion, contributions from all employers totaled \$7.738 billion, and the plan is 75.9% funded. The School did not contribute more than 5% of the total contributions to the plan.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024**

NOTE 8 EMPLOYEE RETIREMENT (CONTINUED)

State Teachers' Retirement System (STRS)(Continued)

Funding Policy

Active plan members hired before January 1, 2013 are required to contribute 10.25% of their salary and those hired after are required to contribute 10.205% of their salary. The School is required to contribute an actuarially determined rate. The actuarial methods and assumptions used for determining the rate are those adopted by the STRS Teachers' Retirement Board. The required employer contribution rate for year ended June 30, 2024 was 19.10% of annual payroll. The contribution requirements of the plan members are established and may be amended by state statute.

The School's contributions to STRS for the past three years are as follows:

<u>Year Ending June 30,</u>	<u>Required Contribution</u>	<u>Percent Contributed</u>
2022	\$ 77,219	100 %
2023	130,751	100
2024	158,500	100

NOTE 9 LEASES – ASC 842

The School leases equipment as well as certain school and office facilities for various terms under long-term, non-cancelable lease agreements. The leases expire at various dates through 2028. In the normal course of business, it is expected that these leases will be renewed or replaced by similar leases. Additionally, the agreements generally require the School to pay real estate taxes, insurance, and repairs.

The following table provides quantitative information concerning the School's lease for the year ended June 30, 2024:

	<u>Amount</u>
Operating Lease Cost	<u>\$ 193,033</u>
Total Lease Cost	<u>\$ 193,033</u>
 Other Information:	
Operating Cash Flows from Operating Leases	\$ 193,094
Right-of-Use Assets Obtained in Exchange for New Operating Lease Liabilities	\$ 35,918
Weighted-Average Remaining Lease Term - Operating Leases	3 years
Weighted-Average Discount Rate - Operating Leases	4%

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024**

NOTE 9 LEASE – ASC 842 (CONTINUED)

The School classifies the total undiscounted lease payments that are due in the next 12 months as current. A maturity analysis of annual undiscounted cash flows for lease liabilities as of June 30, 2024, is as follows:

<u>Year Ending June 30,</u>	<u>Operating Leases</u>
2025	\$ 105,035
2026	65,511
2027	58,843
2028	<u>37,760</u>
Total Lease Payments	267,149
Less: Present Value Discount	<u>(38,458)</u>
Present Value of Lease Liabilities	<u><u>\$ 228,691</u></u>

NOTE 10 CONTINGENCIES, RISKS, AND UNCERTAINTIES

The School has received state and federal funds for specific purposes that are subject to review and audit by the grantor agencies. Although such audits could generate disallowances under terms of the grants, it is believed that any required reimbursement would not be material.

SUPPLEMENTARY INFORMATION

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
SCHEDULE OF INSTRUCTIONAL TIME
YEAR ENDED JUNE 30, 2024
(SEE INDEPENDENT AUDITORS' REPORT)**

	Instructional Minutes		Traditional Calendar Days	Status
	Requirement	Actual		
Grade TK	36,000	61,560	180	In Compliance
Grade K	36,000	58,860	180	In Compliance
Grade 1	50,400	54,780	180	In Compliance
Grade 2	50,400	54,360	180	In Compliance
Grade 3	50,400	54,360	180	In Compliance
Grade 4	54,000	55,260	180	In Compliance
Grade 5	54,000	55,260	180	In Compliance
Grade 6	54,000	55,260	180	In Compliance
Grade 7	54,000	55,260	180	In Compliance
Grade 8	54,000	55,260	180	In Compliance

See accompanying Notes to Supplementary Information.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
SCHEDULE OF AVERAGE DAILY ATTENDANCE (ADA)
YEAR ENDED JUNE 30, 2024
(SEE INDEPENDENT AUDITORS' REPORT)**

	Second Period Report		Annual Report	
	Classroom Based	Total	Classroom Based	Total
Grades TK/K-3	65.17	68.05	65.34	68.01
Grades 4-6	55.39	57.99	55.85	58.17
Grades 7-8	36.08	36.87	35.68	36.39
ADA Totals	156.64	162.91	156.87	162.57

See accompanying Notes to Supplementary Information.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
RECONCILIATION OF ANNUAL FINANCIAL REPORT WITH
AUDITED FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2024
(SEE INDEPENDENT AUDITORS' REPORT)**

There were no differences between the Annual Financial Report and the Audited Financial Statements.

See accompanying Notes to Supplementary Information.

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
NOTES TO SUPPLEMENTARY INFORMATION
JUNE 30, 2024**

PURPOSE OF SCHEDULES

NOTE 1 SCHEDULE OF INSTRUCTIONAL TIME

This schedule presents information on the amount of instructional time offered by School and whether School complied with the provisions of the Education Code.

NOTE 2 SCHEDULE OF AVERAGE DAILY ATTENDANCE

Average daily attendance is a measurement of the number of pupils attending classes of the School. The purpose of attendance accounting from a fiscal standpoint is to provide the basis on which apportionments of state funds are made to charter schools. This schedule provides information regarding the attendance of students at various grade levels.

NOTE 3 RECONCILIATION OF ANNUAL FINANCIAL REPORT WITH AUDITED FINANCIAL STATEMENTS

This schedule provides the information necessary to reconcile the net assets of the charter schools as reported on the Annual Financial Report form to the audited financial statements.

OTHER INFORMATION

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
 LOCAL EDUCATION AGENCY ORGANIZATION STRUCTURE
 YEAR ENDED JUNE 30, 2024
 (SEE INDEPENDENT AUDITORS' REPORT)**

The School was established in August 2008, when it was granted a five-year charter through Yuba County Office of Education and its charter school status from the California Department of Education. The charter may be revoked by the Yuba County Office of Education for material violations of the charter, failure to meet or make progress toward student outcomes, failure to meet generally accepted standards of fiscal management, or violation of any provision of the law.

The charter school number is: 0990

The board of directors and the administrators as of the year ended June 30, 2024 were as follows:

BOARD OF DIRECTORS

<u>Member</u>	<u>Office</u>	<u>Term</u>	<u>Term Expires</u>
Pamela Cook	President	6 years	October 2027
Linda Cohee	Vice President	6 years	October 2027
Paul McGovern	Chief Financial Officer	Indefinite	Indefinite
Jamie Hyatt	Secretary	3 years	October 2027
Tracey Fushich	Staff Representative	1 year	August 2024
Lisa Thompson	Director	3 years	November 2025

ADMINISTRATORS

Louise Miller	Principal/Superintendent
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**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Directors
The Yuba Environmental Science Charter Academy
Oregon House, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of The Yuba Environmental Science Charter Academy (the School), a nonprofit California public benefit corporation, which comprise the statement of financial position as of June 30, 2024, and the related statements of activities, cash flows, and functional expenses for the year then ended, the related notes to the financial statements, and have issued our report thereon dated December 12, 2024.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the School's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the School's internal control. Accordingly, we do not express an opinion on the effectiveness of the School's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct, misstatements on a timely basis. A material weakness is a deficiency or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the School’s financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



CliftonLarsonAllen LLP

Glendora, California
December 12, 2024



INDEPENDENT AUDITORS' REPORT ON STATE COMPLIANCE AND REPORT ON INTERNAL CONTROL OVER STATE COMPLIANCE

Board of Directors
The Yuba Environmental Science Charter Academy
Oregon House, California

Report on Compliance

Opinion on State Compliance

We have audited The Yuba Environmental Science Charter Academy's (the School) compliance with the types of compliance requirements applicable to the School described in the *2023-2024 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel for the year ended June 30, 2024. The School's applicable State compliance requirements are identified in the table below.

In our opinion, the School complied, in all material respects, with the compliance requirements referred to above that are applicable to the School for the year ended June 30, 2024.

Basis for Opinion

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and *2023-2024 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*. Our responsibilities under those standards and *2023-2024 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting* are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the School and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion. Our audit does not provide a legal determination of the School's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the School's state programs.

