

Yuba Environmental Science
Charter Academy
Parent/Student Handbook



9841 Texas Hill Road
PO Box 430
Oregon House, CA 95962-0430
P: (530) 692-2210
F: (530) 692-3241
www.YES Charter

Table of Contents

Table of Contents

YES CHARTER ACADEMY Contacts & Information	7
School Calendar	10
Lifecycle of Farm to School.....	11
School/Parent Responsibilities	12
Attendance/Tardiness	13
Garden Program	18
Expanded Learning Opportunity Programs	19
Curriculum	19
High School	21
Project Based Learning	23
Homeschool Program	26
Parent Volunteer Opportunity	41
Dress and Grooming BP-5132	41
Prohibited Items	43
Student Drop Off & Parking	45
Registration of Visitors & Guest Passes	46
Student Health, Safety, & Medical Treatment:	47
Discipline Policy:	55
YES Charter Academy Supports:	63
Emergency Plans:	64
Bus/Transportation:	65
ParentSquare:	69
YES CHARTER ACADEMY Wellness Policy	69
APPENDIX A: ANNUAL NOTIFICATIONS	70
Availability of Prospectus.....	70
Cal Grant Program Notice.....	71
California Healthy Kids Survey.....	71
Campus Search and Seizure.....	71
Cancer Prevention Act.....	72
College Preparatory Course Offerings.....	72
Diabetes.....	72
Dangers of Synthetic Drugs.....	73
Education of Foster and Mobile Youth.....	74

Education of Homeless Children and Youth.....	81
English Learners.....	88
Information Regarding Financial Aid.....	88
Human Trafficking Prevention.....	88
Immunizations.....	89
Involuntary Removal Process.....	90
Lost or Damaged School Property.....	91
Mental Health Services.....	91
Nondiscrimination Statement.....	92
Oral Health Assessment.....	93
Parent and Family Engagement Policy.....	94
Physical Examinations and Right to Refuse.....	94
Pregnant and Parenting Students.....	94
Safe Storage of Firearms.....	95
School Bus and Passenger Safety.....	96
School Safety Plan and Asbestos Management Plan.....	96
Section 504.....	96
Sexual Health Education.....	96
Special Education /Students with Disabilities.....	97
State Testing.....	98
Student Records, including Records Challenges, Directory Information, and CCGI Notice.....	98
Surveys About Personal Beliefs.....	101
Teacher Qualification Information.....	101
Tobacco-Free Schools.....	102
Uniform Complaint Procedure (“UCP”).....	102
School Meals and Student Wellness.....	106
Use of Student Information Learned from Social Media.....	108
Workplace Readiness Week and Work Permits.....	108
APPENDIX B: COMPLETE POLICIES	109
Title IX Policy Prohibiting Discrimination On The Basis Of Sex.....	109
Title IX Sex Discrimination And Harassment Complaint Form.....	119
Suicide Prevention Policy.....	120
Staff-Student Interactions Policy.....	133
Suspension and Expulsion Policy and Procedures.....	137



Yuba Environmental Science YES Charter Academy

9841 Texas Hill Road · PO Box 430
Oregon House, CA 95962-0430
(530) 692-2210 · FAX (530) 692-3241

LETTER FROM THE PRINCIPAL

Dear Parents/Guardians:

Welcome to a new school year at YES Charter Academy. The faculty and staff are proud to partner with you in the education of your children.

Educational success for all students cannot be complete without an effective partnership with all parents. You are the most essential part of your children's education and it is important that we build a strong relationship in order to best serve your children's educational needs. Therefore, we strongly encourage you to participate in our Parent-Teacher Conference Days and all other school activities.

You will find in the Parent/Student Handbook some very important information regarding the policies and procedures YES CHARTER ACADEMY has established for the safety of your children and the smooth operation of our school. Please read this information carefully and keep it for future reference. Should you have questions, feel free to contact school staff at (530) 692-2210.

Our hope is that the partnership you develop with your children's teachers and YES Charter Academy will reflect a positive feeling about education and will be a pleasurable experience for everyone.

Sincerely,

A handwritten signature in blue ink, appearing to read "Louise Miller".

Louise Miller, Principal

WELCOME TO YES CHARTER ACADEMY!

Our Mission at YES CHARTER ACADEMY is to educate TK-9 grade 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!

YES CHARTER ACADEMY

Contacts & Information

School Address: 9841 Texas Hill Rd. Oregon House

Mailing Address: PO Box 430 Oregon House, CA 95962

Phone Number: (530) 692-2210

Fax Number: (530) 692-3241

Office hours: 8:00am- 4:00pm

School Schedule: All grades: 8:30am – 3:30pm

Early out Friday's dismissal 1:30pm

After School Program runs until 5:30pm

Website: www.yescharteracademy.org

Parent Square: www.parentsquare.com

Council of Directors:

President: Pam Cook

Vice President: Linda Cohee

Chief Financial Officer: Paul McGovern

Staff Representative: Varies yearly

Parent Representative: Yvette Rodriguez

Director: Deborah Hoerner

Secretary:

Principal: Louise Miller

Staff Directory is located on our website at www.yescharteracademy.org

School Calendar

YES Charter Academy 2025-2026 School Calendar

Aug-25							Sep-25							Oct-25						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
					1	2		1	2	3	4	5	6				1	2	3	4
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31	
31						12							20							21
Nov-25							Dec-25							Jan-26						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
						1		1	2	3	4	5	6					1	2	3
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31
30						12							14							18
Feb-26							Mar-26							Apr-26						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7	1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	22	23	24	25	26	27	28	19	20	21	22	23	24	25
						17	29	30	31				20	26	27	28	29	30		15
May-26							Jun-26							Jul-26						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
					1	2		1	2	3	4	5	6				1	2	3	4
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31	
31						19														

	Minimum Days
	No School
	First and Last Day of School August 13-May 29
	Summer Extended Learning Opportunities Program
	Flex Week for missed days
	Extended learning offered 7:45-8:30 and afterschool Mon-Fri
	Teacher Professional Development no students

Parent Teacher Conferences

178 Attendance Days

Council Approved

4/24/2025

K 36,000

1-3 50,400

4-8 54,000

9 64800



Lifecycle of Farm to School

- ❖ Our Farm to School program serves students fresh, locally sourced ingredients in school meals, fresh local fruits and vegetables on our salad bar, and local grass-fed beef and organic chicken in our main dishes.
- ❖ **ALL** students will have free breakfast and lunch! Breakfast is from 8:15-8:35.
- ❖ YES CHARTER ACADEMY is committed to health and wellness in our students and staff. **Soda, Kool Aid, energy drinks, candy, and processed foods** are not allowed on campus.
- ❖ YES CHARTER ACADEMY encourages students to use water bottles to help your student stay hydrated. **YES CHARTER ACADEMY water bottles are on sale in the office for \$5.00.**

How do we do this? YES CHARTER ACADEMY has a greenhouse, a garden, and a henhouse, all tended by the YES CHARTER ACADEMY farmer and students. We buy food produced by local farmers and ranchers; and we scratch cook school meals in our school kitchen.

Our farm to school team is:

Nick Brown Farmer

Shiela Rolfer Procurement Specialist

Cherrity Leyson Chef

School/Parent Responsibilities

YES Charter Academy will provide high-quality curriculum and instruction in a supportive and effective learning environment that enables children to meet the States student academic achievement standards by clearly planning learning expectations for students, providing meaningful opportunities for that learning, and designing and implementing appropriate assessment measures.

YES Charter Academy will send frequent reports to parents on their child's progress, depending upon grade level, via weekly newsletter, personal notes, a teacher web page, as well as formal assessment report cards and communications.

YES Charter Academy will hold parent-teacher conferences annually during which this Compact will be discussed as it relates to the individual student's achievement. There will be two formal conferences each year that will be officially scheduled within the class and school calendar.

YES Charter Academy will grant parents reasonable access to staff during after-school or before-school appointments made at a mutually convenient time.

YES Charter Academy will provide parents with opportunities to fulfill their parent participation hours in their child's class by providing an annual sign-up list and upon request from our office.

YES Charter Academy will provide parents with the ability to observe classroom activities by requesting, in advance, a Visitor Pass from the teacher, Principal or Office Administration.

The Parent/Guardian will be responsible for supporting his/her child's learning by reporting any absences before 9 am during all school days.

The Parent/Guardian will make sure homework is completed and returned when due

The Parent/Guardian will make sure student do not bring cell-phones to school

The Parent/Guardian will limit their students screen time including television watching

The Parent/Guardian will monitor their student's academic achievement by attending conferences and return all teacher and staff communication

Attendance/Tardiness

Showing up for school has a huge impact on a student's academic success starting in kindergarten and continuing through high school. Even as children grow older and more independent, families play a key role in making sure students get to school safely every day and understand why attendance is so important for success in school and in life.

Here at **YES Charter Academy** your students' attendance is very important and our goal is to eliminate tardiness, absence and maximize instructional time and to develop a sense of punctuality. We work with families and students to identify barriers to tardiness and absenteeism.

If your student will be absent or late to school, please contact us as soon as possible to discuss the absence so we can work together to provide missed education opportunities. Any student who is not in their classroom when the bell rings is tardy. Tardies in excess of 30 minutes will be recorded as absences, and may subject a student to truancy consequences.

If your student does not arrive before 9am they are considered Tardy and have to be checked in by a parent or guardian.

Make-up work is the responsibility of the student. The first day of return from absence, the student should ask the teacher for work missed, then complete and return as soon as possible. In case of extended illness parents should contact the school/teacher and arrange to pick up missed work. If you leave a message on our answering machine, be sure to state your name and the students name clearly, date and reason for absence.

All absences must be verified by note, telephone call or personal visit from parent or guardian.

In many cases, absences from school are unavoidable due to health problems or other circumstances. However, chronic absenteeism can have a drastic impact on your child's education. Children chronically absent in kindergarten and first grade are much less likely to learn to read by the end of third grade. By sixth grade, chronic absence is a proven early warning sign of drop-out. By ninth grade, good attendance can predict graduation even better than eighth-grade test scores. Clearly, going to school regularly matters!

We would like to help resolve any problems that may be causing your child to miss school and want to work together to support your student with academic success.

Excused Absences

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness, including absence for the benefit of the student's mental or behavioral health

2. Quarantine under the direction of a county or city health officer
3. Medical, dental, optometry, or chiropractic service or appointment
 - a. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.
4. Attendance at funeral services for or grieving the death of a member of the student's immediate family or, as determined by the student's parent/guardian, a person so closely associated with the student as to be considered the student's immediate family

A student may be excused for this reason for up to five days for each incident.

5. Jury duty in the manner provided for by law
6. Illness or medical appointment of a child to whom the student is the custodial parent
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to:
 - a. Attendance or appearance in court
 - b. Observance of a holiday or ceremony of the pupil's religion
 - c. Attendance at religious retreats for no more than one school day each semester
 - d. Attendance at an employment conference
 - e. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302
9. To spend time with an immediate family member who is an active-duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment or is on leave from or has immediately returned from such deployment

Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee.
10. Attendance at the student's naturalization ceremony to become a United States citizen
11. Participation in a cultural ceremony or event which relates to the habits, practices, beliefs, and traditions of a certain group of people
12. For a middle school or high school student, engagement in a civic or political event, provided that the student notifies the school ahead of the absence. as indicated below, provided that the pupil notifies the school ahead of the absence. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 - a. A middle school or high school pupil who is absent pursuant to this provision is required to be excused for only one school day-long absence per school year.
 - b. A middle school or high school pupil who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.

13.

Unless otherwise permitted by the Superintendent or designee, students shall be limited to one such school day-long absence each school year

14. When a student's immediate family member or, as determined by the student's parent/guardian, a person so closely associated with the student as to be considered the student's immediate family has died:

- a. To access services from a victim services organization or agency
- b. To access grief support services
- c. To participate in safety planning or take other actions, including, but not limited to, temporary or permanent relocation, to increase the safety of the student, an immediate family member of the student, or a person determined by the student's parent/guardian to be in such close association with the student as to be considered immediate family.

Absences under this section shall be excused for not more than three days for each incident, unless extended on a case-by-case basis at the discretion of the school administrator. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

2. Participation in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from school property as designated by the religious group, church, or denomination

Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in Administrative Regulation 6112 - School Day, and is not excused from school for this purpose on more than four days each school month.

3. For a student who holds a work permit authorizing work in the entertainment or allied industries for a period of not more than five consecutive days, work in such industry

For this purpose, student absence shall be excused for a maximum of up to five absences each school year.

4. Participation with a nonprofit performing arts organization in a performance for a public-school audience

A student may be excused for up to five such absences each school year provided that the student's parent/guardian provides a written explanation of such absence to the school.

5. Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.

6. Due to the student's participation in military entrance processing.

7. For the purpose of a middle or high school pupil engaging in a civic or political event as indicated below, provided that the pupil notifies the school ahead of the absence. A “civic or political event” includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 - a. A middle school or high school pupil who is absent pursuant to this provision is required to be excused for only one school day-long absence per school year.
 - b. A middle school or high school pupil who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.
8. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances

For the purpose of the absences described above, immediate family means the student's parent/guardian, sibling, grandparent, or any other relative living in the student's household.

Student Sign -out Policy: Students must be signed out by a parent or guardian designee, as listed as a contact in the student’s file. A student removed for more than 30 minutes or more must have an excused absence reason, or will be marked unexcused into their attendance.

The following are steps YES Charter Academy will take when your child is absent.

We will call to verify the student’s absence and ask reason for absence.

We will tell the parent or guardian if that the reason for absence is excused, unexcused and how the student can clear the absence.

Short term independent study is available to students who are temporarily not able to attend in-person due to extended illness or other circumstances.

This is a separate program from Homeschool or Distance Learning.

YES Charter Academy will monitor tardies and absences weekly and contact parents and/or guardians monthly with chronic attendance reports, to facilitate connectedness with the school and to promote attendance through early intervention strategies.

Truancy Consequences

A student shall be classified as a truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Any student who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be deemed a truant.

Students with excessive absences or tardies who are classified as truants will require intervention by our Student Attendance Review Team (SART). This might include phone calls, emails, meetings with the principal and if recommended by our SART and at our last resort to refer to the Student Attendance Review Board (SARB) Yuba County Office of Education. All letters sent out to parents in regards to chronic absenteeism is at the end of the handbook for your review.

What is the purpose of an SART attendance team?

The primary purpose of an attendance team is to organize the school's strategy to foster improved attendance for all students. Essentially the attendance team coordinates, assesses, and prioritizes.

The specific functions include:

1. Monitor data trends. See who is most affected and whether the data is getting better or worse.
2. Examine causes of chronic absenteeism using both qualitative and quantitative data.
3. Coordinate implementation of the school's multi-tiered strategy by engaging the entire school community in developing and supporting a comprehensive strategy that begins with prevention and early intervention. Reducing chronic absence begins with evidence-based prevention and early intervention strategies that involve the whole school community.
4. Ensure chronically absent students receive needed support from both the school and the community.

Support outstanding school attendance at home by:

- Making sure your child gets enough sleep and a nutritious breakfast each day
- Helping your child develop a positive attitude toward school and learning and encouraging him/her to participate in school activities
- Teaching the benefits of good attendance and consequences of poor attendance
- Creating back-up systems (alternative plans for getting to and from school)
- Creating morning and evening routines
- Posting school calendars, school attendance policy, and schedules in a visible place
- Making your school aware of any issues that may be affecting your child's attendance
- Making sure your child's school has your accurate daytime contact information, including cell phone number and/or e-mail address
- Notifying school staff if your child suffers from a chronic health condition and how this condition is impacting school attendance. Please visit our website at www.yescharteracademy.org for schedules, general school information, and more.

Farm to School & Garden Program

Farm to School at YES Charter Academy: Growing Knowledge, Nourishing Futures

At YES Charter Academy, our Farm to School Program is more than just a garden—it's a living, breathing classroom where students explore science, sustainability, and the powerful connection between food, health, and community. What began as a modest garden has blossomed into a vibrant, schoolwide learning initiative thanks to years of dedication, strong community partnerships, and impactful grant support—including the transformative **SCALES grant** awarded in 2024.

Our program was built on a strong foundation, thanks in large part to **Tena Brown**, a certified California Master Gardener and founder of **North Fork Harvest**. Tina continues to lead engaging garden-based learning activities for students of all ages, sharing her deep knowledge and passion for growing food, building healthy soil, and connecting with the land. Her contributions remain central to the success and spirit of our Farm to School work.

Today, the program continues to thrive under the guidance of **Nick Brown**, our Farm to School Director—an accomplished first-generation farmer, educator, and nutrition advocate. Nick has decades of hands-on expertise, offering educational opportunities, and brings a strong commitment to food justice and environmental stewardship. He helps students build real-world skills and lifelong habits around growing and eating nourishing food to help realize their full potential.

In collaboration with **Tatiana Kaiser**, our Project-Based Learning Health Educator (a position made possible by the 2024 SCALES grant), students explore where their food comes from, how it's grown, and why local, healthy food matters. Together, this team is crafting an immersive educational experience that connects the classroom to the garden and the cafeteria.

Also on the team is our brilliant procurement specialist, **Sheila Rolfer**. Sheila takes great care in sourcing the best local produce. She also utilizes the schools FFVP (Fresh Fruit and Vegetables Program Grant) by offering the students fresh fruits and vegetables three times a week at recess with an added educational component. This federal grant allows our students to receive fresh fruits and veggies in addition to their breakfast and lunch meals. Rounding out our Farm to School Team is our dedicated kitchen staff, **Cherrity Leyson** and **Michelle Rodriquez**.

From composting and soil science to trellis-building, planting, and harvesting, students at every grade level actively engage in the full cycle of food production. Thanks to the CA Grown Fresh grant, our garden now includes a greenhouse, chicken coop, outdoor learning center, and secure fencing—making it a year-round hub of learning and nourishment. Our harvests are even making their way into the school lunch program, where students enjoy the literal fruits (and veggies!) of their labor.

We are also proud to partner with the **California Native Plant Society** to introduce native species into the garden, fostering deeper ecological awareness and biodiversity.

The Farm to School Program is rooted in the belief that **children are our future—and we are what we eat**. By teaching students to grow food, care for the earth, and nourish themselves and their communities, we're planting seeds for a healthier, more connected tomorrow.

Expanded Learning Opportunity Programs

YES CHARTER ACADEMY offers free After School programs with free tutoring. We offer before school hours for extended learning opportunities. We also offer a free enrichment program in the summer open for all the community. We partner with First 5 for childhood and parent education.

Before and After School Program- Students can arrive at the school at 7:30 for supervision and extended learning opportunities until school begins. YES Charter Academy provides after school “homework help” to all students during the after-care program. school year. YES Charter Academy provides tutoring programs to cover all grade levels in either individual or small groups depending on student need. YES Charter Academy’s after school program provides supervision until

Summer Expanded Learning Opportunity - This program is hosted every summer for two three-week sessions 8:00am to 5:00pm. The program includes free breakfast and lunch and snacks. Programming includes Farm to School Project based Learning, Farm to Ranch field trips and workshops, hands of STEAM (Science, Technology, engineering, Art & Math). Ages 0-18 are all welcome, and open to the public.

School Readiness Program ABC Sprouts- YES Charter Academy partners with the First 5 Yuba County to provide a **FREE** School Readiness program. This program is a nature based educational program for children ages 0-5 at our school here in Oregon House, CA every Tuesday, Wednesday & Thursday 8:45 am to 11:45 am.

Caregivers stay on -site with their children to engage in nature-based play activities, learn about developmental milestones and take part in parent education opportunities. Breakfast and lunch are provided. ABC Sprout is a social emotional based program that focuses on learning through exploration, play, interactions and experiences.

For more information contact Debbie Campbell at 530-692-2210.

Curriculum

YES Charter Academy recognizes its essential obligation to offer a curriculum that conforms closely to California state educational requirements, and every effort is made to service state requirements thoroughly and carefully.

We use GO Math and Amplify Core Knowledge in our lesson plans. From its earliest YES Charter Academy application, a major goal of YES Charter Academy has been development of an integrated curriculum that blends the theoretical and the practical—the traditional and the experimental. As our original YES Charter Academy promised, our courses offer theory, as found in our Seeds of Science textbooks, supported by experiments performed in class, and grounded in hands-on practical applications, such as our garden activities and our training in nature observation and drawing.

Using funds from a recent grant that trains our teachers in environmental education, we are intensifying our curriculum by re-establishing plants native to the area that will help us return our 10 acres of foothill woodland to its original character. Students will study our local ecology and practice responsible stewardship of the land by helping to restore the natural environment of the Yuba hills; this work will be integrated with classroom study of Native American culture, the early history of our area, and plant and earth sciences.