Auditors’ Responsibility for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the School's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and *2023-2024 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting* will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the School's compliance with the requirements of the government program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and *2023-2024 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting* we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the School's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the School's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with *2023-2024 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting* but not for the purpose of expressing an opinion on the effectiveness of the School's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Compliance Requirements Tested

In connection with the audit referred to above, we selected and tested transactions and records to determine the School’s compliance with the laws and regulations applicable to the following items:

<u>Description</u>	<u>Procedures Performed</u>
School Districts, County Offices of Education, and Charter Schools:	
Proposition 28 Arts and Music in Schools	Yes
After/Before School Education and Safety Program	Not Applicable ¹
Proper Expenditure of Education Protection Account Funds	Yes
Unduplicated Local Control Funding Formula Pupil Counts	Yes
Local Control and Accountability Plan	Yes
Independent Study-Course Based	Not Applicable ²

<u>Description</u>	<u>Procedures Performed</u>
Immunizations	Yes
Educator Effectiveness	Yes
Expanded Learning Opportunities Grant (ELO-G)	Yes
Career Technical Education Incentive Grant (CTEIG)	Not Applicable ³
Expanded Learning Opportunities Program (ELOP)	Yes
Transitional Kindergarten	Yes
Charter Schools:	
Attendance	Yes
Mode of Instruction	Yes
Nonclassroom-Based Instruction/Independent Study	Yes
Determination of Funding for Nonclassroom-Based Instruction	Not Applicable ⁴
Annual Instructional Minutes – Classroom Based	Yes
Charter School Facility Grant Program	Yes

Not Applicable¹: The School did not operate an after or before school program component of this grant.

Not Applicable²: The School did not report ADA pursuant to Education Code section 51749.5.

Not Applicable³: The School did not receive a CTEIG allocation for the audit year.

Not Applicable⁴: The School did not report more than 20% of its ADA as generated through nonclassroom-based instruction (independent study).

Report on Internal Control over Compliance

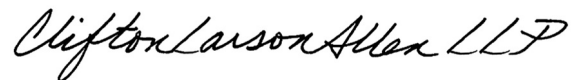
A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that a material noncompliance with a compliance requirement will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention from those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor’s Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit, we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Board of Directors
The Yuba Environmental Science Charter Academy

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the *2023-2024 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*. Accordingly, this report is not suitable for any other purpose.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

CliftonLarsonAllen LLP

Glendora, California
December 12, 2024

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
YEAR ENDED JUNE 30, 2024**

All audit findings must be identified as one or more of the following categories:

<u>Five Digit Code</u>	<u>Finding Types</u>
10000	Attendance
20000	Inventory of Equipment
30000	Internal Control
40000	State Compliance
42000	Charter School Facilities Program
43000	Apprenticeship
50000	Federal Compliance
60000	Miscellaneous
61000	Classroom Teacher Salaries
62000	Local Control Accountability Plan
70000	Instructional Materials
71000	Teacher Misassignments
72000	School Accountability Report Card

Section II – Financial Statement Findings

Our audit did not disclose any matters required to be reported in accordance with *Government Auditing Standards*.

Section III – State Compliance Findings

There were no findings or questioned costs related to state awards for June 30, 2024

**THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
YEAR ENDED JUNE 30, 2024**

2023-001 Nonclassroom-Based Instruction/ Independent Study

40000

Criteria: Per Education Code section 51747(c), every written independent study agreement must contain required signatures prior to the commencement of independent study for a pupil that is scheduled to participate for more than 14 schooldays, or within 10 schooldays of the commencement of independent study for a student scheduled for less than 15 schooldays. Required signatures include the pupil, the pupil's parent, legal guardian or caregiver, the certificated employee who was designated as having responsibility for the general supervision of the pupil's independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable.

Condition: During nonclassroom-based/independent study pupil testing we found that 1 pupil in sixth grade, did not sign the independent study master agreement until September 23, 2022 and ADA was claimed as generated through independent study for this pupil starting September 8, 2022.

Effect: The School is not in compliance with Education Code section 51747(c) and over-reported ADA by .082.

Status: Implemented.



CLA (CliftonLarsonAllen LLP) is a network member of CLA Global. See CLAGlobal.com/disclaimer. Investment advisory services are offered through CliftonLarsonAllen Wealth Advisors, LLC, an SEC-registered investment advisor.



CSBA Policy Management Console

CSBA Sample YES Charter
Academy Policy Manual

CSBA Sample YES Charter Academy
Policy Manual CSBA Policy
Management Console

Policy 0510: School Accountability Report Card

Status: ADOPTED

Original Adopted Date: 11/01/2003 | Last Revised Date: 09/01/2024 | Last Reviewed Date:

The Governing Council of Directors recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at YES Charter Academy and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for YES Charter Academy staff to review achievements and identify areas for improvement.

The Council of Directors shall annually issue a school accountability report card (SARC) for each school site. (Education Code 35256)

In preparing the YES Charter Academy's report cards, the Principal or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Principal or designee shall ensure that data is reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Council of Directors shall compare the content of the YES Charter Academy's SARCs to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Council of Directors shall annually approve the SARCs for YES Charter Academy and shall evaluate the data contained in the SARCs as part of the Council of Directors' regular review of the effectiveness of the YES Charter Academy's programs, personnel, and fiscal operations.

The Principal or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

Notification and Dissemination of SARCs

Annually, on or before February 1 of each year, the Principal or designee shall publicize the issuance of the SARCs, make the SARCs available on the YES Charter Academy's website, and notify parents/guardians that a hard copy shall be provided upon request. (Education Code 33126, 35256, 35258)

Additionally, when 15 percent or more of a school's students speak a single primary language other than English, the SARC shall be translated into that other language. (Education Code 48985)

In addition, the SARC shall be provided in an understandable and uniform format and, to the extent practicable, provided in a language that parents/guardians can understand. (Education Code 33126, 35256; 20 USC 6311)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Council of Directors to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Contents

Each year the principal or designee at YES Charter Academy shall prepare a school accountability report card (SARC), which shall include, but is not limited to: (Education Code 33126)

1. Student achievement by grade level, as measured by the results of the statewide assessment
2. Progress toward reducing dropout rates, including the one-year dropout rate listed in the California Basic Educational Data System (CBEDS) for the academy over the most recent three-year period, and the graduation rate, as defined by the State Council of Directors of Education, over the most recent three-year period when available pursuant to Education Code 52052
3. Estimated expenditures per student and types of services funded, including the actual salaries of personnel assigned to the academy.

The assessment of estimated expenditures per student shall be reported in total, in subtotal by restricted and by unrestricted source, and include a reporting of the average of actual salaries paid to certificated instructional personnel at the academy.

4. Progress toward reducing class sizes and teaching loads, including the average class size and the distribution of class sizes at the academy by grade level, using CBEDS for the most recent three-year period
5. The total number of the Academy's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period
6. The quality and currency of textbooks and other instructional materials, including whether textbooks and other materials meet state standards, the ratio of textbooks per student, and the year the textbooks were adopted
7. The availability of sufficient textbooks and other instructional materials, as determined pursuant to Education Code 60119, for each student, including English learners, in each of the areas of the core curriculum areas of reading/language arts, mathematics, science, and history/social science; world language and health; science laboratory equipment for grades 9 to 12, inclusive, as appropriate; and visual and performing arts

If the Governing Council of Directors determines, pursuant to Education Code 60119, that there are insufficient textbooks or instructional materials, or both, it shall include information for the academy in which an insufficiency exists, identifying the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area identified above.

8. The availability of qualified personnel to provide counseling and other student support services, including the ratio of academic counselors per student
9. Safety, cleanliness, and adequacy of academy facilities, including any needed maintenance to ensure good repair
10. The annual number of academy days dedicated to staff development for the most recent three-year period
11. Suspension and expulsion rates for the most recent three-year period
12. The Academic Performance Index, which is reflected in the California School Dash Board, including the disaggregation of student subgroups identified in Education Code 52052, the decile rankings, and a comparison of schools.

13. Contact information for organized opportunities for parent/guardian involvement
14. For secondary schools, the percentage of graduates who have passed course requirements for entrance to the

University of California and the California State University, including the course requirements for high school graduation pursuant to Education Code 51225.3, and the percentage of students enrolled in those courses, as reported by CBEDS

15. The number of advanced placement courses offered, by subject
16. Career technical education (CTE) data measures, including:
 - a. A list of programs offered by the YES Charter Academy that students at the school may participate in and are aligned to the model curriculum standards adopted pursuant to Education Code 51226 and program sequences offered by the YES Charter Academy

The list shall identify which courses are conducted by a regional occupational center or program and those that are conducted directly by the YES Charter Academy.
 - b. A list of the YES Charter Academy's primary representative of the CTE advisory committee and the industries represented
 - c. The number of students participating in CTE
 - d. The percentage of students that complete a CTE program and earn a high school diploma
 - e. The percentage of CTE courses that are sequenced or articulated between a school and postsecondary education schools

Additionally, each SARC shall also include the following information: (Education Code 41409.3)

1. The beginning, median, and highest salary paid to teachers in the YES Charter Academy, as reflected in the YES Charter Academy's salary scale
2. The average salary for YES Charter Academy School-site principal
3. The percentage expended for the salaries of administrative personnel, as specified
4. The percentage expended for the salaries of teachers
5. For Items #1-5 above, the statewide average in schools of the same size and type based on information provided by the State

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The Governing Council of Directors recognizes the value of social media to share YES Charter Academy information with families and the community and promote community involvement and collaboration in YES Charter Academy decisions. The purpose of any official YES Charter Academy social media account shall be to further the YES Charter Academy's vision and mission, to support student learning and staff professional development, and to enhance communication and engagement with students, families, staff, and community members. The Principal or designee shall ensure that the content posted by the YES Charter Academy on an official YES Charter Academy social media account is accessible to individuals with disabilities.