Field trips enhance the integration of our curriculum. Students have taken field trips to study recycling at Yuba-Sutter Recology, and visited a waste and recycling museum in Chico. During the most recent school year our fifth and sixth grade students spent five days at Shady Creek

Environmental Camp, an outdoor education center above Nevada City. Also, during the current year, students studied Native American Culture on Native People's History Day at the American Indian Education Program in Marysville.

[GO Math CA K-8 Scope Sequence](#)

Common Core Standards

Educational standards describe what students should know and be able to do in each subject in each grade. In California, the State Board of Education decides on the standards for all students, from kindergarten through high school. The California Department of Education helps schools make sure that all students are meeting the standards. Since 2010, 45 states have adopted the same standards for English and math. These standards are called the Common Core State Standards (CCSS).

Having the same standards helps all students get a good education, even if they change schools or move to a different state. Teachers, parents, and education experts designed the CCSS to prepare students for success in college and the workplace.

The academic program in the upper elementary and middle school is organized around periods daily. Our curriculum plan has sound educational theory and research. YES CHARTER ACADEMY is founded upon core values such as a strong sense of place and community; healthy living; curricular review and rigor aimed to meet the state standards; environmental protection and enhancement; and commitment to lifelong learning and high achievement. Environmental Education is woven throughout the program and across subject topics. Core academic subjects are taught through integrated thematic units, and industry-aligned practical experience.

In K-8, we have adopted Amplify Science K-8, which is aligned to grade level NGSS, engaging and supports fluency in ELA within the Science content. Students examine the ecology and history of the land and people of the area, learn about animals and plants through personal observation and experience, and use the community's resources as a living laboratory. We introduce stewardship through the US "FireWorks Curriculum: Northern California Oak Woodlands" in our lower grades, allowing students to experiment with issues directly affecting our local natural resources. "FireWorks provides students with interactive, hands-on materials to study wildland fire. It is highly fluctuations and cycles, habitat and survival, and human interactions with ecosystems. Students using FireWorks ask questions, gather information, analyze and interpret it, and communicate their discoveries."

Embedded in the CCSS curriculum, the underlying theme of being stewards and understanding local and world-wide environmental resources, utilizing technology, and preparing for career, college and their post-secondary journey.

The YES CHARTER ACADEMY gardens and nature mini-reserves foster extensive field experiences even for the youngest children. The Las Plumas National Forest, as well as area public institutions and civic organizations, provide additional settings for exploration. We plan to expand our outdoor learning spaces with our expansion so that as we grow, our middle school students have even more access, and as we build out our high school site, our vision for this site echoes our current learning spaces but with access to deeper industry level resources and technology. YES Charter Academy uses CCSS aligned ELA curriculum, Zaner-Bloser, and Math curriculum, Go Math.

Elementary School Physical Education

Students in grades 1-8 will receive, at minimum, 200 minutes of physical education instruction each 10 school days, exclusive of recesses and lunch periods. Complaints regarding the failure to comply with these physical education instructional minute requirements may be filed under the district's Uniform Complaint Procedures. Complainants not satisfied with the district's decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

High School

Career Technical Education

YES Charter Academy offers a Career Technical Education (CTE) program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. YES Charter Academy offers CTE classes in the following industry sectors:

(AGR) Forestry & Natural Resources

(MKT) Entrepreneurship & Small Business Ownership

(AME) Design, Visual and Media Arts

In the expanding 9-12th grades, the curriculum and instructors will be aligned to Career Technical Education pathways, determined by unmet labor needs in the community, articulated wherever possible with the Yuba Community College, and with deep attention to professional skills, completing a-g, and with a continued dedication to environmental resources, digital media, and entrepreneurship/ small business ownership.

Students will also work towards paid and unpaid internships in their 11th and 12th grade years, and even PE classes will be deeply aligned with social emotional and physical health education, and outdoor offerings in our local community like hiking, kayaking and leadership courses in the outdoors. College and career counseling, ePortfolios, and even an a-g 'g' Adulting 101 course will support the whole-child as they mature through young adulthood.

YES CHARTER ACADEMY is dedicated to scaffolding and pacing curriculum through our K-12 for graduate success. To prepare for these secondary grade levels, we have carefully chosen courses that will engage, and align with our current student body and areas of coursework not offered locally at the secondary level. Additional training in embedding CCSS and CTE, as well as strong project based/ cross-curricula pedagogy will be at the center of our growing school. All students will graduate as completers from three CTE pathways over the course of their high school career.

All students will have the opportunity in small classes to take industry-aligned certifications in their classes, and additional a-g courses that support their success and meet CA requirements include 4 years of math, **not 3**, with a senior course around Financial Analysis, Business computer

applications, Speech, Psychology and a Senior seminar focused on ePortfolio, Scholarships, Job and college applications and personal statements. As well, a Leadership class, allowing students to improve the school community and run events for the K-12 population, create a yearbook, quarterly newsletters.

Graduation Requirements

The graduation requirements include four years of English, three years of math, two years of science (life and physical), two years of physical education, three years of social science, one semester of health, one semester of geography, and one year of foreign language and/or visual and performing arts and/or career technical education course. This is the minimum for graduation, but every student will be encouraged and supported to complete the heightened requirements for UC/CSU.

YES CHARTER ACADEMY follows Education Code Section 51225.31 to exempt an individual with exceptional needs who satisfies the eligibility criteria described in subdivision (b) of that statute.

YES CHARTER ACADEMY follows all applicable legal requirements to support highly mobile students toward graduation. Faculty, staff, and families are responsible for making sure students not only meet graduation requirements but exceed them whenever possible. YES CHARTER ACADEMY stakeholders seek input on improving programs at the school through the California Department of Education, California State University and the University of California. The YES CHARTER ACADEMY Council of Directors and/or the school leadership reserve the right to modify, amend, and improve YES CHARTER ACADEMY course offerings, and graduation requirements as necessary to achieve the mission and goals of the YES Charter Academy.

YES Charter Academy College Preparation Requirements

Years completed	UC/CSU A-G Requirements
3 years	a: History/Social Science- 2 years required
4 years	b: English- 4 years required
3 years	c: Mathematics- 3 years required; 4 years recommended
3 years	d: Laboratory Science- 2 years required; 3 years recommended
2 years	e: Language Other than English- 2 years required; 3 years recommended
1years	f: Visual and Performing Arts - 1 year required
3 years	g: Preparatory Electives- 1 year required

YES Charter Academy will inform parents on an ongoing basis of the transferability of coursework to other public high schools and an individual course's "A-G" status (eligibility to meet college

entrance requirements) through the course catalog and the YES CHARTER ACADEMY website. This will ensure that high school pupils can meet California college entrance requirements. Additionally, YES CHARTER ACADEMY will offer concurrent enrollment and dual enrollment opportunities and will inform parents about the transferability of course to post-secondary education institutions as applicable.

In addition, beginning in 9th grade with our 'Get Focused Stay Focused College and Career' course, students will create a 1-, 3- and 10-year goals and plans, learn their own strengths, weaknesses and interests, explore career opportunities, begin a budget for college or post-secondary. With implementation of the growth mindset, we will help kids plan for pivots and options and opportunities, so they exit our program ready for the success they plan for.

The Dream Act, FAFSA, grants and scholarships will be defined and explored in 9th and 10th grade, in 11th &* 12th grade internship courses and Senior Seminar, college applications, FAFSA, scholarships, Resumes and Mock interviews will be a deep component of the education our students will receive. PSAT/ SAT process will also be covered, with an ongoing discussion of post-secondary, the cost, and focusing on the student choices and goals, and the steps and path to achieve their goals.

Students will engage in some of their curriculum within the community. Junior year, on tract students will be offered internships with a local company, nonprofit or within the school, informed by their career interest plan, and Senior year students will be allowed and recruited for paid internships or work study for one period a week, to demonstrate their skills earned in CTE pathways, and gain work experience and community networking. These 2 courses will also engage students with understanding taxes, interviews, customer service, communication, time management and networking as well as other skills communicated by community businesses locally and throughout California, that they need in tomorrow's workforce.

The proposed 4-year High School schedule plan includes a modified block schedule with A/ B and a 1 day 7 period schedules to accommodate longer periods for rigorous hands-on learning and to model and accommodate for articulated and dual enrolled classes with the community college. High school students will begin at the mandated 8:30 start time and will be provided with 1:1 technology.

Project Based Learning

Project-Based Learning

Project-based learning means the use of a central project that allows student interaction with a main idea or theme at several levels.

Ideally, every subject the student is studying—mathematics, language skills, science, social studies, and the arts—will connect with the same project theme, turning education into a complete and fully engaged experience for each individual. If possible, the entire school can be involved in the

same project, with each grade engaged in age-appropriate tasks and assignments. YES Charter Academics are ideally structured for project-based learning because of their greater flexibility in choosing textbooks and learning strategies.

An excellent example of project-based learning at YES Charter Academy was our **Trout Project**. Every classroom and subject at YES CHARTER ACADEMY were involved in hatching and raising steelhead trout, raised from eggs given to us by the US Department of Fish and Game and eventually released into the Feather River.

Younger students learned to observe and predict stages of trout development. Older students studied life cycle, natural resources, and critical problems involved with environment restoration. Students studied California history and the role that fish and streams have played in our state's development. Math was incorporated through daily measurement of temperatures and statistics regarding survival and hatching rates, including the study of averages—means, modes, and medians. Students also studied related vocabulary and articles. Most classes kept a journal of their observations. As a culminating experience, the students took a field trip to release the young hatchlings into the Feather River.

As this project illustrates, project-based learning at YES Charter Academy aims to educate the whole person in an engaged, fulfilling, and memorable atmosphere. Our whole school came together to study and participate in the life and environment of the steelhead trout. Restoring the young fish to their natural environment gave the students a sense of genuine accomplishment. Working as a team for the good of their community furthered their development as responsible citizens and stewards of the natural world.

The staff and administration of YES Charter Academy believe that project-based learning brings life to learning and creates a more engaged environment for development of life-long understanding.

Individualized Learning Plans (ILPs)

Because academic excellence is a primary goal at YES Charter Academy, we are enthusiastic about the use of Individualized Learning Plans (ILPs), which give every student individualized attention. ILPs encourage full inclusion of students with special needs, teaching methods that respond to students' strengths and weaknesses, and bonding with student families.

Each ILP begins with a "learning conference" that includes the student, the teacher, and the student's parents. The conference isn't just about academics—it includes a chance for students to express their goals and problems without the fear of being judged.

ILPs include individualized lessons and assignments tailored to improving the student's work in areas that need strengthening. Supplemental schoolwork and assignments designed for individual students may be employed. Parents are asked to examine and sign student homework as part of a collective effort involving parents, teachers, students, and administrators. ILPs give every parent or guardian who wants to be part of their student's education the opportunity to be involved

Homeschool Program

YES CHARTER ACADEMY has offered a long-term independent study program (homeschool program) since the YES Charter Academy is opened its doors in 2008 for elementary and middle school. The Independent Study program is limited and YES CHARTER ACADEMY does not actively recruit students. The YES Charter Academy is pleased to be able to offer this program to students and families who need it. The long-term independent study program provides flexibility for students who may have unique needs, and supports students who thrive in a self-paced, individualized learning environment. Our students come from diverse backgrounds, including those with special needs, gifted learners, and those who may have experienced social or academic difficulties in traditional educational settings. YES CHARTER ACADEMY also serves families who have chosen not to vaccinate their children and are looking for a flexible, supportive learning environment outside of traditional schools. (Such unvaccinated students receive only non-classroom-based instruction, and do not come onto campus or interact with other students.)

Students participate in the long-term independent study program for a variety of reasons: to accommodate medical or mental health needs, to access a more customized curriculum, or to benefit from a flexible schedule that allows for extracurricular activities, family responsibilities, or outside religious instruction, separate from the YES CHARTER ACADEMY educational program. Some families prefer independent study for increased parental involvement, while others select this option due to personal philosophies.

Students in the long-term independent study program are expected to be successful through standards-based curriculum choices, personalized learning plans, regular teacher check-ins, evaluations and monitoring to remain in the program. Students will receive access to resources that support their unique learning styles. Students enrolled in the long-term independent study program are offered the same curriculum and learning materials as those in the classroom; many students, though, opt for the self-paced materials designed for independent study that YES CHARTER ACADEMY provides. Students and families in the independent study program are offered all educational and academic evaluations and support as students who attend in the classroom. The flexibility of independent study allows students to work at their own pace, giving them the time needed to master subjects while developing strong time-management and self-motivation skills. Families are also actively involved in their child's learning, fostering a collaborative approach that supports academic achievement.

YES CHARTER ACADEMY on a case-by-case scenario allows students in grades 9-12 to participate in long-term independent study. High school students participating in long-term independent study shall be assigned lessons and work consistent with the classroom-based high school program at YES CHARTER ACADEMY, and will have a teacher or teachers of record who will monitor daily engagement, time value, and participation in weekly synchronous instruction. Additionally, subject matter expert teachers will be made available to students, as needed.

For more information or questions, please contact the school principal or Independent Study Teacher at 530-692-2210.

Parent Volunteer Opportunity

Each parent of an enrolled child at YES Charter Academy is invited and encouraged to volunteer their time and experience and to allow their voices to be heard. We believe in the collaborative process and rely on evidence-based research that tell us how integral Parental involvement in their student's education and school improve not only academics and test scores but overall mental health.

The list below are opportunities for families to volunteer at or attend. If you or your family would like to be involved in planning or helping out at any activity, you can reach out and contacting YES Charter Academy. Thank you for your support!

- Harvest Festival
- Breakfast with Santa
- Book Fair
- Earth Day
- Science Fair
- Field Trip Chaperone
- Coordinate Bake Sales at Community Events
- Join the Council of Directors
- Join a committee

Dress and Grooming BP-5132

The Governing Council of Directors believes that appropriate dress and grooming contribute to a productive learning environment. The Council of Directors expects students to wear clothing that is suitable for the school activities in which they participate.

Students should not wear clothing that presents a health or safety hazard or causes a substantial disruption to the educational program.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists.

The Principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code.

The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the YES Charter Academy's dress code may result in disciplinary action.

Gang-Related Apparel or Accessories

The Council of Directors and Principal prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code shall be presented to the Council of Directors, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment.

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

YES Charter Academy cares about their students and families and if for any reason a student(s) is unable to provide clothing or clean clothing resources will be provided.

Your support is most needed and appreciated in the following areas:

- Students should dress for the weather and/or come dressed anticipating the weather
- Shoes must be suitable for P.E.; Sandals must have a back strap. All shoes need to be firmly attached to the feet and without flashing lights or wheels.
- Clothes should be sufficient to conceal undergarments and insure privacy at all times.

- Saggy clothing is discouraged. Students may be asked to change if clothing prohibits them from moving freely.
- Hats and hoods must be removed inside all buildings. Headwear worn for purposes of religious observance will be permitted both indoors and outdoors.
- No clothing, jewelry, accessories, or hairstyles which are, or include, a picture, writing, or insignia which is:
 - (1) gang related;
 - (2) presents a safety hazard to the wearer or others;
 - (3) advertises or symbolizes any type of alcohol, drugs, tobacco, or gambling;
 - (4) includes weapons or acts which are illegal, violent, obscene, or hazardous to one's health; (5) sexually suggestive, crude, vulgar, profane; discriminatory, obscene, contain threats, libelous; or
 - (6) offensive or degrading to students or staff on the basis of gender, cultural, religious or ethnic values.

Students who come to school dressed inappropriately will be asked to change into clothing provided by office or will need a change of clothes brought to school by parent/guardian.

Prohibited Items

Cell Phones and Private Electronic Devices: iPods, cell phones, CD players and other electronic entertainment devices may not be brought to class or the playground. Cell phones must be put away during school hours. Students who are seen with their cell phone out and/or in use will have phone confiscated by the school and made available in the office for the parent to pick up. All students are required to adhere to the following guidelines regarding private devices:

Private devices may be used:

- Off campus before or after school.
- Before or after any YES Charter Academy sponsored activity occurring before or after the regular school day.
- In the case of an emergency, or in response to a perceived threat of danger.
- When a teacher or administrator of the YES Charter Academy grants permission to a student to possess or use a private device, subject to any reasonable limitation imposed by that teacher or administrator.
- When a licensed physician and surgeon determines that the possession or use of a private device is necessary for the health or well-being of the student.
- When the possession or use of a private device is required in a student's individualized education program ("IEP").

Private devices shall be turned off and shall not be used:

- During instructional classroom time, including assemblies, and any other school activity, which takes place during the regularly scheduled school day on or off campus.

- During break periods, between class periods, or during lunch.
- During events sponsored by the YES Charter Academy held before or after regular school hours.
- On field trips or excursions sponsored by the YES Charter Academy.

Possession of private devices is a privilege, which may be forfeited by any student who fails to abide by the terms of this Policy. All YES Charter Academy employees shall remove any private device from the possession of a student found to be violating this, Policy. If a private device is heard ringing, beeping, or buzzing from inside a jacket, purse, backpack, or other similar article, whether within the immediate presence of the student or not, a YES Charter Academy employee may remove the private device and confiscate the private device. Parents/guardians will be contacted to pick up any confiscated private devices at the end of the regular school day or at the conclusion of a YES Charter Academy sponsored activity.

In addition to this Policy, all other applicable YES Charter Academy student discipline policies and rules shall apply to any student who fails to comply with the requirements of this Policy.

Students who possess any private device(s) shall assume sole responsibility for the maintenance and care of any such private device(s) in accordance with this Policy. At no time shall the YES Charter Academy be responsible for preventing theft, loss or damage to any private devices brought onto campus or at YES Charter Academy sponsored activities.

Personal Property: Students shall not bring items of value to school without the expressed consent of the parent/guardian. The school is not responsible for damaged, lost or stolen items. Students bear the sole responsibility for personal items brought to school. We strongly encourage students not to bring large sums of money to school. Personal property having no bearing on studies will not be allowed at school. This includes toys, games, radios, skateboards, video games, CD players, recorders, baseball cards, athletic equipment, cameras, iPods, and mp3 players. **These items may be confiscated and returned only to parents.**

YES Charter Academy is not responsible for lost or stolen cell phones, personal electronic devices and personal property.

Student Drop Off & Parking

GENERAL GUIDELINES:

All visitors to the Yuba Environmental Science YES Charter Academy are expected to adhere to the rules of the road when driving on or around the school premises.

All visitors are expected to drive slowly when students are present.

Motor vehicles of any kind, including but not limited to, motorcycles, motor scooters, and motorized skateboards, are not allowed on the school premises in any area except the parking lot or designated drop-off and pick-up areas.

- When approaching the area designated for student pick-up and drop-off, remain patient and stay to the right side of the area. There shall be no passing around other vehicles.
- Unless the parking lot has been designated a student drop-off and pick-up area, please enter the parking lot only if you plan to get out and walk your child to school. Otherwise, the parking lot is not a safe drop-off and pick-up area.
- When you pull to the curb of the designated pick-up and drop-off area, the first car should pull at least one or two car lengths past the main entrance before stopping.
- When leaving, pull out slowly and look carefully for students and other cars.
- Enter the property using the ENTER ONLY designated drive and exit using the EXIT ONLY drive.
- Drivers of Kindergarten aged children may park on the gravel round-about to attach/remove Children from car seats and accompany them to/from the car, while school is in session.

At times other than school hours, that area may be used freely.

Registration of Visitors & Guest Passes

For the safety and protection of all students, visitors must first check in at the office before visiting campus or classrooms. Visitors shall be provided identification to be used by at all times while on the YES CHARTER ACADEMY premises. Parents are encouraged and welcome to visit our school at any time. Conferences with either the teacher or other school staff should be by appointment because this will ensure that the person you want to see is available.

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session. (Education Code 35160)

REGISTRATION PROCEDURE (BP/AR 1250)

In order to register, a visitor shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. Name, address, and occupation

2. Age, if less than 21
3. Purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

PRINCIPAL'S REGISTRATION AUTHORITY

The principal or designee may refuse to register any visitor if the principal or designee reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee may revoke any visitor's registration if there is a reasonable basis for concluding that the individual's presence on school grounds would interfere, or is interfering, with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff.

When a visitor fails to register, or when the principal or designee denies or revokes a visitor's registration privileges, the principal or designee shall request that the individual promptly leave the school grounds. If a visitor is shown reasonable cause to believe that the visitor is willfully disrupting the orderly operation of a school, the principal or designee may issue a "Stay Away Letter" in accordance with Penal Code 626.4.

When a visitor is directed to leave, the principal or designee shall inform the visitor that if the visitor reenters the school within seven days the visitor may be guilty of a misdemeanor subject to a fine and/or imprisonment.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission.

APPEAL PROCEDURES

Any person who is denied registration or whose registration is revoked may appeal either of these determinations by submitting, within five days after the person's departure from school, a written request for a hearing to either the Superintendent or the principal of the school at which the registration was denied or revoked. This request must state why the person believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request.