The Principal or designee shall develop content guidelines and protocols for official YES Charter Academy social media accounts to ensure public access, appropriate and responsible use, and compliance with law, Council of Directors policy, and administrative regulation.

Guidelines for Content

Official YES Charter Academy social media accounts shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. This policy is not intended to create an open public forum or otherwise guarantee an individual's right to free speech on any of the official YES Charter Academy social media accounts even if one or more features on the account that permit interaction with and between members of the public are enabled.

The Principal or designee shall ensure that the limited purpose of official YES Charter Academy social media accounts is clearly communicated to users. Each account shall contain a statement specifying the purposes of the account, that the account shall only be used for such purposes, and any other user expectations or conditions as specified in the accompanying administrative regulation.

Official YES Charter Academy social media accounts may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on YES Charter Academy premises, violation of YES Charter Academy rules, or substantial disruption of the YES Charter Academy's orderly operation.

Staff or students who post prohibited content or otherwise engage with an official YES Charter Academy social media account in a manner that violates Council of Directors policies and administrative regulations shall be subject to discipline in accordance with such applicable policies and regulations.

Users of official YES Charter Academy social media accounts, and anyone who posts, replies, or otherwise leaves a digital footprint on an official YES Charter Academy social media account, should be aware of the public nature and accessibility of social media and that such information posted or left on an official YES Charter Academy social media account may be considered a public record subject to disclosure under the Public Records Act.

Privacy

To the extent practicable, the Principal or designee shall ensure that the privacy rights of students, parents/guardians, staff, Council of Directors members, and other individuals are protected on official YES Charter Academy social media accounts.

As it pertains to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, official YES Charter Academy social media accounts shall operate in accordance with Council of Directors Policy 1113 - YES Charter Academy Websites.

Social media and other online platforms shall not be used by YES Charter Academy employees to transmit confidential information about students, employees, or YES Charter Academy operations.

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Definitions

Social media means any online platform for collaboration, interaction, or active participation, or that allows users to post content, including, but not limited to, social networking sites such as Instagram, TikTok, Facebook, X/Twitter, SnapChat, YouTube, and LinkedIn.

An official YES Charter Academy social media account is an account on a social media platform authorized by the Principal or designee.

An account that contains content related to the YES Charter Academy or comments about YES Charter Academy operations but that has not been created based on authorization or direction from the Principal or designee, such as an account created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal account, is not an official YES Charter Academy social media account.

School-level employees such as teachers and coaches shall obtain authorization from the school principal before creating an official social media account.

Guidelines for Content

Each official YES Charter Academy social media account shall contain content that is useful and appropriate for all audiences. YES Charter Academy employees or agents in charge of posting or adding information to an official YES Charter Academy social media account shall ensure that copyright laws are not violated in the use of material on official YES Charter Academy social media accounts.

The Principal or designee shall ensure that official YES Charter Academy social media accounts are regularly monitored. Staff members responsible for monitoring content may remove posts or even suspend users from interacting with the account only based on viewpoint-neutral considerations, such as lack of relation to the account's purpose or violation of Council of Directors policies or administrative regulations.

Each official YES Charter Academy social media account shall, as appropriate, prominently display a link to this regulation or a statement that includes Items #1-10, below:

1. The purpose(s) of the account, such as providing information to a class, school community, athletic team, or student club; engaging with the public regarding YES Charter Academy decisions and Governing Council of Directors meetings; and sharing information regarding employment opportunities with the YES Charter Academy
2. Users shall use the site only for those intended purposes
3. The account is regularly monitored and any inappropriate interaction will be promptly removed, blocked, or similarly addressed. Inappropriate interactions include, but are not limited to, interactions that:
 - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on YES Charter Academy premises, violation of YES Charter Academy rules, or substantial disruption to the YES Charter Academy orderly operation
 - b. Are not related to the stated purpose of the account, including, but not limited to, threats, comments of a commercial nature, political activity, and comments prohibited by Council of Directors policies and administrative regulations
4. Users are expected to communicate in a respectful, courteous, and professional manner and are personally responsible for their use of the account
5. The YES Charter Academy is not responsible for the content posted by other users or how other users

interact with the account

6. The views and comments expressed by other users on the account belong to those users and do not necessarily reflect the views of the YES Charter Academy
7. Any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the YES Charter Academy
8. The individual(s) to contact regarding violation of YES Charter Academy guidelines on the use of official YES Charter Academy social media accounts
9. Violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate
10. A user may be suspended from interacting with the account for one month upon three prior violations and for six months upon two prior one-month suspensions

Appropriate Use by YES Charter Academy Employees

YES Charter Academy employees who participate in official YES Charter Academy social media accounts shall adhere to all applicable Council of Directors policies and administrative regulations, including, but not limited to, professional standards related to interactions with students.

When appropriate, employees posting, replying, or otherwise interacting with the public outside of their professional duties or responsibilities on official YES Charter Academy social media accounts shall identify themselves by name and YES Charter Academy title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the YES Charter Academy.

All staff shall receive information about appropriate use of the official YES Charter Academy social media accounts.

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Types of Complaints

The YES Charter Academy shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or YES Charter Academy-adopted textbooks or other required instructional materials to use in class
 - b. A student does not have access to textbooks or instructional materials to use at home or after school This does not require two sets of textbooks or instructional materials for each student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
 - a. A semester begins and a teacher vacancy exists
 - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class
 - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the time period from the first day students attend classes for a year-long course or semester-long course, though not later than 20 business days afterwards. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

3. Complaints regarding the condition of YES Charter Academy facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
 - a. A condition poses an emergency or urgent threat to the health or safety of students or staff

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at YES Charter Academy, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or

vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously

undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A YES Charter Academy restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility. (Education Code 35292.5)

In any school serving students any of grades 3-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every woman's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

Additionally, starting July 1, 2026, in any school that has more than one female and more than one male restroom designated exclusively for student use, a complaint may be filed alleging noncompliance with the requirements specified in Education Code 35292.5 to maintain at least one all-gender restroom for student use. (Education Code 35292.5)

Forms and Notices

The Principal or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the YES Charter Academy's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Principal or designee shall ensure that the YES Charter Academy's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 35186; 5 CCR 4680)

The Principal or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)

Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Principal or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

A complaint alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Council of Directors, or the Council of Directors' failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly in addition to or in lieu of being filed with the YES Charter Academy. Any such complaint shall identify the basis and provide evidence to support its filing directly with the SPI. (Education Code 35186)

If the Principal or designee becomes aware that a complaint alleging insufficient textbooks or

instructional materials has been filed directly with the SPI but not with the YES Charter Academy, the Principal or designee may initiate an investigation in accordance with this administrative regulation, as described below, if there is sufficient evidence to do so.

Investigation and Response

The principal or a designee shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (Education Code 35186; 5 CCR 4685)

The principal or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Principal or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Council of Directors at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Principal or designee may file an appeal to the SPI within 15 days of receiving the YES Charter Academy's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4610, 4687)

However, no other type of complaint regarding the condition of school facilities as described in the section "Types of Complaints" above may be appealed to the SPI. (Education Code 35186; 5 CCR 4610, 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

Reports

On a quarterly basis, the Principal or designee shall report, to the Council of Directors at a regularly scheduled Council of Directors meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)

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**NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:
K-12 COMPLAINT RIGHTS**

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials

That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.

2. School facilities must be clean, safe, and maintained in good repair

This includes the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff.

3. There should be no teacher vacancies or misassignments

There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the YES Charter Academy's Williams uniform complaint procedures as required by law. A complaint form may be obtained at YES Charter Academy office, or downloaded from the school or YES Charter Academy website. You may also download a copy of the California Department of Education (CDE) complaint form from CDE's website when available. However, a complaint need not be filed using either the YES Charter Academy's complaint form or the complaint form from CDE.

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**K-12 COMPLAINT FORM:
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, including emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law.

Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact information: (if response is requested)

Name: _____
Address: _____

Phone number: Day: _____

E-mail address, if any: _____ Evening _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or YES Charter Academy for the appropriate YES Charter Academy complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or YES Charter Academy-adopted textbooks or other required instructional materials to use in class
 - b. A student does not have access to textbooks or instructional materials to use at home or after school This does not require two sets of textbooks or instructional materials for each student
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

- a. A semester begins and a teacher vacancy exists

A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the YES Charter Academy year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. (5 CCR

4600)

- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class

This does not relieve the YES Charter Academy from complying with state or federal law regarding teachers of English Learners.

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency
3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)
- a. A condition exists that poses an emergency or urgent threat to the health or safety of students or staff while at school including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the YES Charter Academy
 - b. A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers
 - c. For a school serving students in any of grades 3-12, the school has not, at all times, stocked and made available and accessible free of cost, an adequate supply of menstrual products in every women's and all- gender restroom, and in at least one men's restroom
 - d. Starting July 1, 2026, for a school that has more than one female and more than one male restroom designated exclusively for student use, the school has not maintained at least one all-gender restroom for student use in accordance with Education Code 35292.5
 - e. The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes

This does not apply when temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as you wish to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

Please file this complaint at the following location:

(principal or designee)

(address)

Please be aware that you may file a complaint directly with the principal and if you are alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Council of Directors, or the Council of Directors' failure to remedy the deficiency. Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature)

(Date)

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The Principal or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, the Principal or designee shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)

1. Gas Leaks: Gas systems and pipes appear and smell safe, functional, and free of leaks
2. Mechanical Systems: Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges
3. Windows and Doors: Windows and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed
4. Fences and Gates: Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others

Locks and other security hardware function as designed.
5. Interior Surfaces: Walls, floors, and ceilings are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause

Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.
6. Hazardous Materials: Hazardous and flammable materials are stored properly

No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.
7. Structures: Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed

Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.
8. Fire Safety and Emergency Equipment: Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly

Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.
9. Electrical Systems: Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly
10. Lighting: Interior and exterior lighting appears to be adequate and working properly

Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.
11. Pest/Vermin Infestation: No visible or odorous indicators of pest or vermin infestation are evident
12. Drinking Fountains: Interior and exterior drinking fountains are functional, accessible, and free of leaks

Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident

13. Restrooms: Restrooms and restroom fixtures are fully operational, maintained and cleaned regularly, and stocked at all times with supplies, including toilet paper, soap, and paper towels or functional hand dryers, in accordance with Education Code 35292.5

The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom due to a documented student safety concern, an immediate threat to student safety, or the need to repair the facility.

Additionally, any school serving students in any of grades 3-12 shall, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every woman's and all-gender restroom, and in at least one men's restroom. The YES Charter Academy shall post in a prominent and conspicuous location in every restroom required to stock menstrual products a notice regarding this requirement that includes an email address and telephone number for a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6)

In addition, starting July 1, 2026, any school that has more than one female and more than one male restroom designated exclusively for student use shall provide and maintain at least one all-gender restroom for student use. The YES Charter Academy shall use signage that identifies the bathroom facility as being open to all genders and is in accordance with 24 CCR 11B-703; ensure that it is available for use consistent with the requirements specified above and is unlocked, unobstructed, easily accessible by any student, and consistent with existing access to sex-segregated restrooms; stock the bathroom facility with menstrual products in accordance with Education Code 35292.6, as specified above; and, ensure that the bathroom facility is available during school hours and school functions when students are present. The YES Charter Academy shall post in a prominent and conspicuous location outside at least one all-gender restroom a notice regarding these requirements that includes contact information for the staff member designated as the point of contact responsible for implementing such requirements.

14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly
15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building
16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets
17. Playground/School Grounds: Playground equipment, including exterior fixtures, seating, tables, and equipment, and school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards
18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated graffiti

Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

Additionally, to ensure the health and safety of students, the Principal or designee shall provide for the testing of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards.

The Principal or designee shall ensure that any necessary repairs or removal of hazards identified during the

inspection are made in a timely and expeditious manner.

An assessment of the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as defined in Education Code 17002, shall be reported on the school accountability report card. (Education Code 33126)

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, stocked, or kept open, shall be addressed in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

The Principal or designee shall provide the Governing Council of Directors with regular reports regarding the YES Charter Academy's facility inspections and updates of any visits to YES Charter Academy schools by the County Superintendent of Schools to review school facilities.

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NOTICE REGARDING MENSTRUAL PRODUCTS

Education Code 35292.6 requires that:

- a. On or before the start of the 2024-25 school year, a public school, including a school operated by a school YES Charter Academy, county office of education, or charter school, maintaining any combination of classes from grades 3 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom
- b. A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils
- c. A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section

This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

- d. For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle
- e. This section shall become operative on July 1, 2024

The name and contact information for the individual responsible for maintaining the requisite supply of menstrual products is:

[Redacted]

(name and/or

title/position) (telephone

[Redacted]

number)

[Redacted]

(email address)

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The Governing Council of Directors recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting YES Charter Academy and school operations; improving access to and exchange of information; enriching curriculum; and enhancing student learning.

YES Charter Academy technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the YES Charter Academy, whether accessed on or off site or through YES Charter Academy-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including artificial intelligence (AI) apps; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Employees shall review the prohibited and permitted uses of technology as specified in Council of Directors Policy 5131.9 - Academic Honesty, be responsible for the appropriate use of technology, and use YES Charter Academy technology primarily for purposes related to their employment consistent with Council of Directors policies and administrative regulations.

An employee may use technology, including AI apps, to assist the employee in the performance of the employee's professional duties, including, but not limited to, the following specific tasks: developing syllabi, creating curriculum, reviewing student work, suggesting instructional strategies, and researching academic content or instructional techniques. Any employee using technology, including AI, shall review and be responsible for any final product or document; not share confidential student records with a third party, such as an AI app, except as permitted by law; use the technology in accordance with Council of Directors Policy 6162.6 - Use of Copyrighted Materials, and in a manner otherwise consistent with law, Council of Directors policies, and administrative regulations. If an employee is unsure about the appropriate use of technology, the employee shall confer with the Principal or designee before using.

As determined by the Principal or designee, employees shall receive professional development in the appropriate use of these resources, including in the use of AI apps.

The Principal or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of YES Charter Academy technology, including the use of AI apps. Upon employment and whenever significant changes are made to the YES Charter Academy's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

Employees shall not use YES Charter Academy technology to access, post, submit, publish, display, or otherwise engage with harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, Council of Directors policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Principal or designee shall ensure that all YES Charter Academy computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Principal or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 7131; 47 USC 254)

The Principal or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the YES Charter Academy's processes and procedures related to the protection of the YES Charter Academy's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and managing suspicious and/or threatening digital media content, in accordance with Council of Directors Policy 3580 - YES Charter Academy Records.

The Principal or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any YES Charter Academy technology, as defined above, even when using their personal devices. To ensure proper use, the Principal or designee may monitor employee usage of YES Charter Academy technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records, including communications, maintained on any personal accounts or devices used to conduct YES Charter Academy business are subject to disclosure at the YES Charter Academy's request, and pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of YES Charter Academy technology to the Principal or designee.

Inappropriate use of YES Charter Academy technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Council of Directors policy, and administrative regulation.

Employees may access their mobile or other communications device if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety. (Labor Code 1139)

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**ACCEPTABLE USE AGREEMENT
AND RELEASE OF YES CHARTER ACADEMY FROM LIABILITY (EMPLOYEES)**

The [REDACTED] School YES Charter Academy authorizes YES Charter Academy employees to use YES Charter Academy technology, as defined in Council of Directors Policy 4040 - Employee Use of Technology. The use of YES Charter Academy technology is a privilege permitted at the YES Charter Academy's discretion and is subject to the conditions and restrictions set forth in applicable Council of Directors policies, administrative regulations, and this Acceptable Use Agreement. The YES Charter Academy reserves the right to suspend access at any time, without notice, for any reason.

The YES Charter Academy expects all employees to use technology responsibly in order to avoid potential problems and liability. The YES Charter Academy may place reasonable restrictions on the sites, material, and/or information that employees may access through the system. However, the YES Charter Academy shall not prevent or restrict access to an employee's mobile or other communications device(s) if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety.

The YES Charter Academy makes no guarantee that the functions or services provided by or through the YES Charter Academy will be without defect. In addition, the YES Charter Academy is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each employee who is authorized to use YES Charter Academy technology shall sign this Agreement, which indicates that the employee has read and understands this Agreement and Council of Directors Policy 4040 - Employee Use of Technology.

Employee Obligations and Responsibilities

Employees are expected to use YES Charter Academy technology safely, responsibly, and primarily for work-related purposes and in accordance with the accompanying Council of Directors policy and applicable copyright laws. Any incidental personal use of YES Charter Academy technology shall not interfere with YES Charter Academy business and operations, the work and productivity of any YES Charter Academy employee, or the safety and security of YES Charter Academy technology. The YES Charter Academy is not responsible for any loss or damage incurred by an employee as a result of the employee's personal use of YES Charter Academy technology.