Student Health, Safety, & Medical Treatment:

ADMINISTRATION OF MEDICATION FOR PUPIL

The YES Charter Academy Governing Council of Directors believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

Any student who is or may be required to take, during the regular school-day, prescription medication prescribed or ordered for the student by an authorized health care provider may be assisted by the designated YES CHARTER ACADEMY personnel.

In order for a student to be assisted by the school nurse or other designated and trained YES CHARTER ACADEMY personnel in administering medication, YES CHARTER ACADEMY shall obtain both:

1. A written statement from the student's authorized health care provider detailing the name of the medication, method, amount/dosage, and time schedules by which the medication is to be taken, and
2. A written statement from the parent, foster parent, or guardian of the student indicating the desire that YES CHARTER ACADEMY assist the student in the matters set forth in the statement of the authorized health care provider.

Students will be permitted to **self-carry and self-administer** prescription medication **if, in addition to the above,** parent provides a written statement from the student's authorized health care provider

- (1) Consenting to the self-administration,
- (2) Providing a release for the school nurse or designated YES CHARTER ACADEMY personnel to consult with the health care provider of the student regarding any questions that may arise with regard to the medication, and
- (3) Releasing YES CHARTER ACADEMY and YES CHARTER ACADEMY personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication.

These written statements specified shall be provided at least annually and more frequently if the medication, dosage/amount, frequency of administration, or reason for administration changes.

The primary responsibility for the administration of medication rests with the parent/guardian, student, and medical professionals.

Administration of Medication Forms are available upon request in the main office.

The Superintendent or designee shall make Epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

The Superintendent or designee may make naloxone hydrochloride or another opioid antagonist and stock albuterol inhalers available at each school for providing emergency medical aid to any person suffering or reasonably believed to be suffering from opioid overdose or respiratory distress.

CONFIDENTIAL MEDICAL SERVICES

All parents/guardians are hereby notified that in accordance with state law, all students in grades 7- 12 may be excused from school, without the consent of the student's parent/guardian, to obtain confidential medical services.

IMMIGRATION ENFORCEMENT

YES Charter Academy believes that all students should be safe irrespective of their citizenship or immigration status. YES Charter Academy Staff will not solicit or collect information or documents regarding the citizenship or immigration status of students or family members or provide assistance with immigration enforcement at district schools unless required by state and federal law.

Unless authorized by law, student information shall not be disclosed to immigration law enforcement authorities without parent consent, a court order, or judicial subpoena.

A student's parent/guardian shall be immediately notified if a law enforcement officer requests or gains access to the student for immigration enforcement purposes, unless the judicial warrant or subpoena restricts disclosure to the parent/guardian.

YES Charter Academy encourages students and their families to update their emergency contact information as needed throughout the school year and provide alternative contacts, including identified trusted adult guardian, in case the student's parent/guardian is unavailable. The information provided on the emergency card will only be used in response to specific emergency situations and not for any other purpose.

YES Charter Academy also encourages all students and families to learn their emergency phone numbers and be aware of the location of important documentation. In the event of a student's parent/guardian is detained or deported by federal immigration authorities, YES Charter Academy shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. YES Charter Academy shall only contact child protection services if district personnel are unable to arrange for the timely care of the student by the designated person(s) listed in the emergency contact information or identified caregiver's authorization affidavit.

YES Charter Academy's full board policy BP 5151.13 Response to immigration enforcement can be found in our online policy manual.

CHILD CUSTODY

Families are encouraged to resolve private familial disputes and self-enforce court orders without involving the school. YES Charter Academy will follow decisions made by courts. Principals cannot modify a judge's ruling regarding custody of a child. If a child custody arrangement has changed, a parent must provide the school with complete and current information.

SUSPECTED CHILD ABUSE OR NEGLECT BP 5141.4)

The Governing Council of Directors is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Principal or designee has developed and implemented strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Principal or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

CHILD ABUSE PREVENTION

YES Charter Academy's instructional program provides age-appropriate and culturally sensitive child abuse prevention curriculum which explains students' right to live free of abuse, includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and teaches students how to obtain help and disclose incidents of abuse.

The YES Charter Academy program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The YES Charter Academy or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to

report child abuse or neglect.

In addition, student identification cards for students in grades 7-12 shall include the National Domestic Violence Hotline telephone number.

The Principal or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

CHILD ABUSE REPORTING

The Principal or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse shall AND ARE LOCATED In the school's comprehensive safety plan.

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Principal or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation.

Discipline Policy:

The Governing Council of Directors is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Council of Directors believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The Principal along with our Council of Directors have adopted and implemented effective, age-appropriate strategies for maintaining a positive school climate and responding appropriately to student misbehavior at YES Charter Academy. **PBIS (Positive Behavioral Interventions and Supports)** help to create a positive and safe learning environment that reinforce positive behavior. Within this framework YES Charter Academy staff are trained to apply Nurtured Heart, Growth Mindset and Restorative Justice practices strategies that focus on providing students with social emotional learning supports. These relationship-focused models convey perseverance through

challenges, mistakes as learning opportunities, teach self-regulation and self-awareness, focus on praising positive behavior, avoiding emotional responses to negative behavior and ensuring equity through accountability, healing and reconciliation.

Yuba YES Charter Academy Student Conduct Policy

YES Charter Academy believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

The Principal or designee shall ensure that the school and each classroom develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats.
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program.
3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff's authority
5. Damage to or theft of property belonging to students, staff, or the district
6. Obscene acts or use of profane, vulgar, or abusive language
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances
8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee
9. Use of a smartphone or other mobile communication device in an unauthorized manner
10. Plagiarism or dishonesty on school work or tests
11. Wearing of any attire that violates district or school dress codes, including gang-related apparel

12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules
14. Any conduct prohibited by the school's Suspension & Expulsion Policy

Employees are expected to enforce standards of conduct and when they observe or receive a report of a violation of these standards, to appropriately intervene, or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with Board Policy and Administrative Regulation 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate. See our mobile communication device BP-

Students who violate YES CHARTER ACADEMY rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Principal or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Our core beliefs guide our attempts to individualize disciplinary procedures and to help students see reasonable connections between their behavior and the resulting consequences.


1. All parties involved in conflicts will be heard and treated with dignity and respect.
2. Students will learn, with guidance, how to solve their problems in a respectful way and experience consequences.
3. Students will think of various solutions and evaluate which solution is best for all involved.

Parents are encouraged to discuss the YES Charter Academy Discipline Policy and Positive Behavior Matrix (SPARRK) and student handbook at home to assure the students full comprehension of the rules and the reasons why these rules exist.




Students are expected to develop responsibility for their actions, to cooperate with others (students, teachers, other adults), to develop a positive attitude toward their school learning process, and to be courteous and respectful of others at all times. It is the responsibility of the

student to be aware of YES Charter Academy rules as they are necessary to ensure the safety and welfare of all children. These rules apply before, during, and after school anywhere on the campus.

The PBIS acronym that YES CHARTER ACADEMY developed is SPARRK and is posted in classrooms



YES CHARTER ACADEMY POSITIVE BEHAVIOR MATRIX

SPARRK!!	CLASSROOM	HALLWAY	BATHROOM	CAFETERIA	PLAYGROUND	BUS
ENVIRONMENTAL STEWARD	USE ONLY WHAT YOU NEED KEEP IT CLEAN/NEAT TURN OFF LIGHTS RESPECT YOUR SPACE	KEEP IT CLEAN 	TURN OFF WATER 1 SQUIRT OF SOAP 2 PULLS OF TOWELS	WASH YOUR HANDS BEFORE EATING USE COMPOST BINS	PICK UP TRASH RESPECT WILDLIFE AND NATURE	CLEAN YOUR AREA 
POSITIVE TEAM PLAYER	SHARE SUPPLIES ALLOW OTHERS TO LEARN	ADMIRE WALLS WITH EYES ONLY	ALLOW EACH PERSON PRIVACY	WAIT PATIENTLY INSIDE VOICE	ENCOURAGE EVERYONE BE A GOOD SPORT	INSIDE VOICE HANDS & FEET TO YOURSELF
ACADEMIC MASTER	ATTEND TO YOUR LEARNING AND THE TEACHER BE PREPARED	STAY QUIET SO OTHERS CAN LEARN	RETURN TO CLASS PROMPTLY	EAT A HEALTHY SCHOOL LUNCH BRING BRAIN HEALTHY FOOD FROM HOME	EXERCISE FOR A HEALTHY BRAIN TEACH OTHERS HOW TO PLAY THE GAME	REVIEW THE DAY
RESPONSIBLE CITIZEN RESOURCEFUL	USE AN INSIDE VOICE HANDS AND FEET TO YOURSELF BE A PROBLEM SOLVER DO QUALITY WORK	HOLD DOORS WALK GO DIRECTLY TO YOUR DESTINATION	CLEAN UP YOUR MESS FLUSH THE TOILET WASH YOUR HANDS	CLEAN UP AFTER YOURSELF WALK CAREFULLY WITH TRAYS 	USE EQUIPMENT APPROPRIATELY USE POSITIVE LANGUAGE RESOLVE CONFLICTS YOURSELF	FOLLOW ALL DIRECTIONS FOLLOW BUS RULES KEEP TRACK OF YOUR STUFF
KIND	USE KIND WORDS BE HELPFUL	SMILE STAY RIGHT	WAIT YOUR TURN MIND YOUR OWN BUSINESS	"PLEASE" & "THANK YOU" MAKE ROOM AT THE TABLE	INCLUDE EVERYONE PLAY FAIR	SMILE MAKE ROOM

and hallways.

Steward of the Environment, Positive Team Player, Academic Master, Responsible Citizen, Resourceful, Kind

When a student fails to observe the rules, the following disciplinary actions will be taken:

Consequences may include loss of recess/activity, a logical consequence, campus beautification, change of academic setting, or suspension. Restorative Justice Practices will be utilized to repair relationships and/or any harm done. See Family Liaison section below of this handbook for more information.

We proactively teach all students behavior instruction, which is designated and integrated into each instructional day. Students that do not follow the defined and taught expectations are supported with consistent behavior interventions and supports. Low level Incidents are documented; appropriate consequence & instruction is given. Major offenses are referred to the office by staff.

Administration thoroughly investigates and documents the incident(s) Disciplinary consequences are assigned that are in compliance with school policy and state and federal law. The incident(s) is documented within the student file.

Parent/guardian is contacted. Behavior instruction and expectation review is administered to students.

SEVERE CLAUSE FOR EXTREMELY SEVERE CASES, including but not limited to, bullying, fighting, theft, possession of drugs or weapon or harassment, students may be sent directly to the principal on the first offense. The principal will determine the consequences and notify parents.

In addition, the Principal or designee's strategies for responding to student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed.

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal.

A student shall not be denied recess unless the student's participation poses an immediate threat to the physical safety of the student or to the physical safety of one or more of the student's peers. If, due to such immediate threat, a student is denied recess, staff shall make all reasonable efforts to resolve the threat and minimize the student's exclusion from recess, to the greatest extent practicable.

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations.

The Principal or designee at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and administrative regulations. The Board, at an open meeting, may review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the school's comprehensive safety plan.

At all times, the safety of students and staff, providing interventions and supports to students, as well as the maintenance of an orderly school environment, shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate support and/or discipline. When choosing between

different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Family Liaison

YES Charter Academy Family Liaison acts as a bridge between families, the school, and the community, facilitating communication, support, and resources for students and families. They work to enhance family involvement in the school, build trust between families and the educational community, and support higher academic achievement through collaboration with school personnel.

Restorative Justice Practices: YES Charter Academy employs our Family Liaison who has been trained on Restorative Practices. Restorative Justice in schools is a transformative approach to discipline that emphasizes repairing harm and rebuilding relationships rather than solely punishing students for misbehavior. It focuses on accountability, empathy, and resolving conflict through dialogue and mutual agreement, involving all parties affected by a situation. This approach aims to create a positive school climate, improve student behavior, and foster a sense of community. By shifting from a punitive model to one that seeks to understand and resolve the root causes of behavior, implementing restorative justice can significantly reduce suspensions, improved student behavior, and positively increase overall school climate.

Key Principles and Practices:

Focus on Harm, Not Just Punishment:

Restorative justice shifts the focus from punishment to understanding the harm caused and working towards repairing it.

Involving All Parties:

It emphasizes including victims, offenders, and the wider school community in the process of resolving conflict and finding solutions.

Building Relationships:

Restorative practices prioritize building positive relationships among students, teachers, and staff to foster a more supportive and inclusive environment.

Conflict Resolution:

It equips students and staff with the skills to resolve conflicts effectively through communication, empathy, and problem-solving.

Accountability and Responsibility:

Students are encouraged to take responsibility for their actions and understand the impact of their behavior on others.

Reintegration:

Restorative justice aims to reintegrate students back into the school community after a conflict or incident, providing support and guidance.

Emergency Plans:

SPECIAL INFORMATION FOR PARENTS

Telephones/Communications:

In the event of an earthquake, flood or other natural disaster, keep your radios tuned to your local radio station for advisory information. Please do not call the school as we must have the lines open for emergency calls. We will contact families via our Parent Square two-way communication system and make announcements on our website.

Dismissal:

Should there be a major earthquake, children will remain under the supervision of school authorities until parents or responsible adults can pick them up.

Student Release Procedure:

- Go directly to the entrance of the school or evacuation area. Inform teacher, aide or adult responsible for that classroom that you are taking the child from the class line.
- Proceed with child back to Student Release Tables just outside the school entrance to sign a Student Release form for each child you are taking. Do not remove your child or any other child from school without signing the emergency release form. This provides us a record of where each child is when someone else arrives later looking for the child.
- Unless you are staying to volunteer, please leave as quickly as possible after signing out your child.

IF YOU CAN'T GET TO THE SCHOOL

Should a major disaster occur, it is likely that many parents will not be able to reach the school right away. If conditions make it necessary, we will release your child to the adult indicated on your child's Emergency Release form. We will keep a written record of the child and the adult to whom the child has been released.

The school principal or teacher in charge will determine the need to leave the building. In the event the building cannot be reoccupied or if a fire requires an evacuation of the school, the students will be transferred to the nearest available safe shelter. If the children are caught in a disaster between home and school, it is recommended that they go immediately to school.

FOOD AND WATER

In the event that children would need to remain on campus for several hours after any sort of a disaster, there will be a supply of fresh water and limited food, in the school earthquake kit.

FIRE DRILLS AND EVACUATION

In the case of fire at the school, the school will be immediately evacuated according to the floor plan set forth at the beginning of each school year. Teachers are required to keep a student roster with them at all times, checking attendance immediately after evacuation. Fire drills will be conducted at least once per year with the evacuation of the local fire department.

BOMB THREATS

In the case of a bomb threat at the school, the school will be immediately evacuated according to the fire evacuation plan; appropriate emergency personnel will be summoned. Students and teachers will not re-enter the building until it has been deemed safe by emergency personnel.

YES Charter Academy has a Safety Plan for review on our website that addresses emergency school closure, which includes an Instructional Continuity Plan that outlines how we will continue with offering educational and other supports after an emergency or natural disaster.

Bus/Transportation:

YES Charter Academy provides bus service to and from our school. Riding the school bus is a privilege and the privileged may be revoked if the school rules and regulations are not followed. Students must submit to the driver's authority, for the safety, at all times.

Bus drivers, students, parents, and the school all share the responsibility for bus safety, following all bus rules, and behaving in a responsible manner while riding the bus. **Riding the school bus is a privilege.** If you behave appropriately, you will be allowed to ride the bus. This agreement is designed to ensure that all students riding the bus are picked-up and dropped-off in a safe and orderly manner.

Below, you will find the terms and conditions that must be agreed upon in order for your child to ride the YES Charter Academy bus.

Students agree to ride the bus safely and follow all bus rules:

The following rules apply at all times when students are riding a school bus, including when on school activity trips:

1. Riders shall follow the instructions and directions of the bus driver at all times.

2. Riders should arrive at their designated bus stop at least (5) minutes prior to buses scheduled arrival and stand in a safe place at the stop to wait quietly for the bus.
3. Riders shall stay away from the bus until it comes to a complete stop and enter the bus in an orderly manner and go directly to their seats.
4. Riders shall sit down and stay seated and fasten any passenger restraint systems. Riders shall remain seated while the bus is in motion with their back to the back of the seat, facing forward.
5. Riders shall not block the aisle or emergency exit with their body or personal belongings. Riders may bring large or bulky items, such as class projects or musical instruments, on the bus only if the item does not displace any other rider or obstruct the driver's vision.
6. Riders should be courteous to the driver and to fellow passengers. Vulgarity, rude, or abusive behavior is prohibited.
7. Any noise or behavior that could distract the driver, such as loud talking, scuffling or fighting, throwing objects, or standing or changing seats, is prohibited and may lead to suspension of riding privileges.
8. Riders shall not use tobacco products, eat, or drink while riding the bus.
9. Riders may bring electronic devices onto the bus only if such devices are permitted at school. If the use of cellular telephones or similar devices disrupts the safe operation of the school bus, the bus driver may direct the student to no longer use the device on the bus.
10. Riders shall not put any part of the body out of the window nor throw any item from the bus.
11. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.
12. Service animals are permitted on school transportation services; all other animals are prohibited. (Education Code 39839; 13 CCR 1216)
13. Upon reaching their destination, riders shall remain seated until the bus comes to a complete stop and upon the signal from the driver, unfasten any restraint system, enter the aisle, and go directly to the exit.
14. Riders should be alert for traffic when leaving the bus and shall follow the district's transportation safety plan when crossing the road and exiting the bus.

The driver or any passenger shall report any violation of the district's bus rules to the principal or designee. The principal or designee shall notify the student's parent/guardian of the misbehavior, determine the severity of the misconduct, and take action accordingly. In instances of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined appropriate by the principal or designee.

Bus drivers shall not deny transportation services except as directed by the principal or designee.

Bus Surveillance Systems

The Superintendent or designee shall monitor the use and maintenance of the district's bus surveillance system. Students are prohibited from tampering with the bus surveillance system. Any student found tampering with the system shall be subject to discipline and shall be responsible for the costs of any necessary repairs or replacement.

Camera supports may be installed in all buses. Cameras may be rotated among the buses and activated at the discretion of the Superintendent or designee.

The content of any recording is a student record and may only be accessed in accordance with the district's policy and administrative regulation concerning student records.

Students agree to treat the bus, the driver, and all the passengers with respect:

- Obey directions from my bus driver. Driver is authorized to assign seats.
- Cooperate with the bus driver my name when asked
- Respect bus property. Do not be Destructive. Vandalism will not be tolerated.
- Respect personal property at bus stops and on bus
- Keep bus clean, pick up after yourself. Deposit trash in garbage can at front of bus.
- No inappropriate conversations or touching allowed

If I choose not to follow this contract, you understand the following consequences may occur, or in the event of a serious offense I may be suspended from the bus immediately:

BUS DISCIPLINE:

1st Offense: My parent(s)/guardian will be notified by the school bus driver or designate either verbally or via bus conduct report. I will be warned about the consequences of not following the school bus rules. I may be assigned a seat by the bus driver until my behavior improves. I understand that other disciplinary measures may be taken if I violate the school bus rules or the school code of conduct.

2nd Offense: A bus conduct report will be issued. An administrator will notify my parent(s)/guardian about my behavior. I will definitely be assigned a seat by the bus driver and I may lose all bus privileges for 3 to 5 days.

3rd Offense: Same as above, but I may be subject to an indefinite suspension and subject to a **last chance agreement** before I am allowed to return.

For severe cases: Students may be suspended immediately from the bus for severe infractions for a period of time to be determined by a school administrator. A serious infraction, such as a weapon, drug or physical violence, may result in bus privileges being suspended immediately.

Note: If bus privileges are suspended, the Parent/Guardian must arrange transportation to and from school for their student(s). Students must continue to attend school. Additional referrals (regarding behavior on the bus) may result in removal from the bus for the remainder of the school year.

Parent Square:

YES Charter Academy is using a Parent/Guardian communication program called **Parent Square**. This program will allow us to reach parents via text, phone, and email. This is where Parents/Guardians can sign up for events and to input volunteer hours. You can download the **Parent Square** app your mobile app store. We also use **Parent Square** for events, notifications, signups, and presales. Apparel and water bottles can also be purchased via this app. **Parent Square** is also an Alert System for emergencies and urgent messages and allows you direct access to communication with your student's teacher. Please contact the office if you need any assistance utilizing this program.

APPENDIX A: ANNUAL NOTIFICATIONS

Availability of Prospectus

Upon request, the YES Charter Academy will make available to any parent or legal guardian, a school prospectus, which shall include the curriculum, including titles, descriptions, and instructional aims of every course offered. Please note that, pursuant to law, the YES Charter Academy may charge for the prospectus in an amount not to exceed the cost of duplication.

Cal Grant Program Notice

The YES Charter Academy is required by state law to submit the Grade Point Average ("GPA") of all high school seniors by Oct. 1 of each year, unless the student (if the student is 18 years of age or older) or parent/guardian (for those under 18 years of age) opt-out. Students currently in eleventh (11th) grade will be deemed a Cal Grant applicant, unless the student (or parent/guardian, if the student is under 18 years of age) has opted out by or before February 1.

California Healthy Kids Survey

The YES Charter Academy will administer the California Healthy Kids Survey ("CHKS") to students at grades five, seven, nine, and eleven whose parent or guardian provides written permission. The CHKS is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency that enables the YES Charter Academy to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence.

Campus Search and Seizure

The YES Charter Academy recognizes and has determined that the occurrence of incidents which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law or YES Charter Academy rules and regulations, jeopardizes the health, safety and welfare of students and YES Charter Academy employees.

The California Constitution requires that all students and staff of public schools have the inalienable right to attend campuses which are safe, secure, and peaceful. As such, YES Charter Academy has adopted a Policy outlining the reasonable search of students and their property, student use areas, and/or student lockers and the seizure of illegal, unsafe, unauthorized or contraband items and materials through a search based upon reasonable suspicion.

Student lockers, including P.E. lockers, are school property and remain at all times under the control of the YES Charter Academy. Students shall assume full responsibility for the security of their lockers. Student lockers may not be used to store illegal, unauthorized, or contraband materials. The acceptance and use of locker facilities on school campus by any student shall constitute consent by the student to the search of such locker facilities by authorized school

personnel and/or law enforcement. Inspections of lockers may be conducted by school personnel and/or law enforcement through the use of trained dogs.

A student's personal cell phone, smartphone, or other personal electronic device shall not be searched by school officials without a warrant, the student's consent, or a legitimate emergency, unless the device is lost or abandoned. An emergency is any situation involving danger of death or serious physical injury to any person, that requires access to the information located or reasonably believed to be located on the electronic device. If the YES Charter Academy has a good faith belief that the device is lost, stolen, or abandoned, the YES Charter Academy may only access electronic device information in order to attempt to identify, verify, or contact the owner of the device.

The YES Charter Academy is not prohibited from seizing/confiscating a student's personal electronic device, without searching its contents, if the student's use or possession of the private electronic device is in violation of YES Charter Academy rules or regulations.

Cancer Prevention Act

Students in the state are advised to adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices (ACIP) of the federal Centers for Disease Control and Prevention (CDC), the American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full human papillomavirus (HPV) immunization before admission or advancement to the eighth-grade level of any private or public elementary or secondary school.

Because the vaccine is more effective when given at younger ages, two doses of HPV vaccine are recommended for all kids between the ages of 9 to 12 years, and the second dose should be given before the start of 8th grade. Kids who wait until later to get their first dose of HPV vaccine may need three doses.

HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks.

Diabetes

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

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

A copy of the information sheet regarding type 2 diabetes is available at:

<https://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>.

Please contact the office if you need a copy of this information sheet or if you have any questions about this information sheet.

The YES Charter Academy will provide an information sheet regarding type 1 diabetes to the parent or guardian of a student when the student is first enrolled in elementary school, pursuant to

Education Code Section 49452.6. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 1 diabetes.
2. A description of the risk factors and warning signs associated with type 1 diabetes.
3. A recommendation that parents or guardians of students displaying warning signs associated with type 1 diabetes should immediately consult with the student's primary care provider to determine if immediate screening for type 1 diabetes is appropriate.
4. A description of the screening process for type 1 diabetes and the implications of test results.
5. A recommendation that, following a type 1 diagnosis, parents or guardians should consult with the pupil's primary care provider to develop an appropriate treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

A copy of the information sheet regarding type 1 diabetes is available at: <https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp>. Please contact the office if you need a copy of this information sheet or if you have any questions about this information sheet.

Dangers of Synthetic Drugs

The illicit use and abuse of synthetic drugs represents an emerging and ongoing public health threat in California. The fentanyl crisis specifically, has impacted communities across the state, leading to a sharp increase in fentanyl poisonings and deaths in recent years. This notice aims to address the crisis with a preventative approach ensuring students and families are educated on the deadly consequences of recreational drug use.

A synthetic drug is a drug with properties and effects similar to a known hallucinogen or narcotic but having a slightly altered chemical structure, especially such a drug created in order to evade existing restrictions against illegal substances. Synthetic drugs include but are not limited to synthetic cannabinoids ("synthetic marijuana," "Spice," "K2"), methamphetamines, bath salts, and fentanyl.

The California Department of Public Health ("CDPH") has expounded on the extreme danger of drugs laced with fentanyl. Illicit fentanyl can be added to other drugs to make them cheaper, more powerful, and more addictive. Illicit fentanyl has been found in many drugs, including heroin, methamphetamine, counterfeit pills, and cocaine. Fentanyl mixed with any drug increases the likelihood of a fatal overdose. Furthermore, it is nearly impossible to tell if drugs have been laced with fentanyl without additional testing, because fentanyl cannot be seen, smelled, or tasted when used as a lacing agent. Social media platforms may be used as a way to market and sell synthetic drugs, such as fentanyl.

Additional information regarding fentanyl from the CDPH's Substance and Addiction Prevention Branch [can be found here](#).

Education of Foster and Mobile Youth

Definitions: For the purposes of this annual notice the terms are defined as follows:

- "*Foster youth*" means any of the following:
 1. A child who has been removed from their home pursuant to Section 309 of the California Welfare and Institutions Code ("WIC").

2. A child who is the subject of a petition filed pursuant to WIC section 300 or 602 (whether or not the child has been removed from the child's home by juvenile court).
 3. A child who is the subject of a petition filed pursuant to WIC section 602, has been removed from the child's home by the juvenile court, and is in foster care.
 4. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
 - a. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
 - b. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
 - c. The nonminor is participating in a transitional independent living case plan.
 5. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court.¹
 6. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.
- *"Former juvenile court school student"* means a student who, upon completion of the student's second year of high school, transfers from a juvenile court school to the YES Charter Academy.
 - *"Child of a military family"* refers to a student who resides in the household of an active duty military member.
 - *"Currently Migratory Child"* refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the YES Charter Academy from another Local Educational Agency ("LEA"), either within California or from another state, so that the child or a member of the child's immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child's eligibility for migrant education services. This includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
 - *"Newcomer pupil"* is a person aged 3 to 21 years, who was not born in any of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, and has not been attending one or more schools in any one or more of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, for more than three (3) full academic years. This also includes a "pupil participating in a newcomer program," as defined in Education Code section 51225.2, as that section read on January 1, 2023, who was enrolled in the YES Charter Academy before January 1, 2024. The YES Charter Academy may, in its discretion, also extend the rights in Education Code sections 51225.1 and 51225.2 to a "pupil participating in a newcomer program," as defined in Education Code section 51225.2, as that section read on January 1, 2023.
 - *"Educational Rights Holder" ("ERH")* means a parent, guardian, or responsible adult appointed by a court to make educational decisions for a minor pursuant to WIC sections

¹ The Charter School shall not require an Indian tribe or tribal court representative to certify that any student is a dependent of an Indian tribe, consortium of tribes, or tribal organization.

319, 361 or 726, or a person holding the right to make educational decisions for the student pursuant to Education Code section 56055.

- *“School of origin”* means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the YES Charter Academy liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin. For a foster youth who is an individual with exceptional needs as defined in Education Code section 56026, “school” as used in the definition of “school of origin” includes a placement in a nonpublic, nonsectarian school as defined in Education Code section 56034, subject to the requirements of Education Code section 56325.
- *“Best interests”* means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all YES Charter Academy students.
- *“Partial coursework satisfactorily completed”* includes any portion of an individual course, even if the student did not complete the entire course.

Within this notice, foster youth, former juvenile court school students, a child of a military family, a currently migratory child, and a newcomer pupil will be collectively referred to as “Foster and Mobile Youth.” Within this notice, a parent, guardian, or other person holding the educational rights for a Foster and Mobile Youth will be referred to as a “parent/guardian” or “ERH.”

Foster and Mobile Youth Liaison: The Principal or designee designates the following staff person as the Liaison for Foster and Mobile Youth:

Dawn Kaundart
Family Liaison
530-692-2210

The Foster and Mobile Youth Liaison’s responsibilities include but are not limited to the following:

1. Ensuring and facilitating the proper educational placement, enrollment in school, and checkout from school of foster children.
2. Assisting foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.

School Stability: The YES Charter Academy will work with foster youth and their parent/guardian to ensure that each student is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not necessarily limited to, interscholastic sports. All decisions regarding a foster youth’s education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated

in the least restrictive educational setting necessary to achieve academic progress.

Foster youth, currently migratory children and children of military families have the right to remain in their school of origin if it is in their best interest. The YES Charter Academy will immediately enroll a foster youth, currently migratory child or child of a military family seeking reenrollment in the YES Charter Academy as the student's school of origin (subject to the YES Charter Academy's capacity and pursuant to the procedures stated in the YES Charter Academy's YES Charter Academy and Board policy). If a dispute arises regarding a foster youth's request to remain in the YES Charter Academy as the school of origin, the foster youth have the right to remain in the YES Charter Academy pending the resolution of the dispute. The YES Charter Academy will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to the YES Charter Academy (subject to the YES Charter Academy's capacity and pursuant to the procedures stated in the YES Charter Academy's YES Charter Academy and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g., producing medical records or academic records from a previous school).

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the child's status as a foster youth, currently migratory child or child of a military family, as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the YES Charter Academy operates an intersession program, YES Charter Academy shall grant priority access to foster youths. Notwithstanding any other law, if the foster youth will be moving during an intersession period, the pupil's educational rights holder, or Indian custodian in the case of an Indian child, shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by the YES Charter Academy on non-school days, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

High School Graduation Requirements: Foster and Mobile Youth who transfer to the YES Charter Academy any time after the completion of their second year of high school, and newcomer pupils who are in their third or fourth year of high school, shall be exempt from any of the YES Charter Academy's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless the YES Charter Academy makes a finding that the student is reasonably able to complete the YES Charter Academy's graduation requirements by the end of the student's fourth year of high school.

To determine whether a Foster and Mobile Youth is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer, the length of the student's school enrollment, or, for students with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, may be used, whichever will qualify the student for the exemption. For a newcomer pupil, enrollment in grade 11 or 12, based on the average age of students in the third or fourth year of

high school, may be used to determine whether the student is in their third or fourth year of high school.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the YES Charter Academy, the YES Charter Academy shall notify the student, the parent/guardian, and where applicable, the student's social worker or probation officer, of the availability of the exemption and whether the student qualifies for an exemption.

The YES Charter Academy shall notify and consult with students who are exempted from the YES Charter Academy's additional graduation requirements and the student's ERH. The consultation shall include all of the following:

1. Discussion regarding how any of the requirements that are waived may affect the pupil's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution.
2. Discussion and information about other options available to the pupil, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges.
3. Consideration of the pupil's academic data and any other information relevant to making an informed decision on whether to accept the exemption.

The YES Charter Academy shall not require any student who would otherwise be entitled to remain in attendance at the YES Charter Academy to accept the exemption from the YES Charter Academy's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The YES Charter Academy shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption.

If a Foster and Mobile Youth who was eligible for an exemption and 1) was not properly notified of the availability of the exemption, or 2) previously declined the exemption pursuant to this Policy, the YES Charter Academy shall exempt the student within thirty (30) days of the exemption request, if an exemption is requested by the student or the student's ERH and the student at one time qualified for the exemption, even if the student is no longer a Foster and Mobile Youth or the court's jurisdiction of the pupil has terminated.

An eligible student's exemption from the YES Charter Academy's additional graduation requirements will continue to apply while the student is enrolled in the YES Charter Academy or if the student transfers to another school even after the court's jurisdiction terminates or the student no longer meets the definition of Foster and Mobile Youth.

The YES Charter Academy shall not require or request that a student transfer schools in order to qualify the student for the exemption. Nor shall a student, a student's parent/guardian or educational rights holder, or a student's social worker or probation officer request a transfer solely to qualify for an exemption from the YES Charter Academy's additional graduation requirements.

If a student who is exempted from the YES Charter Academy's additional graduation requirements completes the California minimum coursework requirements specified in Education Code section

51225.3 before the end of the student's fourth year of high school and would otherwise be entitled to remain in attendance at the YES Charter Academy, the YES Charter Academy shall not require or request that the student graduate before the end of the student's fourth year of high school.

If the YES Charter Academy determines the student is reasonably able to complete the YES Charter Academy's additional graduation requirements by the end of the student's fifth year of high school, the YES Charter Academy shall do the following:

1. Consult with the student and the student's ERH regarding the student's option to remain at the YES Charter Academy for a fifth year to complete the YES Charter Academy's graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for YES Charter Academy students over age 19.
2. Consult with the student, and the ERH for the student, about how remaining in school for a fifth year to complete the YES Charter Academy's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Consult with and provide information to the student and the student's ERH about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at the YES Charter Academy for a fifth year to complete the YES Charter Academy's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the student's ERH.
5. For a student identified as a foster youth, consult with the student, and the student's ERH, regarding the student's option to remain in the school of origin.

Through January 1, 2028, upon making a finding that a Foster and Mobile Youth **is not reasonably able to complete the YES Charter Academy's additional graduation requirements but is reasonably able to complete state coursework requirements specified in Education Code Section 51225.3** within the student's fifth year of high school, the Principal or designee shall exempt the pupil from YES Charter Academy's graduation requirements and provide pupil the option of remaining in school for a fifth (5th) year to complete the statewide coursework requirements. YES Charter Academy shall consult with the Foster and Mobile Youth and their ERH regarding all of the following:

1. The pupil's option to remain in school for a fifth year to complete the statewide coursework requirements.
2. How waiving the local educational requirements and remaining in school for a fifth year may affect the pupil's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education.
3. Whether any other options are available to the pupil, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges.

4. The pupil's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements.

If a Foster and Mobile Youth is not eligible for an exemption in the year in which the pupil transfers between schools, or for a newcomer pupil, is not eligible for an exemption in the student's third year of high school, because YES Charter Academy makes a finding that the pupil is reasonably able to complete YES Charter Academy's additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, then YES Charter Academy shall do the following:

1. Within the first 30 calendar days of the **following** academic year, YES Charter Academy shall reevaluate eligibility;
2. Provide written notice to the pupil, the pupil's ERH, and the pupil's social worker or probation officer, if applicable, whether the pupil qualifies for an exemption upon reevaluation, based on the course completion status of the pupil at the time of reevaluation, to determine if the pupil continues to be reasonably able to complete YES Charter Academy's additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.
3. If, given their course completion status at that time the reevaluation is conducted, the pupil is not reasonably able to complete YES Charter Academy additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, the YES Charter Academy shall provide written notice to the pupil and the pupil's ERH of the pupil's options to:
 - i. Receive an exemption from all coursework and other requirements adopted by the governing body of YES Charter Academy that are in addition to the statewide coursework requirements specified in Section 51225.3, **or**
 - ii. Upon agreement with the pupil's ERH, stay in school for a fifth year to complete the YES Charter Academy's additional graduation requirements.

The pupil (if not a minor) or the pupil's ERH shall have sole discretion whether to accept the exemption, based on the pupil's best educational interests.

Reporting Requirements: YES Charter Academy shall report to the California Department of Education ("CDE") annually on the number of pupils who, for the prior school year, graduated with an exemption from the YES Charter Academy's graduation requirements that are in addition to the statewide coursework requirements. This data shall be reported for pupils graduating in the fourth year and fifth year cohorts, and shall be disaggregated by cohort, pupil category, race, and disability status. The CDE shall make this data publicly available on an annual basis aligned with other reporting timelines for the California dashboard graduation data. For purposes of this notice, "pupil category" means the categories of pupils identified in the "Definitions" section of this Policy, above.

Acceptance of Course Work: The YES Charter Academy will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a Foster and Mobile Youth.

The YES Charter Academy will provide Foster and Mobile Youth credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other

than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the YES Charter Academy shall not require the student to retake the portion of the course the student completed unless the YES Charter Academy, in consultation with the holder of educational rights for the student, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the Foster and Mobile Youth shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

Student Records: When the YES Charter Academy receives a transfer request and/or student records request for the educational information and records of a foster youth from a new local educational agency (“LEA”), the YES Charter Academy shall provide these student records within two (2) business days. The YES Charter Academy shall compile the complete educational record of the student, including but not limited to a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the student’s special education records including assessments, IEPs, and/or 504 plans. All requests for student records will be shared with the Foster and Mobile Youth Liaison, who shall be aware of the specific educational recordkeeping needs of Foster and Mobile Youth.

The YES Charter Academy shall not lower a foster youth’s grades as a result of the student’s absence due to a verified court appearance, related court ordered activity, or a change the placement of the student made by a county or placing agency. If a foster youth is absent from school due to a decision to change the placement of the student made by a county or placing agency, the grades and credits of the pupil will be calculated as of the date the student left the YES Charter Academy.

In accordance with the YES Charter Academy’s Educational Records and Student Information Policy, under limited circumstances, the YES Charter Academy may disclose student records or personally identifiable information contained in those records to certain requesting parties including but not limited to a foster family agency and state and local authorities within a juvenile justice system, without parent/guardian consent. Students who are 16 years of age or older or have finished 10th grade may access their own school records.

Discipline Determinations: If the YES Charter Academy intends to extend the suspension of any foster youth pending a recommendation for expulsion, the YES Charter Academy will invite the student’s attorney and an appropriate representative from the relevant county agency to participate in the meeting at which the extension of the suspension will be discussed.

If the YES Charter Academy intends to suspend for more than ten (10) consecutive school days or expel a student with a disability who is also a foster youth due to an act for which the recommendation for expulsion is discretionary, the YES Charter Academy will invite the student’s attorney and an appropriate representative from the relevant county agency to participate in the Manifestation Determination Review meeting.

Complaints of Noncompliance: A complaint of noncompliance with any of the requirements outlined above may be filed through the YES Charter Academy’s Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

Availability of Complete Policy: For any Foster and Mobile Youth who enrolls at the YES Charter Academy, a copy of the YES Charter Academy's complete foster youth policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.

Education of Homeless Children and Youth

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence. It includes children and youths who (42 U.S.C. § 11434a):

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

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

School Liaison: The Principal or designee designates the following staff person as the School Liaison for homeless students (42 U.S.C. § 11432(g)(1)(J)(ii)):

Dawn Kaundart, Family Liaison

The YES Charter Academy Liaison shall ensure that (42 U.S.C. § 11432(g)(6)):

1. Homeless students are identified by YES Charter Academy personnel through outreach and coordination activities with other entities and agencies and through the annual housing questionnaire administered by the YES Charter Academy
2. Homeless students enroll in and have a full and equal opportunity to succeed at the YES Charter Academy.
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by the YES Charter Academy, if any, and referrals to health care services, dental services, mental health services and substance abuse services, housing services, and other appropriate services.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.

5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, the YES Charter Academy's YES Charter Academy, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. YES Charter Academy personnel providing services receive professional development and other support.
9. The YES Charter Academy Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the YES Charter Academy Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

The California Department of Education publishes a list of the contact information for the Homeless Education Liaisons in the state, which is available at: <https://www.cde.ca.gov/sp/hs/>

Housing Questionnaire: YES Charter Academy shall administer a housing questionnaire for purposes of identifying homeless children and youth. YES Charter Academy shall ensure that the housing questionnaire is based on the best practices developed by the CDE. YES Charter Academy shall annually provide the housing questionnaire to all parents/guardians of students and to all unaccompanied youths at YES Charter Academy. The housing questionnaire shall include an explanation of the rights and protections a student has as a homeless child or youth or as an unaccompanied youth. The housing questionnaire shall be available in paper form. The housing questionnaire shall be available in English, and if fifteen (15) percent or more of the students enrolled at YES Charter Academy speak a single primary language other than English, it shall also be written in the primary language. The questionnaire shall be translated into other languages upon request of a student's parent/guardian or an unaccompanied youth. YES Charter Academy shall collect the completed housing questionnaires and annually report to the CDE the number of homeless children and youths and unaccompanied youths enrolled. (Education Code Section 48851.)

School Stability: The YES Charter Academy will work with homeless students and their parent/guardian to ensure that each student is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not necessarily limited to, interscholastic sports. All decisions regarding a homeless student's education and placement will be based on the best

interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

Homeless students have the right to remain in their school of origin if it is in their best interest. The YES Charter Academy will immediately enroll a homeless student seeking reenrollment in the YES Charter Academy as the student's school of origin (subject to the YES Charter Academy's capacity and pursuant to the procedures stated in the YES Charter Academy's YES Charter Academy and Board policy). The YES Charter Academy will also immediately enroll any homeless student seeking to transfer to the YES Charter Academy (subject to the YES Charter Academy's capacity and pursuant to the procedures stated in the YES Charter Academy's YES Charter Academy and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g., producing medical records or academic records from a previous school).