The employee in whose name YES Charter Academy technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Employees shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications.

Furthermore, employees shall not attempt to access any data, documents, emails, or programs in the YES Charter Academy's system for which they do not have authorization.

Employees are prohibited from using YES Charter Academy technology for improper purposes, including, but not limited to, use of YES Charter Academy technology to:

1. Access, post, display, create, or otherwise use material that is discriminatory, defamatory, obscene, sexually explicit, harassing, intimidating, threatening, or disruptive
2. Disclose or in any way cause to be disclosed confidential or sensitive YES Charter Academy, employee, or student information without prior authorization from a supervisor, including sharing confidential information or personally identifiable information with an open artificial intelligence system
3. Engage in personal commercial or other for-profit activities without permission of the Principal or designee

4. Engage in unlawful use of YES Charter Academy technology for political lobbying
5. Infringe on copyright, license, trademark, patent, or other intellectual property rights

6. Intentionally disrupt or harm YES Charter Academy technology or other YES Charter Academy operations (such as destroying YES Charter Academy equipment, placing a virus on YES Charter Academy computers, adding or removing a computer program without permission, changing settings on shared computers)
7. Install unauthorized software
8. Engage in or promote unethical practices or violate any law or Council of Directors policy, administrative regulation, or YES Charter Academy practice

Privacy

Since the use of YES Charter Academy technology is intended for use in conducting YES Charter Academy business, no employee should have any expectation of privacy in any use of YES Charter Academy technology.

The YES Charter Academy reserves the right to monitor and record all use of YES Charter Academy technology, including, but not limited to, access to the Internet or social media, Internet searches, browsing history, use of artificial intelligence, communications sent or received from YES Charter Academy technology, or other uses within the jurisdiction of the YES Charter Academy. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Employees should be aware that, in most instances, their use of YES Charter Academy technology (such as web searches or emails) cannot be erased or deleted.

All passwords created for or used on any YES Charter Academy technology are the sole property of the YES Charter Academy. The creation or use of a password by an employee on YES Charter Academy technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If an employee uses a personally owned device to access YES Charter Academy technology or conduct YES Charter Academy business, the employee shall abide by all applicable Council of Directors policies, administrative regulations, and this Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Records

Any electronically stored information generated or received by an employee which constitutes a YES Charter Academy or student record shall be classified, retained, and destroyed in accordance with Council of Directors Policy/Administrative Regulation 3580 - YES Charter Academy Records, Council of Directors Policy/Administrative Regulation 5125 - Student Records, or other applicable policies and regulations addressing the retention of YES Charter Academy or student records.

Reporting

If an employee becomes aware of any security problem (including, but not limited to, a cyberattack, phishing, or any compromise of the confidentiality of any login or account information), or misuse of YES Charter Academy technology, the employee shall immediately report such information to the Principal or designee.

Consequences for Violation

Violations of the law, Council of Directors policy, or this Agreement may result in revocation of an employee's access to YES Charter Academy technology and/or discipline, up to and including termination. In addition, violations of the law, Council of Directors policy, or this agreement may be reported to law enforcement agencies as appropriate.

Employee Acknowledgment

I have received, read, understand, and agree to abide by this Agreement, Council of Directors Policy 4040 - Employee Use of Technology, and other applicable laws and YES Charter Academy policies and

regulations governing the use of YES Charter Academy technology. I understand that there is no expectation of privacy when using YES Charter Academy technology or when my personal electronic devices use YES Charter Academy technology. I further understand that any violation may result in revocation of user privileges, disciplinary action, and/or appropriate legal action.

I hereby release the YES Charter Academy, its personnel, and the Governing Council of Directors from any and all claims and damages arising from my use of YES Charter Academy technology or from the failure of any technology protection measures employed by the YES Charter Academy

Name: _____

Position: _____

School/Work Site: _____

Signature: _____ Date: _____

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The Governing Council of Directors desires to provide YES Charter Academy students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Council of Directors shall develop rules and regulations setting the standards of behavior expected of YES Charter Academy students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

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

Except when otherwise permitted by law, a student may be suspended or expelled only when the behavior is related to a school activity or school attendance occurring within any YES Charter Academy school or another school YES Charter Academy, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

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

YES Charter Academy staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the YES Charter Academy's nondiscrimination policies.

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in Items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when the student's presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled based solely on a student's truancy, tardiness, or absenteeism from assigned school activities. (Education Code 48900)

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Principal or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension

shall

be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Council of Directors. (Education Code 48918(j))

As required by law, the principal or designee shall recommend expulsion and the Council of Directors shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, or 289, or former 288a, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Council of Directors shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Council of Directors meeting. (Education Code 48918(j))

The Council of Directors may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled or unenrolled except under limited circumstances in accordance with Education Code 8489.1 and as specified in Administrative Regulation 5148.3 - Preschool/Early Childhood Education.

Due Process

The Council of Directors shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording the students due process rights under the law. The Principal or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

Maintenance and Monitoring of Outcome Data

The Principal or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of

students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Council of Directors, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Council of Directors annually and to the California Department of Education when so required.

In presenting the report to the Council of Directors, the Principal or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Council of Directors shall address any identified disparities in the imposition of student discipline and shall determine whether and how the YES Charter Academy is meeting its goals for improving school climate as specified in its local control and accountability plan.

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Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Council of Directors for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910, so long as removal from a particular class does not occur more than once every five school days

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in "Additional Grounds for Suspension and Expulsion: Grades 4-12," below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not

limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education

Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student(s) in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. 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.

Electronic act means the creation or 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: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet website, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student

any of the effects of bullying described above

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability. (Education Code 48900(r))

Burn page means an internet website created for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Credible impersonation means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (Education Code 48900(r))

False profile means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (Education Code 48900(r))

An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet. (Education Code 48900(r))

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee may, as appropriate, engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying out the crime. (Education Code 48900.7)

A student may not be suspended or expelled for disruption or willful defiance. (Education Code 48900)

Additional Grounds for Suspension and Expulsion: Grades 4-12

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts

include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or

the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

3. Intentionally engaged in harassment, threats, or intimidation against YES Charter Academy personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

Suspension from Class by a Teacher

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended. (Education Code 48910)

As soon as possible after the teacher has suspended the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if requested by the parent/guardian or teacher. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended. (Education Code 48910)

A teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity away from school to have committed any of the acts listed in the Council of Directors policy under "Authority to Expel" for which a recommendation of expulsion is required. (Education Code 48915(c))

The principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of Items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension upon a student, including supervised suspension, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

Length of Suspension

The principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The YES Charter Academy may count suspensions that occur while a student is enrolled in another school YES Charter Academy toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense. (Education Code 48911)

This conference may be omitted if the principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school for the conference. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the principal or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8) In addition, the notice shall state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may conduct a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational

rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Council of Directors is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Council of Directors has made a decision, provided the following requirements are followed: (Education Code 48911)
 - a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard

This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
 - b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process
 - c. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the YES Charter Academy's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting (Education Code 48853.5, 48911, 48918.1)
 - d. If the student involved is a child or youth experiencing homelessness, the Superintendent or designee shall notify the YES Charter Academy liaison for homeless students (Education Code 48918.1)
 - e. In lieu of or in addition to suspending a student, the principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school

Suspension by the Council of Directors

The Council of Directors may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K- 12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," above and within the limits specified under "Suspension by the Principal, or Designee," above. (Education Code 48912)

The Council of Directors may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Council of Directors is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Council of Directors shall provide the student and parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Council of Directors' notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law
2. The student shall have access to appropriate counseling services
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom and the teacher(s) shall provide all assignments and tests that the student will miss while suspended

If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Principal's Authority to Recommend Expulsion

Unless the principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the principal shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11059, except for:
 - a. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
 - b. The student's possession of over-the-counter medication for use by the student for medical purposes
 - c. Medication prescribed for the student by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether to recommend the expulsion of a student, the principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Council of Directors' discretion. (Education Code 48918(a))

If the Council of Directors finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Council of Directors finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Council of Directors meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless

the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Stipulated Expulsion

After a determination that a student has committed an offense for which the student may be expelled, the principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after written notice of the expulsion hearing pursuant to Education Code 48918 has been given.