Homeless students have the right to remain in their school of origin following the termination of the child's status as a homeless student as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the YES Charter Academy operates an intersession program, YES Charter Academy shall grant priority access to homeless students. Notwithstanding any other law, if the homeless student will be moving during an intersession period, the pupil's parent, guardian, educational rights holder, Indian custodian² in the case of an Indian child, or, if none of the preceding are applicable, an accompanied homeless student themselves shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by the YES Charter Academy on non-school days, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

High School Graduation Requirements: Homeless students who transfer to the YES Charter Academy any time after the completion of their second year of high school shall be exempt from any of the YES Charter Academy's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless the YES Charter Academy makes a finding that the student is reasonably able to complete the YES Charter Academy's graduation requirements by the end of the student's fourth year of high school.

To determine whether a homeless student is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer, the length of the student's school enrollment, or, for pupils with significant gaps in school attendance, the pupil's age as compared to the average age of pupils in the third or fourth year of high school may be used, whichever will qualify the student for the exemption.

² "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child. *Section 1903 of Title 25 of the United States Code*

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the YES Charter Academy, the YES Charter Academy shall notify the student, the student's educational rights holder ("ERH"), and the School Liaison of the availability of the exemption and whether the student qualifies for an exemption.

The YES Charter Academy shall notify and consult with students who are exempted from the YES Charter Academy's additional graduation requirements and the student's ERH. The consultation shall include all of the following:

1. Discussion regarding how any of the requirements that are waived may affect the pupil's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution.
2. Discussion and information about other options available to the pupil, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges.
3. Consideration of the pupil's academic data and any other information relevant to making an informed decision on whether to accept the exemption.

The YES Charter Academy shall not require any student who would otherwise be entitled to remain in attendance at the YES Charter Academy to accept the exemption from the YES Charter Academy's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The YES Charter Academy shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption.

If a homeless student who was eligible for an exemption and 1) was not properly notified of the availability of the exemption, or 2) previously declined the exemption pursuant to this Policy, the YES Charter Academy shall exempt the student within thirty (30) days of the exemption request, if an exemption is requested by the student or the student's ERH and the student at one time qualified for the exemption, even if the student is no longer homeless.

An eligible student's exemption from the YES Charter Academy's additional graduation requirements will continue to apply while the student is enrolled in the YES Charter Academy or if the student transfers to another school even after the student no longer meets the definition of a homeless child.

The YES Charter Academy shall not require or request that a student transfer schools in order to qualify the student for the exemption. Nor shall a student, a student's parent/guardian or educational rights holder, or a student's social worker or probation officer request a transfer solely to qualify for an exemption from the YES Charter Academy's additional graduation requirements.

If a student who is exempted from the YES Charter Academy's additional graduation requirements completes the California minimum coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and would otherwise be entitled to remain in attendance at the YES Charter Academy, the YES Charter Academy shall not require or request that the student graduate before the end of the student's fourth year of high school.

If the YES Charter Academy determines the student is reasonably able to complete the YES Charter Academy's additional graduation requirements by the end of the student's fifth year of high school, the YES Charter Academy shall do the following:

1. Consult with the student and the student's ERH regarding the student's option to remain at the YES Charter Academy for a fifth year to complete the YES Charter Academy's graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for YES Charter Academy students over age 19.
2. Consult with the student, and the ERH for the student, about how remaining in school for a fifth year to complete the YES Charter Academy's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Consult with and provide information to the student and the student's ERH about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at the YES Charter Academy for a fifth year to complete the YES Charter Academy's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the student's ERH.
5. Consult with the student, and the student's ERH, regarding the student's option to remain in the school of origin.

Through January 1, 2028, upon making a finding that a homeless student **is not reasonably able to complete the YES Charter Academy's additional graduation requirements but is reasonably able to complete state coursework requirements specified in Education Code Section 51225.3** within the student's fifth year of high school, the Principal or designee shall exempt the pupil from YES Charter Academy's graduation requirements and provide pupil the option of remaining in school for a fifth (5th) year to complete the statewide coursework requirements. YES Charter Academy shall consult with the homeless student and the student's ERH regarding all of the following:

1. The pupil's option to remain in school for a fifth year to complete the statewide coursework requirements.
2. How waiving the local educational requirements and remaining in school for a fifth year may affect the pupil's postsecondary education or vocation plans, including the ability to gain admission to a institution of higher education.
3. Whether any other options are available to the pupil, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges.
4. The pupil's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements.

If a homeless student is **not** eligible for an exemption in the year in which the pupil transfers

between schools, because YES Charter Academy makes a finding that the pupil is reasonably able to complete YES Charter Academy's additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, then YES Charter Academy shall do the following:

1. Within the first 30 calendar days of the ***following*** academic year, YES Charter Academy shall reevaluate eligibility;
2. Provide written notice to the pupil, the ERH, and the pupil's social worker or probation officer, if applicable, whether the pupil qualifies for an exemption upon reevaluation, based on the course completion status of the pupil at the time of reevaluation, to determine if the pupil continues to be reasonably able to complete YES Charter Academy's additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.
3. If, given their course completion status at that time the reevaluation is conducted, the pupil is not reasonably able to complete YES Charter Academy additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, the YES Charter Academy shall provide written notice to the pupil and the ERH of the pupil's options to:
 - iii. Receive an exemption from all coursework and other requirements adopted by the governing board body of YES Charter Academy that are in addition to the statewide coursework requirements specified in Section 51225.3, **or**
 - iv. Upon agreement with the ERH, stay in school for a fifth year to complete the YES Charter Academy's additional graduation requirements.

The pupil (if not a minor) or the ERH shall have sole discretion whether to accept the exemption, based on the pupil's best educational interests.

Reporting Requirements: YES Charter Academy shall report to the California Department of Education ("CDE") annually on the number of pupils who, for the prior school year, graduated with an exemption from the YES Charter Academy's graduation requirements that are in addition to the statewide coursework requirements. This data shall be reported for pupils graduating in the fourth year and fifth year cohorts, and shall be disaggregated by cohort, pupil category, race, and disability status. The CDE shall make this data publicly available on an annual basis aligned with other reporting timelines for the California dashboard graduation data.

Acceptance of Course Work: The YES Charter Academy will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a homeless student.

The YES Charter Academy will provide homeless students credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the YES Charter Academy shall not require the student to retake the portion of the course the student completed unless the YES Charter Academy, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. These students shall

not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

Complaints of Noncompliance: A complaint of noncompliance with any of the requirements outlined above may be filed through the YES Charter Academy's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

Availability of Complete Policy: For any homeless student who enrolls at the YES Charter Academy, a copy of the YES Charter Academy's complete policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office.

English Learners

The YES Charter Academy is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for English language learning. The YES Charter Academy will meet all applicable legal requirements for English Learners as they pertain to annual notification to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The YES Charter Academy will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

Information Regarding Financial Aid

The YES Charter Academy shall ensure that each of its students receives information on how to properly complete and submit the 1) Free Application for Federal Student Aid (FAFSA) or 2) the California Dream Act Application as appropriate, at least once before the student enters 12th grade. The YES Charter Academy will provide a paper copy of the FAFSA or the California Dream Act Application upon request.

- The FAFSA form and information regarding the FAFSA are available at:
 - <https://studentaid.gov/h/apply-for-aid/fafsa>
- The California Dream Act Application and information regarding the California Dream Act is available at:
 - <https://www.csac.ca.gov/post/resources-california-dream-act-application>

The YES Charter Academy shall confirm that each of its students in grade 12 completes and submits a FAFSA to the United States Department of Education, or if the student is exempt from paying nonresident tuition pursuant to Education Code section 68130.5, a California Dream Act Application to the Student Aid Commission. Students who are exempt or whose parent/guardian (if the student is a minor) have opted-out will not be required to comply.

Human Trafficking Prevention

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. The YES Charter Academy believes it is a priority to inform our students about (1) the prevalence, nature of and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance, and (2) how social media and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, the YES Charter Academy will provide age-appropriate instruction on the prevention of human trafficking, including sexual abuse, assault, and harassment. You have the right to excuse your child from all or part of the instruction on the prevention of human trafficking. An opt-out form is available at the main office for your convenience. Your consent for this instruction is NOT required. If we do not receive a written request to excuse your child, your child will be included in the instruction.

Information and materials for parents/guardians about the curriculum and resources on prevention of human trafficking and abuse, including sexual abuse, assault, and harassment are available on YES Charter Academy's website for your review.

Immunizations

Pursuant to the California Health and Safety Code and the California Code of Regulations, children must provide proof of having received required immunizations (shots) before they can attend school unless they meet the requirements for an exemption. Immunization records are required for all incoming students. Verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic. To ensure a safe learning environment for all students, the YES Charter Academy follows and abides by the health standards set forth by the state of California. The immunization status of all students will be reviewed periodically. Those students who are not in compliance with the State requirements must be excluded from attendance until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of the YES Charter Academy.

These required immunizations include:

Child's Grade	List of shots required to attend school
TK/K-12 Admission	<p>Diphtheria, Tetanus and Pertussis (DTaP) - Five (5) doses Polio - Four (4) doses Measles, Mumps, and Rubella (MMR) - Two (2) doses Hepatitis B (Hep B) - Three (3) doses Varicella (chickenpox) – Two (2) doses</p> <p>NOTE: Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement for DTaP. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.</p>

Entering 7th Grade	Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose NOTE: In order to begin 7th grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet the requirements listed for grades K-12 as well as requirements for 7 th grade advancement. At least one dose of pertussis-containing vaccine is required on or after the 7th birthday.
--------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Involuntary Removal Process

No student shall be involuntarily removed by the YES Charter Academy for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action (“Involuntary Removal Notice”). The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student’s basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with the YES Charter Academy’s expulsion procedures. If the student’s parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the YES Charter Academy issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the YES Charter Academy’s suspension and expulsion policy.

Upon parent/guardian request for a hearing, the YES Charter Academy will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall include a copy of the YES Charter Academy’s expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If the parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the student will be disenrolled effective the date of the hearing.

If, as a result of the hearing, the student is disenrolled, notice will be sent to the student’s last known school district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent the YES Charter Academy from making a similar recommendation in the future should student truancy continue or re-occur.

Lost or Damaged School Property

If a student willfully damages the YES Charter Academy's property or the personal property of a YES Charter Academy employee, or fails to return a textbook, library book, computer/tablet or other YES Charter Academy property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, the YES Charter Academy may withhold the student's grades, transcripts, and diploma until the damages have been paid. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, the YES Charter Academy will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades and diploma will be released.

Mental Health Services

The YES Charter Academy recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and/or violence. Access to mental health services at the YES Charter Academy and in our community is not only critical to improving the physical and emotional safety of students, but it also helps address barriers to learning and provides support so that all students can learn problem-solving skills and achieve in school and, ultimately, in life. The following resources are available to your child:

Available on Campus:

- School-based counseling services – your child is encouraged to directly contact a YES Charter Academy counselor by coming into the counseling office during school hours and making an appointment to speak with a counselor. The counseling office can also be reached at 530-692-2210. **Our YES Charter Academy counselors** support students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by our YES Charter Academy or by an outside provider listed herein, are voluntary.
- Special education services – if you believe your child may have a disability, you are encouraged to directly contact our Principal to request an evaluation.
- Prescription medication while on campus – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this medication to your child, please contact Breanne Partridge, Human Resource Director at 530-692-2210.

Available in the Community:

- Sutter-Yuba Behavioral Health 1965 Live Oak Blvd, Yuba City, CA 95991 530-822-7200
- Sutter County Youth & Family Behavioral Services 1445 Veterans Memorial Circle, Ste B, Yuba City, CA 95991 530-822-7513
- Yuba County Office of Education Student Mental Health & Wellness Department- 935 14th St, Marysville, Ca 530-749-4900

Available Nationally:

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at 1-800-273-8255.
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. **Available at 1-866-488-7386 or visit <https://www.thetrevorproject.org/>.**
- Big Brothers/Big Sisters of America – This organization is a community- based mentorship program. Community-specific program information can be found online at <https://www.bbbs.org> or by calling (813) 720-8778.

Nondiscrimination Statement

The YES Charter Academy does not discriminate against any person on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

The YES Charter Academy Council of Directors shall not refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction or any book or other resource in a school library on the basis that it includes a study of the role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, or members of other ethnic, cultural, religious, or socioeconomic status groups. The YES Charter Academy Council of Directors shall not adopt or approve the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use of such would subject a student to unlawful discrimination pursuant to Education Code section 220.

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

The YES Charter Academy does not discourage students from enrolling or seeking to enroll in the YES Charter Academy for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. The YES Charter Academy shall not encourage a student currently attending YES Charter Academy to disenroll or transfer to another school based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with the YES Charter Academy’s YES Charter Academy and relevant policies.

The YES Charter Academy does not request nor require student records prior to a student’s enrollment.

The YES Charter Academy shall provide a copy of the California Department of Education Complaint Notice and Form to any parent, guardian, or student over the age of 18 at the following times: (1) when a parent, guardian, or student over of the age of 18 inquiries about enrollment; (2) before conducting an enrollment lottery; and (3) before disenrollment of a student.

The YES Charter Academy is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination Act of 1975; the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability).

The YES Charter Academy also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation.

The YES Charter Academy does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which the YES Charter Academy does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender.

Pursuant to California law and the California Attorney General's guidance to K-12 schools in responding to immigration issues ("Guidance"), YES Charter Academy provides equal access to free public education, regardless of a student's or their parent's or guardian's immigration status or religious beliefs. The complete Guidance, including *Appendix G – Know Your Rights* can be reviewed via the following link: <https://oag.ca.gov/sites/all/files/agweb/pdfs/bci/school-guidance-model-k12.pdf>

The YES Charter Academy will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the YES Charter Academy Uniform Complaint Procedures ("UCP") Compliance Officer:

Louise Miller, Principal 530-692-2210

The lack of English language skills will not be a barrier to admission or participation in the YES Charter Academy's programs or activities. The YES Charter Academy prohibits retaliation against anyone who files a complaint or who participates or refuses to participate in a complaint investigation.

Oral Health Assessment

Students enrolled in transitional kindergarten or kindergarten in a public school or while enrolled in first grade if the student was not previously enrolled in kindergarten in a public school are required to present proof of having received an oral health assessment completed by a dental professional that was performed within 12 months before the student's initial enrollment in a public school. Please contact the main office if you have questions about this requirement.

Parent and Family Engagement Policy

The YES Charter Academy aims to provide all students in our school significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act ("ESEA"). The YES Charter Academy staff recognizes a partnership with families is essential to meet this goal. Our

Parent and Family Engagement Policy leverages and promotes active involvement of all families as partners with schools to ensure student success. A copy of the YES Charter Academy's complete Policy is available upon request in the main office.

Physical Examinations and Right to Refuse

Evaluation of vision and hearing of a child (tests for visual acuity, color vision, and impaired hearing) by the school nurse or other authorized person, if authorized, will be made upon first enrollment and at least every third year thereafter until the child has completed the eighth grade.

A parent/guardian having control or charge of any child enrolled in the YES Charter Academy may file annually with the Principal a written and signed statement stating that the parent/guardian will not consent to a physical examination of the child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

Pregnant and Parenting Students

The YES Charter Academy recognizes that pregnant and parenting students are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. A pregnant or parenting student is entitled to eight (8) weeks of parental leave, or more if deemed medically necessary by the student's physician, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The YES Charter Academy will ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program.

Upon return to school after taking parental leave, a pregnant or parenting student will be able to make up work missed during the pregnant or parenting student's leave, including, but not limited to, makeup work plans and reenrollment in courses. Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the YES Charter Academy if it is necessary in order for the student to be able to complete any graduation requirements, unless the YES Charter Academy determines that the student is reasonably able to complete the graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

Complaints of noncompliance with laws relating to pregnant or parenting students may be filed under the Uniform Complaint Procedures ("UCP") of the YES Charter Academy. The complaint may be filed in writing with the compliance officer:

Louise Miller, Principal 530-692-2210

A copy of the UCP is available upon request at the main office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Principal.

Safe Storage of Firearms

The purpose of this notice is to inform and to remind parents and legal guardians of all students at the YES Charter Academy of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this notice spells out California law regarding the storage of firearms. Please take some time to review this notice and evaluate your own personal practices to assure that you and your family are in compliance with California law:

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.
 - The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

The county or city may have additional restrictions regarding the safe storage of firearms. Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

School Bus and Passenger Safety

All students who are transported in a school bus or school student activity bus shall receive instruction in school bus emergency procedures and passenger safety. A copy of the complete Policy is available upon request at the main office.

Section 504

The YES Charter Academy recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise subjected to discrimination under any program of the YES Charter Academy. Any student who has an objectively identified disability which substantially limits a major life activity,

including, but not limited to learning, is eligible for accommodations by the YES Charter Academy. The parent of any student suspected of needing or qualifying for accommodations under Section 504 may make a referral for an evaluation to the Principal. A copy of the YES Charter Academy's Section 504 policies and procedures is available upon request at the main office.

Sexual Health Education

The YES Charter Academy offers comprehensive sexual health education to its students in grades 7-12. A parent or guardian of a student has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent ("opt-out") process. The YES Charter Academy does not require active parental consent ("opt-in") for comprehensive sexual health education and HIV prevention education. Parents and guardians may:

- Inspect written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.
- Excuse their child from participation in comprehensive sexual health education and HIV prevention education in writing to the YES Charter Academy.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by YES Charter Academy personnel or outside consultants. When the YES Charter Academy chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
 - The date of the instruction
 - The name of the organization or affiliation of each guest speaker
- Request a copy of Education Code sections 51930 through 51939.

Anonymous, voluntary, and confidential research and evaluation tools to measure students' health behaviors and risks (including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes concerning or practices relating to sex) may be administered to students in grades 7-12. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent ("opt-out") process. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to the YES Charter Academy.

A student may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on student health behaviors and risks if the YES Charter Academy has received a written request from the student's parent or guardian excusing the student from participation. An alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

Special Education /Students with Disabilities

We are dedicated to the belief that all students can learn and must be guaranteed equal opportunity to become contributing members of the academic environment and society. The YES Charter Academy provides special education instruction and related services in accordance with the Individuals with Disabilities Education Improvement Act ("IDEA"), Education Code

requirements, and applicable policies and procedures of the SELPA. These services are available for special education students enrolled at the YES Charter Academy. We offer high quality educational programs and services for all our students in accordance with the assessed needs of each student. The YES Charter Academy collaborates with parents, the student, teachers, and other agencies, as may be indicated, in order to appropriately serve the educational needs of each student.

Pursuant to the IDEA and relevant state law, the YES Charter Academy is responsible for identifying, locating, and evaluating children enrolled at the YES Charter Academy with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or foster youth. The YES Charter Academy shall not deny nor discourage any student from enrollment solely due to a disability. If you believe your child may be eligible for special education services, please contact the Principal at 530-692-2210 who will contact our Special Education teacher to contact you and to set up an evaluation if necessary.

State Testing

The YES Charter Academy shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress ["CAASPP"].) Notwithstanding any other provision of law, a parent's or guardian's written request to YES Charter Academy officials to excuse their child from any or all parts of the CAASPP shall be granted. Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

Student Records, including Records Challenges, Directory Information, and CCGI Notice

The Family Educational Rights and Privacy Act ("FERPA") affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 5 business days after the day the YES Charter Academy receives a request for access. Parents or eligible students should submit to the YES Charter Academy Principal or designee a written request that identifies the records they wish to inspect. The YES Charter Academy official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the YES Charter Academy to amend a record should write the YES Charter Academy's Principal or designee, clearly identify the part of the record they want changed and specify why it should be changed. If the YES Charter Academy decides not to amend the record as requested by the parent or eligible student, the YES Charter Academy will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. If the YES Charter Academy decides to amend the record as requested by the parent or eligible student, the Principal must order the correction or

the removal and destruction of the information and inform the parent or eligible student of the amendment in writing.

3. The right to provide written consent before the YES Charter Academy discloses personally identifiable information ("PII") from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to YES Charter Academy officials with legitimate educational interests. A YES Charter Academy official is a person employed by the YES Charter Academy as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the YES Charter Academy's Council of Directors. A YES Charter Academy official also may include a volunteer, consultant, vendor, or contractor outside of the YES Charter Academy who performs an institutional service or function for which the YES Charter Academy would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, therapist, or contracted provider of digital educational platforms and/or services; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another YES Charter Academy official in performing their tasks. A YES Charter Academy official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, the YES Charter Academy discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student's enrollment or transfer.