The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Council of Directors of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, shall be effective upon approval by the Council of Directors.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, the Superintendent or designee shall give the complaining witness a copy of the YES Charter Academy's suspension and expulsion policy and regulation and shall advise the witness of the right to: (Education Code 48918.5)

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of YES Charter Academy disciplinary rules which relate to the alleged violation

4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the YES Charter Academy to any other YES Charter Academy in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

5. The right to inspect and obtain copies of all documents to be used at the hearing
6. The opportunity to confront and question all witnesses who testify at the hearing
7. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth, Homeless Students, and Indian Children

If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a student experiencing homelessness, the Superintendent or designee shall also send notice of the hearing to the YES Charter Academy liaison for homeless students at least 10 calendar days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Council of Directors shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Council of Directors may meet in closed session to deliberate and determine whether the student should be expelled. If the Council of Directors admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. 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. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Council of Directors may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Council of Directors or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Council of Directors in closed session, or in open session if so, requested by the student, before the meeting. The Council of Directors' decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Council of Directors determines, or if the hearing officer or administrative panel finds and submits to the Council of Directors, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in Item #6 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant 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. The decision of the Council of Directors to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days' notice before being called to testify
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential
 - d. The person presiding over the hearing may remove a support person who is disrupting the hearing
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the YES Charter Academy shall provide a nonthreatening environment
 - i. The YES Charter Academy shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony
 - ii. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room
 - iii. The person conducting the hearing may:
 - a. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - b. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
 - c. (Permit one of the support persons to accompany the complaining witness to the witness stand
6. Decision: The Council of Directors' decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Council of Directors may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Council of Directors may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Council of Directors or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Council of Directors as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Council of Directors. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by the student's parent/guardian, the Superintendent or designee shall consult with the parent/guardian and YES Charter Academy staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Council of Directors. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Council of Directors may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any

supplementary hearing the Council of Directors may order. (Education Code 48918(f))

In accordance with Council of Directors policy, the hearing officer or administrative panel may recommend that the Council of Directors suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Council of Directors expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Council of Directors has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Council of Directors

Whether the expulsion hearing is conducted in closed or open session by the Council of Directors, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Council of Directors in public. (Education Code 48918(j))

The Council of Directors' decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Council of Directors shall set a date when the student shall be reviewed for readmission to a school within the YES Charter Academy. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in "Authority to Expel" in the accompanying Council of Directors policy, this date shall be one year from the date the expulsion occurred, except that the Council of Directors may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Council of Directors shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Council of Directors shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Council of Directors (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)

5. Notice of the student's or parent/guardian's obligation to inform any new YES Charter Academy in which the student seeks to enroll of the student's status with the expelling YES Charter Academy, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

In accordance with Council of Directors policy, when deciding whether to suspend the enforcement of an expulsion order, the Council of Directors shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and willingness to follow a rehabilitation

program The suspension of the enforcement of an expulsion shall be governed by the following:

- a. The Council of Directors may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation

This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Council of Directors' determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

- b. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status (Education Code 48917)
- c. The suspension of the enforcement of an expulsion order may be revoked by the Council of Directors if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above, or violates any of the YES Charter Academy's rules and regulations governing student conduct (Education Code 48917)
- d. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order (Education Code 48917)
- e. Upon satisfactory completion of the rehabilitation assignment, the Council of Directors shall reinstate the student in a YES Charter Academy school

Upon reinstatement, the Council of Directors may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

- f. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian

The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Council of Directors, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new YES Charter Academy in which the student seeks to enroll of the student's status with the expelling YES Charter Academy, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

- g. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Council of Directors (Education Code 48917)

Appeal

If a student is expelled from school, the student or parent/guardian is entitled to file an appeal of the Council of Directors' decision with the County Council of Directors. The appeal must be filed within 30 days of the Council of Directors' decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the YES Charter Academy simultaneously with the filing of the notice of appeal with the County Council of Directors, the YES Charter Academy shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or YES Charter Academy law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

The Council of Directors shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in Items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and Items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

Prior to the date set by the Council of Directors for the student's readmission:

1. The Superintendent or designee shall hold a conference with the student's parent/guardian, or other person holding the right to make educational decisions for the student, and the student

At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked to indicate in writing their willingness to comply with these regulations.

2. The Superintendent or designee shall transmit to the Council of Directors a recommendation regarding readmission

The Council of Directors shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, by registered mail, of the Council of Directors' decision regarding readmission
4. The Council of Directors may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other YES Charter Academy students or employees (Education Code 48916)
5. If the Council of Directors denies the readmission of a student, the Council of Directors shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school
6. The Council of Directors shall provide written notice to the expelled student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, describing the reasons for denying readmittance into the regular program

This notice shall indicate the Council of Directors' determination of the educational program which the Council of Directors has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school YES Charter Academy.

No student shall be denied readmission into the YES Charter Academy based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The YES Charter Academy shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other YES Charter Academy's request for information about an expulsion from this YES Charter Academy. (Education Code 48915.1)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Council of Directors to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

Suspension or expulsion of a student with disabilities shall be in accordance with Council of Directors Policy 5144.1 - Suspension And Expulsion/Due Process and this administrative regulation.

When a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team shall consider positive behavioral interventions and supports, and other strategies, to address the behavior. (Education Code 56521.2; 20 USC 1414)

Suspension

The Superintendent, principal, or designee may suspend a student from school for up to five consecutive school days, unless the suspension has been extended following a recommendation for expulsion. (Education Code 48911)

A student may usually be suspended from school for up to 20 cumulative school days, or 30 cumulative school days as permitted by Education Code 48903, in a school year as long as the pattern of suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The Principal or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from the student's current educational placement for disciplinary reasons constitutes a change of placement.

A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

1. A decision has been made that would result in the removal of the student for more than 10 consecutive school days
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
 - a. The series of removals total more than 10 school days in a school year
 - b. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals
 - c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another

If a student's removal is determined to be a change of placement as specified in Items #1-2 above, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in the student's IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the YES Charter Academy to provide the student with transportation, the YES Charter Academy shall provide the student with an alternative form of transportation at no cost to the student or the student's parent/guardian when, as a result of a suspension, the student is excluded from school bus transportation. (Education Code 48915.5)

The principal or designee shall monitor the number of days, including portions of days, in which a student

with an IEP has been suspended during the school year.

Interim Alternative Educational Placement Due to Dangerous Behavior

The YES Charter Academy may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by the student's IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from the student's current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow the student to participate in the general education curriculum and to progress toward meeting the goals set out in the IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation, so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Manifestation Determination

The following procedural safeguards shall apply when a decision has been made to suspend a student with a disability for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the YES Charter Academy's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504

If the student is a foster youth, the notice shall be given to the student's educational rights holder, attorney, and county social worker, and, if the student is an Indian child, the student's tribal social worker and, if applicable, county social worker. (Education Code 48853.5; 20 USC 1415(k)(1)(H); 34 CFR 300.530)

2. Manifestation Determination Review: Immediately, if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action (20 USC 1415(k)(1)(E); 34 CFR 300.530)

If the student is a foster youth or Indian child, the foster youth's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, shall be invited to participate in the manifestation determination review. (Education Code 48915.5)

At the manifestation determination review, the YES Charter Academy, the student's parent/guardian, and relevant members of the IEP team (as determined by the YES Charter Academy and parent/guardian) shall review all relevant information in the student's file, including

the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

- a. Caused by or had a direct and substantial relationship to the student's disability

- b. A direct result of the YES Charter Academy's failure to implement the student's IEP, in which case the YES Charter Academy shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of the student's disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the student's conduct has been determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student

If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which the student was removed, unless the parent/guardian and Principal or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

4. Determination that Behavior is Not a Manifestation of the Student's Disability: When it has been determined that the student's conduct was not a manifestation of the disability, the student may be disciplined in accordance with the procedures for students without disabilities

However, the student's IEP team shall determine services necessary to enable the student to participate in the general education curriculum in another setting and to allow the student to progress toward meeting the goals set out in the IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Due Process Appeals

If the parent/guardian disagrees with any YES Charter Academy decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances), 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), the parent/guardian may appeal the decision by requesting a hearing. The YES Charter Academy may request a hearing if the YES Charter Academy believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

Whenever a hearing is requested as specified above, the parent/guardian or the YES Charter Academy shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the YES Charter Academy has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and YES Charter Academy agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

Readmission

Readmission procedures for students with disabilities shall be the same as those adopted for students without disabilities. Upon readmission of a student with disabilities, an IEP team meeting shall be convened to review and, as necessary, modify the student's IEP.

Decision Not to Enforce Expulsion Order

The Governing Council of Directors' criteria for suspending the enforcement of an expulsion order shall be applied to students

with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

Notification to Law Enforcement Authorities

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in Administrative Regulation 5144.1 - Suspension And Expulsion/Due Process.