Note that YES Charter Academy will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the YES Charter Academy to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

5. The right to request that the YES Charter Academy not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

FERPA permits the disclosure of PII from a student's education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to YES Charter Academy officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the YES Charter

Academy to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A YES Charter Academy may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student to the following parties:

1. YES Charter Academy officials who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, the YES Charter Academy will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. The YES Charter Academy will make a reasonable attempt to notify the parent or eligible student of the request for records at the parent's or eligible student's last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, the YES Charter Academy will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for a hearing;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for the YES Charter Academy in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. § 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
9. Persons who need to know in cases of health and safety emergencies;
10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by the YES Charter Academy for students and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by the YES Charter Academy; and/or
12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceedings conducted by the YES Charter Academy with respect to that alleged crime or offense. The YES Charter Academy discloses the final results of the disciplinary proceeding regardless of whether the YES Charter Academy concluded a violation was committed.

“Directory Information” is information that is generally not considered harmful or an invasion of privacy if released. The YES Charter Academy may disclose the personally identifiable information that it has designated as directory information without a parent’s or eligible student’s prior written consent. The YES Charter Academy has designated the following information as directory information:

1. Student’s name
2. Student’s address
3. Parent’s/guardian’s address
4. Telephone listing
5. Student’s electronic mail address
6. Parent’s/guardian’s electronic mail address
7. Photograph/video
8. Date of birth
9. Dates of attendance
10. Grade level

If you do not want the YES Charter Academy to disclose directory information from your child’s education records without your prior written consent, you must notify the YES Charter Academy in writing at the time of enrollment or re-enrollment.

Please notify the Human Resource Director at YES Charter Academy 530-692-2210. A copy of the complete Policy is available upon request at the main office.

Please note that data collected and reported by YES Charter Academy to the California Longitudinal Pupil Achievement Data System (“CALPADS”³) pursuant to state law, will be shared with the California College Guidance Initiative (“CCGI”⁴) and will:

- 1) Be used to provide pupils and families with direct access to online tools and resources.
- 2) Enable a pupil to transmit information shared with the CCGI to both of the following:
 - a. Postsecondary educational institutions for purposes of admissions and academic placement.
 - b. The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

Please visit the CCGI website at CaliforniaColleges.edu to access resources that help students and their families learn about college admissions requirements.

³ CALPADS is a database maintained by the CDE which consists of pupil data from elementary and secondary schools relating to, among other things, demographic, program participation, enrollment, and statewide assessments data.

⁴ CCGI is an authorized provider of an institutional service to all California local educational agencies and part of the state’s efforts to make college-going a more streamlined experience for students. The CCGI currently receives enrollment data for all public-school students enrolled in grades six through twelve from the California Department of Education (“CDE”).

Surveys About Personal Beliefs

Unless the student's parent/guardian gives written permission, a student will not be given any test, questionnaire, survey, or examination containing any questions about the student's, or the student's parents' or guardians' personal beliefs or practices in sex, family life, morality, or religion.

Teacher Qualification Information

As the YES Charter Academy receives Title I federal funds through the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by Every Student Succeeds Act ("ESSA"), all parents/guardians of students attending the YES Charter Academy may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals, including at a minimum:

1. Whether the student's teacher:
 - a. Has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - b. Is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
 - c. Is teaching in the field of discipline of the certification of the teacher; and
2. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Upon request, the YES Charter Academy will provide the information to the parents/guardians in a timely manner. Parents/guardians may contact the Human Resource Director or Principal at YES Charter Academy at 530-692-2210 to obtain this information.

Tobacco-Free Schools

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of secondhand smoke. The YES Charter Academy provides instructional programs designed to discourage students from using tobacco products. The YES Charter Academy's Council of Directors recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with the goals of the YES Charter Academy to provide a healthy environment for students and staff.

In the best interest of students, employees, and the general public, the Council therefore prohibits the use of tobacco products at all times on YES Charter Academy property and in YES Charter Academy vehicles. This prohibition applies to all employees, students, visitors, and other persons at school or at a school-sponsored activity or athletic event. It applies to any meeting on any property owned, leased, or rented by or from the YES Charter Academy.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. Smoking or use of any tobacco-related product is also prohibited within 250 feet of the youth sports event in the same park or facility where a youth sports event is taking place. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited.

The Principal or Human Resource Director or designee shall inform students, parents/guardians, employees, and the public about this policy. All individuals on YES Charter Academy premises share in the responsibility of adhering to this policy. Additionally, the YES Charter Academy will post signs stating "Tobacco use is prohibited" prominently at all entrances to school property.

Uniform Complaint Procedure (“UCP”)

The YES Charter Academy is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. The YES Charter Academy shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by the Council of Directors for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any YES Charter Academy program or activity. Unlawful discrimination includes, but is not limited to, noncompliance with Education Code section 243(a) or 244(a).
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - Accommodations for Pregnant, Parenting or Lactating Students;
 - Career Technical and Technical Education;
 - Career Technical and Technical Training;
 - School Readiness Program
 - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
 - Every Student Succeeds Act;
 - School Safety Plans; and
3. Complaints alleging noncompliance with laws relating to pupil fees. A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:
 - A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
 - A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
 - A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

Complaints of noncompliance with laws relating to pupil fees may be filed with the Human Resource Director or the Compliance Officer identified below.

4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or Local Control and Accountability Plans (“LCAP”) under Education Code sections 47606.5 and 47607.3, as applicable. If the YES Charter Academy adopts a School Plan for Student Achievement (“SPSA”) in addition to its LCAP, complaints of noncompliance with the requirements of the SPSA under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under the UCP.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

Complaints other than complaints relating to pupil fees must be filed in writing with the following Compliance Officer:

Louise Miller, Principal at 530-692-2210

Only complaints regarding pupil fees, LCAP, or noncompliance with Education Code section 243 or 244 may be filed anonymously and only if the anonymous complainant provides evidence or information leading to evidence to support an allegation of noncompliance with the respective applicable laws.

Complaints alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. All other complaints under the UCP shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the YES Charter Academy’s Council of Directors approved the LCAP or the annual update was adopted by the YES Charter Academy.

The Compliance Officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and the YES Charter Academy’s UCP Policy. The Compliance Officer shall provide the complainant with a final written investigation report (“Decision”) within sixty (60) calendar days from the YES Charter Academy’s receipt of the complaint. This sixty (60) calendar day time period may be extended by written agreement of the complainant.

The complainant has a right to appeal the YES Charter Academy’s Decision to the California Department of Education (“CDE”) by filing a written appeal within thirty (30) calendar days of the date of the YES Charter Academy’s written Decision, except if the YES Charter Academy has used its UCP to address a complaint that is not subject to the UCP requirements. The appeal must include a copy of the complaint filed with the YES Charter Academy, a copy of the YES Charter Academy’s Decision, and the complainant must specify and explain the basis for the appeal of the Decision, including at least one of the following:

1. The YES Charter Academy failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the YES Charter Academy's Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the YES Charter Academy's Decision are not supported by substantial evidence.
4. The legal conclusion in the YES Charter Academy's Decision is inconsistent with the law.
5. In a case in which the YES Charter Academy's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

A complainant who appeals the YES Charter Academy's Decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision.

Complaints alleging noncompliance with Education Code section 243 or 244 may be filed with the SSPI directly, and the SSPI may directly intervene without waiting for an investigation by the YES Charter Academy. The complainant shall present the SSPI with evidence that supports the basis for the direct filing and why immediate action is necessary.

If a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.

If the YES Charter Academy finds merit in a UCP complaint, or the CDE finds merit in an appeal, the YES Charter Academy shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.

A complainant may pursue available civil law remedies outside of the YES Charter Academy's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the YES Charter Academy has appropriately, and in a timely manner, apprised the complainant of the complainant's right to file a complaint in accordance with 5 C.C.R. § 4622.

A copy of the UCP shall be available upon request free of charge in the main office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the UCP, please contact the Principal or Human Resource Director.

School Meals and Student Wellness

Pursuant to California law, the YES Charter Academy shall make available a nutritionally adequate breakfast and a nutritionally adequate lunch free of charge and with adequate time to eat, during each school-day to any student who requests a meal without consideration of the student's eligibility for a federally funded free or reduced-price meal, with a maximum of one (1) free breakfast meal and one (1) free lunch meal during each school-day. This shall apply to all pupils in kindergarten through grade twelve (12). YES Charter Academy offers the National School Lunch Program under the guidance of USDA and the California Dept of Nutrition Service.

Alternate income forms are distributed to those families who are not on the direct county certification list. Income eligibility guidelines for federally funded free and reduced-price meals are available at: <https://www.cde.ca.gov/ls/nu/rs/>

Based on a parent/guardian's annual earnings, a parent/guardian may be eligible to receive the Earned Income Tax Credit from the Federal Government (Federal EITC). The Federal EITC is a refundable federal income tax credit for low-income working individuals and families. The Federal EITC has no effect on certain welfare benefits. In most cases, Federal EITC payments will not be used to determine eligibility for Medicaid, Supplemental Security Income, food stamps, low-income housing, or most Temporary Assistance For Needy Families payments. Even if you a parent/guardian does not owe federal taxes, they must file a federal tax return to receive the Federal EITC. Be sure to fill out the Federal EITC form in the Federal Income Tax Return Booklet. For information regarding your eligibility to receive the Federal EITC, including information on how to obtain the Internal Revenue Service (IRS) Notice 797 or any other necessary forms and instructions, contact the IRS by calling 1-800-829-3676 or through its website at www.irs.gov.

A parent/guardian may also be eligible to receive the California Earned Income Tax Credit (California EITC) starting with the calendar year 2015 tax year. The California EITC is a refundable state income tax credit for low-income working individuals and families. The California EITC is treated in the same manner as the Federal EITC and generally will not be used to determine eligibility for welfare benefits under California law. To claim the California EITC, even if you do not owe California taxes, you must file a California income tax return and complete and attach the California EITC Form (FTB 3514). For information on the availability of the credit eligibility requirements and how to obtain the necessary California forms and get help filing, contact the Franchise Tax Board at 1-800-852-5711 or through its website at www.ftb.ca.gov.

YES Charter Academy shall allow students, teachers, and staff to bring and carry water bottles. Water bottles may be excluded from libraries, computer labs, science labs, and other places where it is deemed dangerous to have drinking water. YES Charter Academy may develop additional policies regarding the types of water bottles that may be carried.

YES Charter Academy adheres to all applicable requirements regarding placement and maintenance of water bottle refilling stations on campus.

YES Charter Academy shall encourage water consumption through promotional and educational activities and signage that focus on the benefits of drinking water and highlight any water bottle filling stations that are located on campus.

A copy of the complete Policy, which includes the YES Charter Academy's meal charge policy, is available upon request at the main office. The YES Charter Academy also maintains a School Wellness Policy pursuant to state and federal requirements.

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, YES Charter Academy is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax:
(833) 256-1665 or (202) 690-7442; or
email:
Program.Intake@usda.gov

YES Charter Academy is an equal opportunity provider.

Use of Student Information Learned from Social Media

The YES Charter Academy complies with all federal, state, and local guidelines regarding the gathering and/or maintenance of information about any enrolled student obtained from social media in the student's educational record. The YES Charter Academy gathers student information from social media. Such information shall be maintained in the YES Charter Academy's records with regard to the student and shall be destroyed within one (1) year after a student turns 18 years of age or within one (1) year after the student is no longer enrolled in the YES Charter Academy, whichever occurs first. A non-minor student or a student's parent or guardian may access the student's records for examination of the information, request the removal of information or

corrections made to information gathered or maintained by the YES Charter Academy by contacting the Human Resource Director.

Workplace Readiness Week and Work Permits

The week of each year that includes April 28 shall be known as “Workplace Readiness Week.” All public high schools, including YES Charter Academy’s, shall annually observe that week by providing information to students on their rights as workers.

Beginning August 1, 2024, any minor seeking the signature of a YES Charter Academy verifying authority on a Statement of Intent to Employ a Minor and Request for a Work Permit-Certificate of Age will be issued, before or at the time of receiving the signature of the verifying authority, a document clearly explaining basic labor rights extended to workers. An infographic explaining these rights is available at:

<https://laborcenter.berkeley.edu/wp-content/uploads/2024/05/Know-Your-Rights-FINAL.pdf>

APPENDIX B: COMPLETE POLICIES

Title IX Policy Prohibiting Discrimination on The Basis of Sex

This Title IX Policy Prohibiting Discrimination on the Basis of Sex (“Policy”) contains the policies and grievance procedures of Yuba Environmental Science YES Charter Academy (“YES CHARTER ACADEMY” or “YES Charter Academy”) to address sex discrimination, including but not limited to sexual harassment, occurring within YES CHARTER ACADEMY’s education program or activity.

YES CHARTER ACADEMY does not discriminate on the basis of sex and prohibits any acts of sex discrimination in any education program or activity that it operates, as required by California law, Title IX (20 U.S.C. § 1681 *et seq.*) and the Title IX regulations (34 C.F.R. Part 106), including in admission and employment.⁵

This Policy applies to conduct occurring in YES CHARTER ACADEMY’s education programs or activities including but not limited to incidents occurring on the school campus, during school-sponsored events and activities regardless of the location, and through school-owned technology, whether perpetrated by a student, parent/guardian, employee, volunteer, independent contractor or other person with whom YES CHARTER ACADEMY does business.

Inquiries about the application of Title IX and 34 C.F.R. Part 106 (hereinafter collectively referred to as “Title IX”) may be referred to the YES CHARTER ACADEMY Title IX Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Definitions

Prohibited Sex Discrimination

Title IX and California law prohibit discrimination on the basis of sex, including sex-based harassment and differences in the treatment of similarly situated individuals on the basis of sex with regard to any aspect of services, benefits, or opportunities provided by YES CHARTER ACADEMY.

Prohibited Sexual Harassment

Under Title IX, “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

⁵ YES CHARTER ACADEMY complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports and complaints of misconduct prohibited by this Policy.

- An employee of YES CHARTER ACADEMY conditioning the provision of an aid, benefit, or service of YES CHARTER ACADEMY on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to YES CHARTER ACADEMY's education program or activity; or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Under California Education Code section 212.5, sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire, when: (a) submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through YES CHARTER ACADEMY.

Examples of conduct that may fall within the Title IX or the Education Code definition of sexual harassment, or both:

- Physical assaults of a sexual or sex-based nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults.
 - Intentional physical conduct that is sex-based or sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, poking another's body, violence, intentionally blocking normal movement or interfering with work or school because of sex.
- Unwanted sexual advances or propositions, derogatory sex-based comments, or other sex-based conduct, such as:
 - Sexually oriented or sex-based gestures, notices, epithets, slurs, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex.
 - Retaliation against an individual who has articulated a good faith concern about sex-based harassment.

- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
 - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
 - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

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

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in YES CHARTER ACADEMY's education program or activity or signed by the coordinator alleging sexual harassment against a respondent and requesting that YES CHARTER ACADEMY investigate the allegation of sexual harassment. At the time of filing a formal complaint of sexual harassment, the complainant must be participating in or attempting to participate in YES CHARTER ACADEMY's education program or activity.

Party means a complainant or respondent.

Respondent means a person who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a party before or after the filing of a formal complaint of sexual harassment or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to YES CHARTER ACADEMY's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or YES CHARTER ACADEMY's educational environment, or deter sexual harassment.

Title IX Coordinator

The Council of Directors of YES CHARTER ACADEMY ("Council") has designated the following employee as the Title IX Coordinator ("Coordinator"):

Louise Miller, Principal
9841 Texas Hill Road
Oregon House, CA 95962
530-692-2210 lmiller@yescharteracademy.org

In the event the above-named individual becomes unavailable or unable to serve as the Coordinator, the Council has designated the following employee to serve as a temporary or interim Coordinator:

Michele Goldberg
Policy & Procedure Coordinator
9841 Texas Hill Road
Oregon House, CA 95962
530-692-2210
mgoldberg@yescharteracademy.org

The Coordinator is responsible for coordinating YES CHARTER ACADEMY's efforts to comply with the requirements of Title IX, receiving reports and complaints of sex discrimination, formal complaints of sexual harassment, and inquiries about the application of Title IX to YES CHARTER ACADEMY, coordinating the effective implementation of supportive measures, and taking other actions as required by this Policy. The Coordinator or designee may serve as the investigator for formal complaints of sexual harassment.

Reporting Sex Discrimination

All employees must promptly notify the Coordinator when the employee has knowledge of or notice of allegations of sex discrimination or sexual harassment occurring within YES CHARTER ACADEMY's education program or activity.

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

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the coordinator. YES CHARTER ACADEMY will promptly and effectively investigate and respond to all oral and written complaints and reports of misconduct prohibited by this Policy. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Privacy

YES CHARTER ACADEMY acknowledges and respects every individual's right to privacy. All reports and complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes but is not limited to keeping the identity of the reporter and other personally identifiable information confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the coordinator or designee on a case-by-case basis.

Retaliation

YES CHARTER ACADEMY prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual.

Response to Sexual Harassment

YES CHARTER ACADEMY will respond promptly and in a manner that is not deliberately indifferent when it has actual knowledge, as defined in 34 C.F.R. § 106.30(a), of sexual harassment occurring in its education program or activity against a person in the United States.

YES CHARTER ACADEMY's response will treat complainants and respondents equitably by offering supportive measures to a complainant, and by following the grievance procedures for formal complaints of sexual harassment that are listed below before imposing any disciplinary sanctions or other actions that are not supportive measures on a respondent for sexual harassment under Title IX.

Supportive Measures

Once notified of sexual harassment or allegations of sexual harassment occurring in YES CHARTER ACADEMY's education program or activity against a person in the United States, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint of sexual harassment.

Supportive measures may include but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; mutual restrictions on contact between the parties; changes in work or on-campus housing locations; leaves of absence; increased security and monitoring of certain areas of the campus; and other similar measures.

Supportive measures will not unreasonably burden either party or be imposed for punitive or disciplinary reasons. YES CHARTER ACADEMY will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair YES CHARTER ACADEMY's ability to provide the supportive measures. The Coordinator is responsible for coordinating the effective implementation of supportive measures.

Grievance Procedures**Scope and General Requirements**

YES CHARTER ACADEMY has adopted and published grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited under Title IX and a grievance process that complies with 34 C.F.R. § 106.45 for formal complaints of sexual harassment.

Complaints of misconduct prohibited by this Policy that do not constitute a formal complaint of sexual harassment will be addressed in accordance with YES CHARTER ACADEMY's Uniform Complaint Procedures, its employment discrimination complaint procedures, or the grievance

procedures set forth in its Harassment, Intimidation, Discrimination, and Bullying Policy, as applicable. The following grievance procedures will apply to formal complaints of sexual harassment.

Upon receipt of a formal complaint of sexual harassment, the Coordinator or designee will promptly initiate these grievance procedures, or the informal resolution process if available, appropriate, and requested by all parties.

YES CHARTER ACADEMY requires that any Title IX Coordinator, investigator, decisionmaker, and any person designated by YES CHARTER ACADEMY to facilitate an informal resolution process not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

YES CHARTER ACADEMY will treat complainants and respondents equitably. YES CHARTER ACADEMY presumes that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of its grievance procedures.

YES CHARTER ACADEMY may consolidate formal complaints of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances.

YES CHARTER ACADEMY allows for the temporary delay of the grievance process or limited extension of timeframes on a case-by-case basis for good cause. Requests for extensions must be submitted to the Coordinator in writing at least one (1) business day before the expiration of the timeframe. If the grievance process is temporarily delayed or a timeframe is temporarily extended by YES CHARTER ACADEMY, the Coordinator or designee will notify the parties of the reason for the delay or extension in writing.

YES CHARTER ACADEMY will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence.⁶ Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

Dismissal

YES CHARTER ACADEMY must dismiss a formal complaint of sexual harassment for purposes of sexual harassment under Title IX if the conduct alleged:

- Would not constitute sexual harassment under Title IX even if proved;
- Did not occur in YES CHARTER ACADEMY's education program or activity; or
- Did not occur against a person in the United States.

YES CHARTER ACADEMY may dismiss a formal complaint of sexual harassment or any of the allegations therein if:

- The respondent is no longer enrolled or employed by YES CHARTER ACADEMY;
- A complainant notifies the Coordinator in writing that the complainant would like to withdraw the complaint or any allegations therein; or
- Specific circumstances prevent YES CHARTER ACADEMY from gathering sufficient evidence to reach a determination as to the complaint or allegations therein.

⁶ Inculpatory means tending to impute guilt or fault, and exculpatory means tending to absolve from guilt or fault.

Upon dismissal, the Coordinator or designee will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. Dismissal under Title IX does not preclude action under another applicable YES CHARTER ACADEMY policy.