When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that the student's information or records will not be disclosed to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

Report to County Principal of Schools

The Principal or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the YES Charter Academy's code of student conduct may nevertheless assert any of the protections under IDEA, if the YES Charter Academy had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

Knowledge means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to YES Charter Academy supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311
3. The teacher of the student or other YES Charter Academy personnel has expressed specific concerns directly to the YES Charter Academy's director of special education or other supervisory YES Charter Academy personnel about a pattern of behavior demonstrated by the student

However, the YES Charter Academy shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed the student to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the YES Charter Academy determined that the student was not an individual with a disability. (20 USC 1415(k)(5); 34 CFR 300.534)

When the YES Charter Academy is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)

basis or authority for the Council of Directors to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

The Governing Council of Directors expects all students to remain in school until graduation in order to acquire critical knowledge and skills and be prepared for postsecondary education and/or employment. The Principal or designee shall identify factors that impede student success in school and shall implement integrated, systemic support and strategies that address dropout prevention and promote timely intervention and recovery.

The Principal or designee, in collaboration with parents/guardians, school staff, and community agencies and organizations as appropriate, shall develop YES Charter Academy wide strategies that support regular school attendance for all students. Dropout prevention strategies shall include efforts to provide a safe and positive learning environment that engages and motivates students, encourages students' connectedness to the schools, offers meaningful educational opportunities, and promotes student health and well-being.

In order to make up lost instructional time and offset absences, the YES Charter Academy may implement attendance recovery programs. Any attendance recovery program shall be provided as a voluntary, limited-term option for a classroom-based, regular education program for students in grades TK-12 in accordance with Education Code 46211.

In addition, the Principal or designee shall develop strategies to provide targeted support to individual students who are at risk of dropping out of school. Students may be identified based on indicators such as chronic absenteeism, truancy, or tardiness; below-grade-level academic achievement as evidenced by student assessment results and/or teacher evaluations; and personal, social, health, or economic circumstances that may affect student performance and behavior in school.

Strategies to support students at risk of dropping out of school may include, but are not limited to:

1. Meetings and/or home visits with the student and parent/guardian to identify and address barriers to the student's success and inform them of the state's compulsory education law
2. Individualized instruction that responds to the needs and unique learning styles of students
3. Supplemental instruction during or outside the school day that is designed to help students overcome academic deficiencies, including attendance recovery programs
4. Enrollment in alternative or specialized educational programs
5. Assistance locating employment or work-based learning opportunities which link classroom learning with real-world experiences
6. Academic guidance and personal counseling services
7. Referral to a student success team, school attendance review Council of Directors, or other team that addresses persistent attendance problems
8. Referral to school and/or community support services, such as a student assistance program; substance abuse program; health services or school nurse; school social worker or social services; school counselor, school psychologist or other student support personnel for case management and counseling; and other resources
9. Continued monitoring of student attendance, including tracking student attendance and identifying students with attendance problems as early as possible, so the school may provide appropriate support services and interventions
10. Employment of qualified outreach consultants to perform duties related to dropout identification, prevention, intervention, and recovery as assigned
11. Creating small, personalized learning communities to facilitate monitoring and support

12. Offering courses or programs that connect schoolwork with college and career success, including career technical education

The strategies may be incorporated into the YES Charter Academy's local control and accountability plan and linked to YES Charter Academy goals for student engagement, school climate, and student achievement.

The Principal or designee shall ensure that employees are trained to support at-risk students and are prepared to implement intervention strategies or to make appropriate referrals to support services.

When a student leaves school prior to the end of a school year, or when a student successfully completed the prior school year but did not begin attending the next grade or school that the student was expected to attend or had pre-registered to attend, the Principal or designee shall make efforts to determine whether the student has dropped out or has transferred to another educational setting. The Principal or designee may contact the student's parents/guardians to verify school enrollment and, if necessary, shall implement intervention and recovery efforts.

The Principal or designee shall maintain required documentation for students who transfer from or otherwise withdraw from a school in the YES Charter Academy. (20 USC 6311)

The Principal or designee shall annually report to the Council of Directors on measures of student engagement, including school attendance rates, chronic absenteeism rates, middle school and high school dropout rates, and high school graduation rates. The Council of Directors shall monitor YES Charter Academy progress in increasing student retention in school and may require revisions in YES Charter Academy plans and strategies as needed.

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Policy 6112: School Day

Status: ADOPTED

Original Adopted Date: 09/01/1988 | Last Revised Date: 09/01/2024 | Last Reviewed Date:

The Governing Council of Directors shall fix the length of the school day in accordance with law. (Education Code 46100)

At each school, the length of the school day shall be the same for all students, except as otherwise permitted by law. For any student with a disability, the length of the school day shall be as specified in the student's individualized education program or Section 504 plan.

Unless there is a field trip or other educational program, the daily schedule for grades K-6 shall include at least one or more periods of recess of at least 30 minutes on regular instructional days and 15 minutes on early release days. During this time, students shall be provided supervised opportunities, outdoors when weather and air quality permit unless space is not sufficient in which case recess may be held indoors, to engage in unstructured physical activity, play, organized games, and/or social engagement with peers, and may be provided a snack. (Education Code 49056)

Educational Program means the entire school-sponsored offering for students, including in-class and out-of-class activities. (Education Code 49056)

In establishing the daily instructional schedule for each secondary school, the Principal or designee shall give consideration to course requirements and curricular demands, availability of school facilities and equipment, and applicable legal requirements.

The Council of Directors encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

Prior to implementing a block or alternative schedule that will allow secondary students to attend school for fewer school days than the total number of school days for which the school is in session, the Council of Directors shall consult in good faith, in an effort to reach agreement with the certificated and classified employees of the school, parents/guardians of the students who would be affected by the change, and the community at large. Such consultation shall include at least one public hearing for which the Council of Directors shall give adequate notice to the employees and to the parents/guardians of affected students. (Education Code 46162)

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Kindergarten/Transitional Kindergarten

Kindergarten and transitional kindergarten (TK) classes in YES Charter Academy schools may be maintained for different lengths of time, either at the same or different school sites. (Education Code 37202)

The average school day for kindergarten and TK students shall be at least three hours, including recesses but excluding noon intermissions. If fewer than 40 students are enrolled in kindergarten classes, the YES Charter Academy may request approval of the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each. (Education Code 46114, 46115, 46117, 46119)

In any school day, kindergarten and/or TK students shall not be kept in school for longer than four hours, excluding recesses, except where the school is operating an early primary program pursuant to Education Code 8970-8974 or an expanded learning opportunity program pursuant to Education Code 46120. (Education Code 46111, 46115, 46120)

In any YES Charter Academy school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)

1. The Governing Council of Directors has declared that the extended-day kindergarten program does not exceed the length of the primary school day
2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program

Under an extended day kindergarten program, recess may be counted as instructional minutes for purposes of determining the maximum school day if it occurs under teacher supervision.

In any multitrack year-round school operating pursuant to Education Code 37670, the kindergarten school day may be up to 265 minutes, excluding recesses. (Education Code 46111)

The Principal or designee shall annually report to the California Department of Education as to whether the YES Charter Academy's kindergarten and TK programs are offered full day, part day, or both. (Education Code 48003)

Grades 1-8

Except as otherwise provided by law, the school day for elementary and middle school students shall be:

1. At least 230 minutes for students in grades 1-3, unless the Council of Directors has prescribed a shorter school day because of lack of school facilities requiring double sessions, in which case the minimum school day shall be 200 minutes (Education Code 46112)
2. At least 240 minutes for students in grades 4-8 (Education Code 46113, 46142)

In determining the number of minutes for purposes of compliance with the minimum school day for students in grades 1-8, both noon intermissions and recesses shall be excluded. (Education Code 46115)

The school day for a middle school shall begin no earlier than 8:00 a.m. (Education Code 46148)

Grades 9-12

The school day for a high school shall begin no earlier than 8:30 a.m. (Education Code 46148)

The school day for students in grades 9-12, including students in the independent study program, shall be at least 240 minutes. (Education Code 46141, 46142)

However, the school day may be less than 240 minutes when authorized by law. Programs that have a minimum school day of 180 minutes include, but are not necessarily limited to:

1. Continuation high school or classes (Education Code 46141, 46170)
2. Opportunity school or classes (Education Code 46141, 46180)
3. Regional occupational center (Education Code 46141, 52325)
4. Work experience education program approved pursuant to Education Code 51760-51769.5 (Education Code 46141, 46144)

A student in grade 12 who is enrolled in work experience education and is in the last semester or quarter before graduation may, upon written request by the student's parent/guardian or the student, if 18 years of age or over, be permitted to attend school for less than 180 minutes per school day if all requirements for graduation would be completed, except physical education courses, in less than 180 minutes each day. (Education Code 46147)

5. Concurrent enrollment in a community college pursuant to Education Code 48800-48802 or, for students in grades 11-12, part-time enrollment in classes of the California State University or University of California, provided academic credit will be awarded upon satisfactory completion of enrolled courses (Education Code 46146)
6. An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with Item #5 above (Education Code 46141, 46146.5)
7. Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (Education Code 46141, 46144)

For an evening high school operated pursuant to Education Code 51720-51724, the number of days, specific days of the week, and number of hours during which the program shall be in session may be determined by the Council of Directors. (Education Code 46141, 51721)

Students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses each quarter. This requirement shall not apply to students enrolled in regional occupational centers or programs, courses at accredited postsecondary institutions, independent study, special education programs in which the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs, or any other course of study authorized by the Council of Directors that is equivalent to the approved high school course of study. (Education Code 46145)

Alternative Block Schedule for Secondary Schools

In order to establish a block or other alternative schedule or to accommodate career technical education and regional occupational center/program courses, the YES Charter Academy may authorize students to attend fewer than the total number of days in which school is in session provided that students attend classes for at least 1,200 minutes during any five school day period or 2,400 minutes during any 10 school day period. (Education Code 46160)

An early college high school or middle college high school may be scheduled so that students attend classes for at

least 900 minutes during any five-school day period or 1,800 minutes during any 10-school day period.
(Education Code 46160)

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The Governing Council of Directors believes that effective use of technology is integral to the education and development of students. In order to promote digital citizenship, the Council of Directors recognizes that students must have access to the latest digital tools and receive instruction that allows students to positively engage with technology in ways that respect human rights and avoids Internet dangers. Technological resources provided to students, including technology based on artificial intelligence (AI), shall be aligned to YES Charter Academy goals, objectives, and academic standards. The use of technology shall augment the use of Council of Directors adopted instructional materials.

The Council of Directors intends those technological resources provided by the YES Charter Academy be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. Students shall be allowed to use such technology, including AI technology, in accordance with YES Charter Academy policies, including, but not limited to, policies on academic honesty, data privacy, nondiscrimination, and copyright protections. All students using these resources shall receive instruction in the proper and appropriate use of technology. Such instruction shall incorporate students' responsibilities regarding academic honesty, honoring copyright provisions, assessing the reliability and accuracy of information, protecting personal data, and the potential for biases and errors in artificially generated content.

YES Charter Academy technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the YES Charter Academy, whether accessed on or off site or through YES Charter Academy-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including AI apps; telephones, cellular telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Principal or designee shall notify students and parents/guardians about authorized uses of YES Charter Academy technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this Council of Directors policy and the YES Charter Academy's Acceptable Use Agreement.

Before a student is authorized to use YES Charter Academy technology, the student and the student's parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the student and parent/guardian shall agree not to hold the YES Charter Academy or any YES Charter Academy staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the YES Charter Academy and YES Charter Academy staff for any damages or costs incurred.

The YES Charter Academy reserves the right to monitor student use of technology within the jurisdiction of the YES Charter Academy without advance notice or consent. Students shall be informed that the use of YES Charter Academy technology, as defined above, is not private and may be accessed by the YES Charter Academy for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in the use of YES Charter Academy technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, YES Charter Academy policy, or school rules.

The Principal or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any YES Charter Academy student in accordance with Education Code 49073.6 and Council of Directors Policy/Administrative Regulation 5125 - Student Records.

Whenever a student is found to have violated Council of Directors policy or the YES Charter Academy's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or

increase supervision of the student's use of the YES Charter Academy's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Council of Directors policy.

The Principal or designee, with input from students and appropriate staff, shall regularly review and update

procedures to enhance the safety and security of students using YES Charter Academy technology and to help ensure that the YES Charter Academy adapts to changing technologies and circumstances.

Internet Safety

The Principal or designee shall ensure that all YES Charter Academy computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Principal or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The YES Charter Academy's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy YES Charter Academy equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Principal or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the YES Charter Academy's processes and procedures related to the protection of the YES Charter Academy's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and monitoring suspicious and/or threatening digital media content, in accordance with Council of Directors Policy 5125 - Student Records.

The Principal or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Council of Directors to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the

ACCEPTABLE USE AGREEMENT AND RELEASE OF YES CHARTER ACADEMY FROM LIABILITY (STUDENTS)

The [REDACTED] School YES Charter Academy authorizes students to use technology, as defined in Council of Directors

Policy 6163.4 - Student Use of Technology. The use of YES Charter Academy technology is a privilege permitted at the YES Charter Academy's discretion and is subject to the conditions and restrictions set forth in applicable Council of Directors policies, administrative regulations, and this Agreement. The YES Charter Academy reserves the right to suspend access at any time, without notice, for any reason.

The YES Charter Academy expects all students to use technology responsibly in order to avoid potential problems and liability. The YES Charter Academy may place reasonable restrictions on the sites, material, and/or information that students may access through the system.

The YES Charter Academy makes no guarantee that the functions or services provided by or through the YES Charter Academy will be without defect. In addition, the YES Charter Academy is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each student who is authorized to use YES Charter Academy technology and the student's parent/guardian shall sign this Agreement, which indicates that the student has read and understands the Agreement and Council of Directors Policy 6163.4 - Student Use of Technology.

Student Obligations and Responsibilities

Students are expected to use YES Charter Academy technology safely, responsibly, and for educational purposes only, and in accordance with the accompanying Council of Directors policy and applicable copyright laws. The student in whose name YES Charter Academy technology is issued is responsible for its proper use at all times. Students shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Students shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, students shall not attempt to access any data, documents, emails, or programs in the YES Charter Academy's system for which they do not have authorization.

Students are prohibited from using YES Charter Academy technology for improper purposes, including, but not limited to, use of YES Charter Academy technology to:

1. Access, post, display, create, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive
2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying")
3. Disclose, use, or disseminate personal identification information (such as name, address, email, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person
4. Share confidential information or personally identifiable information with an open artificial intelligence (AI) system of themselves, another student, staff member, or other person
5. Adjust the privacy settings on any technology tool or AI app unless directed to do so by a teacher or staff member
6. Violate the direction of teachers or other staff members, age restrictions, or the intended use of the technology
7. Infringe on copyright, license, trademark, patent, or other intellectual property rights

8. Intentionally disrupt or harm YES Charter Academy technology or other YES Charter Academy operations (such as destroying YES Charter Academy equipment, placing a virus on YES Charter Academy computers, adding or removing a computer program without permission from a teacher or other YES Charter Academy personnel, changing settings on shared computers)
9. Install unauthorized software
10. "Hack" into the system to manipulate data of the YES Charter Academy or other users
11. Engage in or promote any practice that is unethical or violates any law or Council of Directors policy, administrative regulation, or YES Charter Academy practice

Privacy

Since the use of YES Charter Academy technology is intended for educational purposes, students shall not have any expectation of privacy in any use of YES Charter Academy technology.

The YES Charter Academy reserves the right to monitor and record all use of YES Charter Academy technology, including, but not limited to, access to the Internet or social media, Internet searches, browsing history, use of AI, communications sent or received from YES Charter Academy technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of YES Charter Academy technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any YES Charter Academy technology are the sole property of the YES Charter Academy. The creation or use of a password by a student on YES Charter Academy technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access YES Charter Academy technology, the student shall abide by all applicable Council of Directors policies, administrative regulations, and this Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

If a student becomes aware of any security problem (including, but not limited to, a cyberattack, phishing, or any compromise of the confidentiality of any login or account information), or misuse of YES Charter Academy technology, the student shall immediately report such information to the teacher or other YES Charter Academy personnel.

Consequences for Violation

Violations of the law, Council of Directors policy, or this Agreement may result in revocation of a student's access to YES Charter Academy technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, Council of Directors policy, or this Agreement may be reported to law enforcement agencies as appropriate.

Student Acknowledgment

I have received, read, understand, and agree to abide by this Agreement and other applicable laws and YES Charter Academy policies and regulations governing the use of YES Charter Academy technology. I understand that there is no expectation of privacy when using YES Charter Academy technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: _____ Grade: _____
(Please print) _____
School: _____
Signature: _____ Date: _____

Parent or Legal Guardian Acknowledgment

If the student is under 18 years of age, a parent/guardian must also read and sign the Agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply

with the terms of the Agreement. By signing this Agreement, I give permission for my child to use YES Charter Academy technology and/or to access the school's computer network and the Internet. I understand that, despite the YES Charter Academy's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, YES Charter Academy, YES Charter Academy personnel and the Council of Directors against all claims, damages, and costs that may result from my child's use of YES Charter Academy technology or the failure of any technology protection measures used by the YES Charter Academy. Further, I accept full responsibility for supervision of my child's use of my child's access account if and when such access is not in the school setting.

Name: _____
(Please print)

Signature: 