Notice of the Allegations

Upon receipt of a formal complaint of sexual harassment, the Coordinator or designee will provide written notice of the allegations to the parties whose identities are known. The notice will include:

- YES CHARTER ACADEMY's grievance procedures and any informal resolution process;
- The allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details includes the identities of the parties involved in the incident(s), if known, the conduct allegedly constituting sexual harassment under Title IX, and the date(s) and location(s) of the alleged incident(s), if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility is made at the conclusion of the grievance process;
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- A statement that YES CHARTER ACADEMY prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Emergency Removal

YES CHARTER ACADEMY may place a non-student employee respondent on administrative leave during the pendency of the grievance procedures in accordance with YES CHARTER ACADEMY's policies.

YES CHARTER ACADEMY may remove a respondent from YES CHARTER ACADEMY's education program or activity on an emergency basis, in accordance with YES CHARTER ACADEMY's policies, provided that YES CHARTER ACADEMY undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any person arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Informal Resolution

At any time after a formal complaint of sexual harassment is filed and prior to determining whether sexual harassment occurred under YES CHARTER ACADEMY's Title IX grievance procedures, YES CHARTER ACADEMY may offer an informal resolution process to the parties. YES CHARTER ACADEMY will not offer or facilitate informal resolution to resolve allegations that an employee sexually harassed a student, or when such a process would conflict with Federal, State, or local law. Parties will not be required or pressured to agree to participate in the informal resolution process.

Before initiation of the informal resolution process, YES CHARTER ACADEMY will obtain the parties' voluntary, written consent to participate in the informal resolution and provide the parties with a written notice that explains:

- The allegations;

- The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint of sexual harassment arising from the same allegations;
- The right to withdraw and initiate or resume the grievance procedures at any time prior to agreeing to a resolution; and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Investigation

In most cases, a thorough investigation will take no more than thirty (30) business days. YES CHARTER ACADEMY has the burden to conduct an investigation that gathers sufficient evidence to determine whether sexual harassment occurred. The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance in accordance with Title IX.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be used, accessed, considered, or disclosed), regardless of whether they are relevant:

- A party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless YES CHARTER ACADEMY obtains that party's voluntary, written consent to do so for these grievance procedures; and
- Evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview. The parties will not be prohibited from discussing the allegations under investigation or from gathering and presenting relevant evidence. A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.

Before the investigator completes the investigative report, YES CHARTER ACADEMY will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator to consider prior to completing the investigation report.

The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.

Determination of Responsibility

Before making a determination of responsibility, the decisionmaker must afford each party the opportunity to submit written, relevant questions that a party wants to ask of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decisionmaker must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determinations will be based on an objective evaluation of all relevant and not otherwise impermissible evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The standard of evidence used to determine responsibility is the preponderance of the evidence standard.

Within twenty (20) business days after YES CHARTER ACADEMY sends the investigation report to the parties, the decisionmaker, who will not be the same person as the Coordinator or investigator, will simultaneously send the parties a written determination of whether sexual harassment occurred. The written determination will include:

- The allegations of sexual harassment;
- A description of the procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- The findings of facts supporting the determination;
- The conclusions regarding the application of YES CHARTER ACADEMY's code of conduct to the facts;
- The decision and rationale for each allegation;
- Any recommended disciplinary sanctions for the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
- The procedures and permissible bases for appeals.

The determination regarding responsibility becomes final either on the date that YES CHARTER ACADEMY provides the parties with the written appeal decision, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Appeals

Either party may, within five (5) business days of their receipt of YES CHARTER ACADEMY's written determination of responsibility or dismissal of a formal complaint of sexual harassment, submit a written appeal to the **Chair (President) of the YES CHARTER ACADEMY Council of Directors**, who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal.

The complainant and respondent may only appeal from a determination regarding responsibility or YES CHARTER ACADEMY's dismissal of a formal complaint of sexual harassment or any allegations therein, on one or more of the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- The Coordinator, investigator(s), or decisionmaker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The decisionmaker for the appeal will not be the same person as the Coordinator, the investigator or the initial decisionmaker.

The decisionmaker for the appeal will: 1) notify the other party of the appeal in writing; 2) implement appeal procedures equally for the parties; 3) allow the parties to submit a written statement in support of, or challenging, the outcome within five (5) business days of notice of the appeal; and 4) within fifteen (15) business days of the appeal, provide a written decision simultaneously to the parties describing the result of the appeal and the rationale for the result.

Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process, may be subject to disciplinary action up to and including expulsion from YES CHARTER ACADEMY or termination of employment. If there is a determination that sexual harassment occurred, the Coordinator is responsible for effective implementation of any remedies ordered by YES CHARTER ACADEMY.

Training

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All Title IX Coordinators, investigators, decisionmakers, and any person who facilitates a Title IX informal resolution process will receive Title IX training and/or instruction concerning sexual harassment as required by law.

Recordkeeping

YES CHARTER ACADEMY will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant;
- Records of any appeal of a formal complaint or sexual harassment and the results of that appeal;
- Records of any informal resolution of a formal complaint or sexual harassment and the results of that informal resolution;
- All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process; and
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

The above records will be maintained in a secure location until destroyed in accordance with applicable laws and regulations.

Title IX Sex Discrimination and Harassment Complaint Form

Your Name: _____ Date: _____
Email Address: _____
Date of Alleged Incident(s): _____
Name of Person(s) you have a complaint against: _____
List any witnesses that were present: _____
Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e., specific statements and conduct; what, if any, physical contact was involved; any verbal statements etc.) (Attach additional pages, if needed):

I hereby authorize YES CHARTER ACADEMY to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand that providing false information in this regard could result in disciplinary action up to and including termination or expulsion from YES CHARTER ACADEMY.

Signature of Complainant

Date: _____

Print Name

To be completed by YES CHARTER ACADEMY:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____

Suicide Prevention Policy

The Council of Directors of Yuba Environmental Science YES Charter Academy ("YES CHARTER ACADEMY" or the "YES Charter Academy") recognizes that suicide is a major cause of death among

youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Council of Directors has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with YES CHARTER ACADEMY and community stakeholders, YES Charter Academy-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and mental health professionals, the county mental health plan, first responders, and community organizations to identify additional resources to ensure this policy is aligned and includes similar research and resources, as well as to assist in planning, implementing, evaluating, and updating the YES CHARTER ACADEMY's strategies for suicide prevention and intervention. YES CHARTER ACADEMY shall work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources. To ensure the policies regarding suicide prevention are properly adopted, implemented, updated, and easily accessible to all. YES CHARTER ACADEMY shall appoint an individual (or team) to serve as the suicide prevention point of contact for YES CHARTER ACADEMY. The suicide prevention points of contact for YES Charter Academy and the Principal shall ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. This policy shall be reviewed and revised as indicated, at minimum yearly in conjunction with the previously mentioned community stakeholders.

Suicide Prevention Crisis Team YES CHARTER ACADEMY

1. Louise Miller, Principal
2. Lance Haliday, High School teacher and "teacher in charge
3. Siobhan Searle- Tsiukh, School Counselor
4. Dawn Kaundart, Family Liaison
5. Michele Goldberg, Policy & Procedure Coordinator, MSW (Social Worker)

To ensure the SPCT reflects the student body's perspective, YES CHARTER ACADEMY has designated the following volunteer student representatives to provide consultative insights:

1. Middle School, Student Representative
2. High School, Student Representative

YES CHARTER ACADEMY designates the following employees to act as the primary and secondary Suicide Prevention Liaisons to lead the SPCT:

- Primary Liaison: Louise Miller, Principal lmiller@yescharteracademy.org 530-692-2210
- Secondary Liaison: Lance Haliday lholiday@yescharteracademy.org 530-692-2210

The functions of the SPCT are to:

- Review mental health related school policies and procedures;
- Provide annual updates on school data and trends;
- Review and revise school prevention policies;
- Review and select general and specialized mental health and suicide prevention training;
- Review and oversee staff, parent/guardian, and student trainings;

- Ensuring the suicide prevention policy, protocols, and resources are posted on the school website;
- Ensure compliance with Education Code section 215;
- Collaborate with community mental health organizations;
- Identify resources and agencies that provide evidence-based or evidence-informed treatment;
- Help inform and build skills among law enforcement and other relevant partners; and
- Collaborate to build community response.

Employee Qualifications and Scope of Services

Employees of YES CHARTER ACADEMY shall act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, screen and assess and to provide ongoing supports to youth identified at risk, the care or treatment for suicidal ideation is typically beyond the scope of services offered in the school setting.

Suicide Awareness and Prevention Training for School Staff

YES CHARTER ACADEMY, along with its partners, has carefully reviewed available staff training to ensure the curriculum is evidence-based, evidenced informed, aligned with best practices in suicide prevention, and promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Training and professional development shall be provided for all school staff members (certificated and classified) and other adults on campus (including substitutes and intermittent staff, volunteers, interns, tutors, coaches, and afterschool program staff).

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists, social workers, or nurses) who have received advanced training specific to suicide prevention. Charter School has collaborated with [Insert Names of One Or More County and/or Community Mental Health Agencies] to review the training materials and content to ensure it is evidence-based, evidence-informed, and aligned with best practices.
0. Staff training is reviewed and adjusted annually based on previous professional development activities, emerging best practices, and feedback.
0. Charter School shall ensure that training is available for new hires during the school year.
0. At least annually, all staff shall receive training on prevention and protective factors such as the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.

1. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk and protective factors and warning signs, prevention, intervention, referral, and postvention). Core components of the general suicide prevention training shall include:
 - a. How to identify youth who may be at risk for suicide including suicide risk factors, warning signs, and protective factors.
 - b. Appropriate ways to approach, interact, and respond to a youth who is demonstrating emotional distress or having thoughts of suicide including skill building to ask directly about suicide thoughts.
 - c. Charter-approved procedures for responding to suicide risk (including programs and services in a Multi-tiered System of Support (MTSS) and referral protocols). Such procedures will emphasize the student should be under constant supervision and immediately referred for a suicide risk assessment.
 - d. Charter-approved procedures identifying the role educators, school staff, and volunteers play in supporting youth and staff after a suicide or suicide death or attempt (postvention).
6. **In addition to** core components of suicide prevention, ongoing annual staff professional development for all staff shall include the following components:
 - a. The impact of traumatic stress on emotional and mental health.
 - a. Common misconceptions about suicide.
 - a. Charter School and community mental health and suicide prevention resources.
 - a. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
 - a. Ways to identify youth who may be at risk of suicide including suicide warning signs, risk, and protective factors.
 - a. Appropriate ways to approach, interact, and respond to a youth who is demonstrating emotional distress or is having thoughts of suicide. Specifically, how to talk with a student about their thoughts of suicide, including skill building to ask directly about suicide thoughts and warm handoffs.
 - a. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures will emphasize that the student should be constantly supervised until a suicide risk assessment is completed.
 - a. Charter School-approved procedures for identifying the role educators, school staff, and volunteers play in supporting youth and staff after a suicide or suicide death or attempt (postvention).
 - a. Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
 - Youth affected by suicide.
 - Youth with a history of suicide ideation or attempts.
 - Youth with disabilities, mental illness, or substance abuse disorders.
 - Lesbian, gay, bisexual, transgender, or questioning youth.
 - Youth experiencing homelessness or in out-of-home settings, such as foster care.
 - Youth who have suffered traumatic experiences.

- Students identified through state surveys that are vulnerable to depression and suicide: YES Charter Academy will follow through with equitable and inclusive best practices focusing on survey results for our lower socio-economic statuses and minority students and provide culturally competency training for all staff.

Specialized Professional Development for School-based Mental Health Staff (Screening and/or Assessment)

Additional professional development in suicide risk assessment (SRA) and crisis intervention is provided to designated student mental health professionals, including but not limited to school counselors, psychologists, social workers, administrators, and nurses employed by Charter School. Training for these staff is specific to conducting SRAs, intervening during a crisis, de-escalating situations, interventions specific to preventing suicide, making referrals, safety planning, and re-entry.

Specialized Professional Training for targeted School-based mental health staff includes the following components:

- Best practices and skill building on how to conduct an effective suicide risk screening/SRA using an evidence-based, Charter School-approved tool; Patient Health Questionnaire 9 (PHQ-9) Depression Scale; BSS Beck Scale for Suicide Ideation; National Institute of Mental Health (NIMH)'s Ask Suicide-Screening Questions (ASQ) Toolkit; and the Adolescent Suicide Assessment Protocol – 20.
- Best practices on approaching and talking with a student about their thoughts of suicide and how to respond to such thinking, based on school guidelines and protocols.
- Best practices on how to talk with a student about thoughts of suicide and appropriately respond and provide support based on school guidelines and protocols.
- Best practices on follow up with parents/caregivers.
- Best practices on re-entry.

Virtual Screenings for Suicide Risk

Virtual suicide prevention efforts include checking in with all students, promoting access to school and community-based resources that support mental wellbeing and those that address mental illness and give specific guidance on suicide prevention.

Charter School has established a protocol for assigning school staff to connect with students during distance learning and school closures. In the event of a school closure, Charter School has determined a process and protocols to establish daily or regular contact with all students. Staff understand that any concern about a student's emotional wellbeing and/or safety must be communicated to the appropriate school staff, according to Charter School protocols.

Charter School has determined a process and protocols for school-based mental health professionals to establish regular contact with high-risk students, students who are on their caseloads, and those who are identified by staff as demonstrating need. When connecting with students, staff are directed to begin each conversation by identifying the location of the student and the availability of parents or caregivers. This practice allows for the staff member to ensure the safety of the student, particularly if they have expressed suicidal thoughts.

Parents, Guardians, and Caregivers Notification, Participation and Education

1. YES CHARTER ACADEMY includes parents/guardians/caregivers in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on the YES CHARTER ACADEMY Web page and included in the parent/student handbook. Parents/guardians/caregivers are invited to provide input on the development, review, and implementation of this policy.
3. YES CHARTER ACADEMY shall notify the parent/guardian/caregiver when a student has been screened or screened/assessed for suicide risk regardless of outcome
4. YES CHARTER ACADEMY shall establish and widely disseminate a referral process to all parents/guardians/caregivers/families, so they are aware of how to respond to a crisis and are knowledgeable about protocols and school, community-based, and crisis resources.
5. Community-based organizations that provide evidence-based suicide-specific treatments shall be highlighted on the Charter School's website with treatment referral options marked accordingly.
6. Staff autoreplies during vacations or absences shall include links to resources and phone/text numbers so parents and students have information readily available.
7. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
 - Suicide risk factors, warning signs, and protective factors.
 - How to approach and talk with their child(ren) about thoughts of suicide.
 - How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any child/youth judged to be at risk for suicide and referral for an immediate suicide risk assessment.
 - Charter School's referral processes and how they or their children can reach out for help, etc.
8. Parent/guardians are provided with information on suicide prevention resources including crisis hotlines, local warmlines, and school and community-based supports and crisis resources including the National Suicide Prevention Lifeline, Crisis text line, and local crisis hotlines and includes information that hotlines/resources are not just for crisis but also for friends/family and referral.
9. Parents/guardians/caregivers are reminded that the Family Educational Rights and Privacy Act ("FERPA") generally protects the confidentiality of student records, which may sometimes include counseling or crisis intervention records. However, FERPA's health or

safety emergency provision permits the disclosure of personally identifiable information from a student's education records, to appropriate parties, in order to address a health or safety emergency when the disclosure is necessary to protect the health or safety of the student or other individuals.

Student Participation and Education

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, YES CHARTER ACADEMY along with its partners has carefully reviewed and will continue to review potential student curricula to ensure it includes information on recognizing and responding to signs and symptoms (within themselves and friends), learning coping skills, encouraging help-seeking behavior and being knowledgeable of supports and resources.

Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with YES CHARTER ACADEMY and is characterized by caring staff and harmonious interrelationships among students.

YES CHARTER ACADEMY's instructional and student support program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and resilience. The instruction shall not use the stress model to explain suicide.

YES CHARTER ACADEMY provides instruction to middle and high school students on general mental health and suicide prevention... YES Charter Academy's instructional curriculum, shall consider the grade level and age of the students and be delivered and discussed in a manner that is sensitive to the needs of young students. The instruction is provided under the supervision of YES Charter Academy employed mental health professionals, with input from county and community mental health agencies, and middle and high school students. The instruction is developmentally appropriate, student-centered, and includes:

Elementary School:

Focus: Building social-emotional skills, teaching problem-solving and coping strategies, and fostering a sense of belonging and connection.

Approach: Age-appropriate lessons on identifying and managing emotions, building positive relationships, and seeking help when needed.

Key Components: Creating a safe and supportive classroom environment, training teachers to recognize signs of distress, and establishing clear communication channels for reporting concerns.

Examples: Classroom discussions about feelings, role-playing scenarios involving conflict resolution, and integrating social-emotional learning into the curriculum.

Middle School:

Focus: Addressing increased risk factors like academic pressure, social issues, and mental health challenges.

Approach: More direct education about suicide, including warning signs, risk factors, and coping mechanisms.

Key Components: Providing access to mental health professionals, offering support groups, and promoting help-seeking behaviors.

Examples: Workshops on stress management, peer support programs, and training for identifying and responding to suicidal thoughts.

High School:

Focus: Addressing complex issues like substance abuse, peer pressure, and mental health conditions.

Approach: Comprehensive suicide prevention programs that include curriculum-based education, training for staff and students, and clear protocols for responding to suicidal ideation.

Key Components: Promoting mental health awareness, providing access to mental health services, and offering support for students at high risk.

Examples: Training for teachers and staff on recognizing warning signs, implementing peer support programs, and providing access to mental health resources like counselors and therapists, [according to the National Institutes of Health \(NIH\)](#).

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, orientation classes, science, and physical education). YES CHARTER ACADEMY maintains a list of current student trainings, which is available upon request.

YES CHARTER ACADEMY has shared school-based supports and self-reporting procedures, so students are able to seek help if they are experiencing thoughts of suicide or if they recognize signs with peers. Although confidentiality and privacy are important, students should understand safety is a priority and if there is a risk of suicide, school staff are required to report. YES Charter Academy mental health professionals are legally and ethically required to report suicide risk.

When reporting suicidal ideation or an attempt, school staff must maintain confidentiality and only share information limited to the risk or attempt.

YES CHARTER ACADEMY supports the creation and implementation of programs and/or activities on campus that increase awareness about mental wellness and suicide prevention for example Mental Health Awareness Weeks/Months, Peer Counseling Programs, Freshman Success, and National Alliance on Mental Illness on Campus High School Clubs).

YES Charter Academy will implement programs and activities to increase awareness of the importance of mental health and suicide prevention during each September – Suicide Prevention Awareness month and in May – Mental Health Awareness month. YES Charter Academy will increase awareness throughout the year during SPARRK assemblies to reward kindness and team players and provide resources for staff, students and their families.

YES CHARTER ACADEMY shall establish and widely disseminate a referral process to all students, so they know how to access support through school, community-based, and crisis services. Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they have knowledge or concerns of another student's emotional distress, suicidal ideation, or attempt.

Charter School will include the following information on all student identification cards:

- National Suicide Prevention Lifeline/Suicide Crisis Lifeline:
 - Call or Text “988”
 - Call 1-800-273-8255
- National Domestic Violence Hotline: Call 1-800-799-7233

- Crisis Text Line: Text “HOME” to 741741
- Teen Line: Text “TEEN” to 839863
- Trevor Project: Text “START” to 678678
- Trans Lifeline: 1-877-565-8860
- Local suicide prevention hotline telephone number

In addition to listing the above resources on student identification cards, Charter School shall include the following language: *“If you or someone you know is struggling emotionally or having trouble coping, there is help. Students in distress or those who just want to talk about their problems, can call or text the phone numbers listed here for free, confidential support.”*

Intervention and Emergency Procedures

Whenever a staff member suspects or has knowledge of a student’s suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison - Louise Miler, Principal. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison- Lance Haliday, High School Teacher and teacher in charge when Louise is not available.

The suicide prevention liaison will consult with others on the SPCT, and determine who will notify the student’s parent/guardian and if they shall notify the student’s parent/guardian if appropriate and in the best interest of the student. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

The suicide prevention liaison shall also refer the student to mental health resources at YES CHARTER ACADEMY or in the community.

Action Plan for Suicide Attempts on Campus or During School-Sponsored Activity

YES CHARTER ACADEMY shall implement the following response protocol for suicide attempts during the school day.

When a student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911. The call shall NOT be made in the presence of the student and the student shall not be left unsupervised. Staff shall NOT physically restrain or block an exit.

When a suicide attempt or threat is reported on campus or at a school-related activity, the suicide prevention liaison shall, at a minimum:

1. Ensure the student’s physical safety by one or more of the following, as appropriate:
 - o providing immediate first aid as needed, until a medical professional is available.
 - o Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened and report any medications taken, and access to weapons, if applicable.

- o Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene.
- o Remaining calm, keeping in mind the student is overwhelmed, confused, and emotionally distressed.
- o Moving all other students out of the immediate area.
- o Not sending the student away or leaving him/her alone, even to go to the restroom.
- o Providing comfort to the student, listening and allowing the student to talk and being comfortable with moments of silence.
- o Promising privacy and help, but not promising confidentiality.
- o Students should only be released to parents/guardians/caregivers/families or to a person who is qualified and trained to provide help.

2. Document the incident in writing as soon as feasible.

Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed and coordinate and consult with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. **Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.**

3. After a referral is made, YES CHARTER ACADEMY shall verify with the parent/guardian that the follow up treatment has been accessed.
4. Parents/guardians will be strongly encouraged to provide documentation of care for the student. YES Charter Academy will follow up to ensure care and assist family to build the understanding of the importance of mental health care. If parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide or in emotional distress, the suicide prevention liaisons shall meet with the parent to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of the importance of care. If follow up care is still not provided, YES CHARTER ACADEMY should consider contacting Child Protective Services to report neglect of youth.
5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at YES CHARTER ACADEMY.
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

B. Action Plan for Off Campus Suicide Attempts

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

In the event a suicide occurs or is attempted off the YES CHARTER ACADEMY campus and unrelated to school activities, the Principal and/or School Counselor shall take the following steps to support the student:

1. Contact the parent/guardian and offer support to the family.
2. Discuss with the family how they would like YES CHARTER ACADEMY to respond to the attempt while minimizing widespread rumors among teachers, staff, and students.
3. Obtain permission from the parent/guardian to share information to ensure the facts regarding the crisis are correct.
4. The suicide prevention liaisons shall handle any media requests.
5. Provide care and determine appropriate support to affected students.
6. Offer to the student and parent/guardian steps for re-integration to school. Re-integration may include obtaining a written release from the parent/guardian to speak with any health care providers; conferring with the student and parent/guardian about any specific requests on how to handle the situation; informing the student's teachers about possible days of absences; allowing accommodations for make-up work (being understanding that missed assignments may add stress to the student); appropriate staff maintaining ongoing contact with the student to monitor the student's actions and mood; and working with the parent/guardian to involve the student in an aftercare plan; providing parents/guardians/caregivers/families local emergency numbers for after school and weekend emergency contacts.

Supporting Students during or after a Mental Health Crisis

Students shall be encouraged through the education program and in YES CHARTER ACADEMY activities to notify a teacher, the Principal, another YES CHARTER ACADEMY administrator, psychologist, YES CHARTER ACADEMY counselor, suicide prevention liaisons, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions. YES CHARTER ACADEMY shall implement the following steps during or after a crisis:

1. Treat every threat with seriousness and approach with a calm manner; make the student a priority.
2. Listen actively and non-judgmentally to the student. Let the student express their feelings.
3. Acknowledge the feelings and do not argue with the student.

4. Offer hope and let the student know they are safe, and that help is available. Do not promise confidentiality or cause stress.
5. Explain calmly and get the student to a skilled mental health professional or designated staff to further support the student.
6. Keep close contact with the parents/guardians/caregivers/families and mental health professionals working with the student.

Re-Entry to School After a Suicide Attempt

A student who has verbalized ideation or attempted suicide is at a higher risk for suicide in the months following the crisis. Having a streamlined and well-planned re-entry process ensures the safety and wellbeing of students who have previously attempted suicide and reduces the risk of another attempt. An appropriate re-entry process is an important component of suicide prevention. Involving students in planning for their return to school provides them with a sense of control, personal responsibility, and empowerment.

YES CHARTER ACADEMY shall implement the following steps upon the student's re-entry:

1. The Principal or School Counselor shall obtain a written release of information signed by parents/ guardians/caregivers/families and providers.
2. School mental health professionals shall confer with the student and parents/guardians/ caregivers/families about any specific requests on how to handle the situation.
3. School-based mental health professionals shall confer with the student and parents/ guardians/caregivers/families to develop a safety plan.
4. School- based mental health professionals shall inform the student's teachers about possible days of absences.
5. Teachers and administrators shall allow accommodations for student to make up work (understanding that missed assignments may add stress to student).
6. Mental health professionals or trusted staff members shall maintain ongoing contact to monitor student's actions and mood.
7. School-based mental health professionals shall work with parents/guardians/caregivers/ families to involve the student in an aftercare plan.
8. School-based mental health professionals shall provide parent's/guardians/caregivers/ families local emergency numbers for after school and weekend emergency contacts.

Messaging About Suicide Prevention

YES CHARTER ACADEMY along with its partners shall:

1. Thoroughly and regularly review with its partners, all materials and resources used in awareness efforts to ensure they align with best practices for safe and effective messaging about suicide.
2. Ensure that all communications, documents, materials related to messaging about suicide focus on warning signs as well as risk, prevention, and protective factors, avoid discussing details about methods of suicide, avoid oversimplifying (i.e. identifying singular cause of suicide), avoid sensational language, and only includes clear, respectful, people-first language that encourages an environment free of stigma, such as people with (..mental illness, personality disorder, depression, etc.)

As part of safe messaging for suicide, we use specific terminology when referring to actions related to suicide or suicidal behavior:

Use	Do Not Use
“Person who has Died by suicide” or “Took their own life”	“Committed suicide” Note: Use of the word “commit” can imply crime/sin
“Person who has experience a suicide attempt”	“Successful” or “unsuccessful” Note: There is no success, or lack of success, when dealing with suicide

0. Provide suicide prevention resources in parent/student handbooks and on school-issued identification cards for staff and students, on school websites, and during any mental health or suicide prevention skill-building activity for students or parents/families and professional development for staff.

Responding After a Suicide Death (Postvention)

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on the school community, including students and staff. YES CHARTER ACADEMY shall follow the below action plan for responding to a suicide death, which incorporates both immediate and long-term steps and objectives:

The suicide prevention liaison shall:

1. Coordinate with the Principal to conduct an initial meeting of the Suicide Prevention Crisis Team to:
 - a. Confirm death and cause.
 - a. Identify a staff member to contact the deceased's family (within 24 hours).
 - a. Enact the Suicide Postvention Response.
 - a. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
2. Coordinate an all-staff meeting, to include:
 - Notification (if not already conducted) to staff about suicide death.
 - Emotional support and resources available to staff.
 - Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
 - Share information that is relevant and that which you have permission to disclose.
0. Prepare staff to respond to needs of students regarding the following:

- a. Review signs of emotional distress and suicide ideation.
 - a. Review of protocols for referring students for support/assessment.
 - a. Develop and provide supports to staff in responding to student reactions.
 - a. Talking points for staff to notify students.
 - a. Share school and community-based resources available to students (on and off campus).
-
- 0. Identify students significantly affected by suicide death and other students at risk of imitative behavior, and immediately refer them to a school-based mental health professional.
-
- 0. Identify students affected by suicide death but not at risk of imitative behavior.
-
- 0. Communicate with the larger school community about the suicide death and availability of support services. Staff shall not share explicit, graphic, or dramatic content, including the manner of death.
-
- 0. Consider, (in consultation with the family) funeral arrangements for family and school community.
-
- If possible, suggest the funeral occur outside of school hours.
 - Encourage parents/guardians of students to attend funeral/memorial with their children.
 - Request family approval to attend and staff a table for resources to be available at the funeral, if possible, to remind students and the community of available resources.
 - Offer a safe space on campus for students to utilize if needed before/after funeral or memorial service.
 - Acknowledge there may be a high rate of absenteeism on the day of the funeral and school officials should make appropriate accommodations for staff and students to attend.
-
- 0. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
-
- 0. Identify media spokesperson to cover story without the use of explicit, graphic, or dramatic content, if needed.
-
- 0. Utilize and respond to social media outlets:
 - Identify what platforms students are using to respond to suicide death.

- Identify and encourage staff and students to monitor social media outlets.
10. Include long-term suicide postvention responses:
- Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
 - Support siblings, close friends, teachers, and/or students of the deceased.
 - Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

Staff-Student Interactions Policy

Boundaries Defined

For the purposes of this policy the term “boundaries” is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing beyond the boundaries of a student-teacher relationship is deemed an abuse of power and a betrayal of public trust.

Acceptable and Unacceptable Behaviors

Some activities may seem innocent from a staff member’s perspective but may be perceived as flirtation or sexual insinuation from a student or parental point of view. The purpose of the following lists of unacceptable and acceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to or may be perceived as inappropriate, or sexual misconduct, or “grooming.” Grooming is defined as an act or series of acts by a sexual predator to gain physical and/or emotional control by gaining trust (of staff and/or family and a minor) and desensitizing the minor to various forms of touching and other intimate interaction.

Staff members must understand their own responsibilities for ensuring that they do not cross the boundaries as written in this policy. If a student specifically requests that they not be touched, then that request must be honored. Violations could subject the teacher or staff member to discipline up to and including termination. *Disagreeing with the wording or intent of these established boundaries will be considered irrelevant for any required disciplinary purposes.* Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities.

Unacceptable Behaviors

These lists (and any subsequent lists) are not meant to be all-inclusive, but rather, illustrative of the types of behavior we intend to address by this policy.

- Giving gifts to an individual student that are of a personal and intimate nature (including photographs); or items such as money, food, outings, electronics, etc. without the written pre-approval of the Principal.
- Kissing of ANY kind
- Massage [Note: Prohibited in athletics unless provided by massage therapist or other certified professional in an open public location. Coaches may not perform massage or rub-down. Permitted in special education only as instructed under an IEP or 504 plan.]

- Full frontal or rear hugs and lengthy embraces
- Sitting students on one's lap (grades 3 and above)
- Touching buttocks, thighs, chest or genital area
- Wrestling with students or other staff members except in the context of a formal wrestling program
- Tickling or piggyback rides
- Any form of sexual contact
- Any type of unnecessary physical contact with a student in a private situation
- Intentionally being alone with a student away from school
- Furnishing alcohol, tobacco products, or drugs or failing to report knowledge of such
- "Dating" or "going out with" a student
- Remarks about physical attributes or physiological development of anyone. This includes comments such as "Looking fine!" or "Check out that [body part]."
- Taking photographs or videos of students for personal use or posting online
- Undressing in front of a student
- Leaving campus alone with a student for lunch
- Sharing a bed, mat, or sleeping bag with a student
- Making, or participating in, sexually inappropriate comments
- Sexual jokes, or jokes/comments with sexual overtones or double-entendres
- Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
- Listening to or telling stories that are sexually oriented
- Discussing your personal troubles or intimate issues with a student
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior
- Giving students a ride to/from school or school activities without the express, advance written permission of the Principal and the student's parent or legal guardian
- Being alone in a room with a student at school with the door closed and/or windows blocked from view

- Allowing students at your home and/or in rooms within your home without signed parental permission for a pre-planned and pre-communicated educational activity which must include another educator, parent, or designated school volunteer
- Staff mirroring the immature behavior of minors
- Sending emails, text messages, social media responses, making phone calls, or sending notes or letters to students if the content is not about school activities. Communication via private social media accounts is not acceptable.

Acceptable Behaviors

- Pats on the shoulder or back
- Handshakes
- “High-fives” and hand slapping
- When age appropriate, touching face to check temperature, wipe away a tear, remove hair from face, or other similar types of contact
- Placing TK through second grade students on one’s lap for purposes of comforting the child for a short duration only
- Holding hands while walking with small children or children with significant disabilities
- Assisting with toileting of small or disabled children in view of another staff member
- Touch required under an IEP or 504 Plan
- Reasonable restraint of a violent person to protect self, others, or property
- Obtaining formal written pre-approval from the Principal to take students off school property for activities such as field trips or competitions, including parent’s written permission and waiver form for any sponsored after-school activity whether on or off campus
- Emails, text-messages, phone conversations, and other communications to and with students, if permitted, must be professional and pertain to school activities or classes (communication should be initiated via transparent [non-private] school-based technology and equipment)
- Keeping the door wide open when alone with a student
- Keeping reasonable and appropriate space between you and the student
- Stopping and correcting students if they cross your own personal boundaries, including touching legs, or buttocks, frontal hugs, kissing, or caressing
- Keeping administration informed when a significant issue develops about a student, such as a change in demeanor or uncharacteristic behavior
- Keeping after-class discussions with a student professional and brief

- Immediately asking for advice from senior staff or administration if you find yourself in a difficult situation related to boundaries
- Involving your supervisor in discussion about boundaries situations that have the potential to become more severe (including but not limited to: grooming or other red flag behaviors observed in colleagues, written material that is disturbing, or a student's fixation on an adult)
- Making detailed notes about an incident that in your best judgement could evolve into a more serious situation later
- Recognizing the responsibility to stop Unacceptable Behaviors of students and/or co-workers
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours
- Prioritizing professional behavior during all moments of student contact
- ***Asking yourself if any of your actions, which are contrary to these provisions, are worth sacrificing your job and career.***

This policy does not prevent: 1) touching a student for the purpose of guiding them along a physical path; 2) helping them up after a fall; or 3) engaging in a rescue or the application of Cardiopulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another. Restraining a child who is trying to engage in violent or inappropriate behavior is also allowed. Only such force as necessary to defend one's self, another person, or the child or to protect property is legally permitted. Excessive force is prohibited.

Boundaries Reporting

When any staff member, parent, or student becomes aware of a staff member (or volunteer, guest, vendor) having crossed the boundaries specified in this policy, or has a strong suspicion of misconduct, they must report the suspicion to the Human Resources Director or Principal promptly. Reasonable suspicion means something perceived in spite of inconclusive or slight evidence. It is based on facts that would lead a reasonable person to believe the conduct occurred. Prompt reporting is essential to protect students, the suspected staff member, any witnesses, and YES Charter Academy as a whole. Employees must also report to the administration any awareness of, or concern about, student behavior that crosses boundaries, or any situation in which a student appears to be at risk for sexual abuse.

Investigating

The Principal will promptly investigate and document the investigation of any allegation of sexual misconduct or inappropriate behavior by a staff member, using such support staff or outside assistance, as they deems necessary and appropriate under the circumstances. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, shall protect the privacy interests of any affected student(s) and/or staff member(s) including any potential witnesses, as much as possible. The investigating administrator shall promptly notify the Governing Council in closed session of the existence and status of any investigations. Upon completion of any such investigations, the Principal shall report to the Governing Council any

conclusions reached. The investigating administrator shall consult with legal counsel, as appropriate, prior to, during, and after conducting any investigation.

Consequences

Staff members who have violated this policy will be subject to appropriate disciplinary action, and where appropriate, will be reported to authorities for potential legal action.

Suspension and Expulsion Policy and Procedures

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at YES CHARTER ACADEMY. In creating this policy, the YES Charter Academy has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non-YES Charter Academy's may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions and involuntary removal. The language that follows is largely consistent with the language of Education Code Section 48900 *et seq.* The YES Charter Academy is committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension, expulsion, or involuntary removal.

Consistent with this Policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as the YES Charter Academy's policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to seek a material revision of the YES Charter Academy so long as the amendments comport with legal requirements. YES Charter Academy staff shall enforce disciplinary policies and procedures fairly and consistently among all students. This policy and its procedures will be printed and distributed annually as part of the Student Handbook which will clearly describe discipline expectations.

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

The Principal or designee ensures that students and their parents/guardians⁷ are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this policy and its procedures are available upon request at the Principal's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

⁷ The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term "parent/guardian" shall include these parties.

A student identified as an individual with disabilities or for whom YES CHARTER ACADEMY has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law requires additional or different procedures. The YES Charter Academy will follow all applicable federal and state laws including but not limited to the applicable provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom YES CHARTER ACADEMY has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the YES Charter Academy for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian, and shall inform the student, and the student's parent/guardian, of the basis for which the student is being involuntarily removed and the student's parent/guardian's, right to request a hearing to challenge the involuntary removal. If a student's parent/guardian requests a hearing, the YES Charter Academy shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent/guardian requests a hearing, the student shall remain enrolled and shall not be removed until the YES Charter Academy issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below. Students may be involuntarily removed for reasons including, but not limited to, failure to comply with the terms of the student's independent study Master Agreement pursuant to Education Code Section 51747(c)(4).

Alternative Means of Correction

For a student facing discipline for a discretionary offense listed below, the Principal may, whenever possible and practicable, provide alternatives to suspension or expulsion. These alternatives shall use a research-based framework with age-appropriate strategies that improve behavioral and academic outcomes while addressing and correcting the student's specific misbehavior.

YES Charter Academy shall not suspend or expel any student based solely on the fact that they are truant, tardy, or otherwise absent from school activities. Violations of the school's attendance expectations shall be addressed in accordance with YES Charter Academy Attendance and Truancy Policy and/or Independent Study Policy, as applicable.

No student may be suspended or expelled for willful defiance or disruption. Alternatively, YES Charter Academy staff may refer a student who engages in willful defiance and/or disruption to the Principal or designee for appropriate and timely in-school interventions or supports. Within five (5) business days, the Principal or designee shall:

- 1) Document the actions taken and save the document to the student's record
- 2) Inform the referring staff member what actions were taken and if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.

For a student who has been suspended, or for whom other means of correction have been implemented, for an incident of racist bullying, harassment, or intimidation, YES Charter Academy may require both the victim and perpetrator to engage in restorative justice practices. YES Charter Academy may also require perpetrators to engage in culturally sensitive programs that promote racial justice and equity to combat racism and ignorance.

YES Charter Academy may utilize its Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, to help students gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

Procedures

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; or d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension and Expulsion Offenses: Students may be suspended and/or recommended for expulsion when it is determined the student:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind. Students who voluntarily disclose their use of a tobacco product in order to seek help through services or supports shall not be suspended solely for that disclosure.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

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

person reasonably to be in sustained fear for their own safety or for their immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.

- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the YES Charter Academy.
 - 2) "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, any of the following:

- i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (b) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph 1 above.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student 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 designee's concurrence.

2. Non-Discretionary Suspension and Expulsion Offenses: Students must be suspended and recommended for expulsion when it is determined the student:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device 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.
- b) Brandished a knife at another person.
- c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4

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

The YES Charter Academy will use the following definitions:

- The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
- The term "destructive device" means any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or designee with the student and the student's parent/guardian and, whenever practical, the teacher, supervisor or YES Charter Academy employee who referred the student to the Principal or designee.

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or YES Charter Academy personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the student waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. The conference shall be held as soon as the student is physically able to return to school for the conference. Penalties shall not be imposed on a student for failure of the student's parent/guardian to attend a conference with YES Charter Academy officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent/guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense(s) committed by the student as well as the date the student may return to school following the suspension. If YES Charter Academy officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or designee, the student and the student's parent/guardian will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. In such instances when YES Charter Academy has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student and the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

This determination will be made by the Principal or designee upon either of the following: 1) the student's presence will be disruptive to the education process; or 2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be

extended pending the results of an expulsion hearing.

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class.

D. Authority to Expel

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

A student may be expelled either by the YES Charter Academy Council of Directors following a hearing before it or by the YES Charter Academy Council of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Council as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the YES Charter Academy's governing Council. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Council of Directors shall make the final determination.

E. Expulsion Procedures

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) days' notice of their scheduled testimony; (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian or legal counsel; and (c) elect to have the hearing closed while testifying.
2. The YES Charter Academy must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the

complaining witness to accompany the complaining witness to the witness stand.

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

G. 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.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure

of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

I. Expulsion Decision

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

If the Administrative Panel decides not to recommend expulsion, or the Council of Directors ultimately decides not to expel, the student shall immediately be returned to their previous educational program.

J. Written Notice to Expel

The Principal or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Council of Directors adopted findings of fact, to the student and student's parent/guardian. This notice shall also include the following: (a) notice of the specific offense committed by the student; and (b) notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the YES Charter Academy.

The Principal or designee shall send a copy of the written notice of the decision to expel to the YES Charter Academy's authority. This notice shall include the following: (a) the student's name; and (b) the specific expellable offense committed by the student.

K. Disciplinary Records

The YES Charter Academy shall maintain records of all student suspensions and expulsions at the YES Charter Academy. Such records shall be made available to the YES Charter Academy's authority upon request.

L. No Right to Appeal

The student shall have no right of appeal from expulsion from the YES Charter Academy as the YES Charter Academy Council's decision to expel shall be final.

M. Expelled Students/Alternative Education

Students who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school County Office of Education of residence. The YES Charter Academy shall work cooperatively with parents/guardians

as requested by parents/guardians or by the Yuba County Office of Education or district of residence to assist with locating alternative placements during expulsion.

N. Rehabilitation Plans

Students who are expelled from the YES Charter Academy shall be given a rehabilitation plan upon expulsion as developed by the Council at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the student may reapply to the YES Charter Academy for readmission.

O. Readmission or Admission of Previously Expelled Student

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or YES Charter Academy who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Council following a meeting with the Principal or designee and the student and student's parent/guardian to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Principal or designee shall make a recommendation to the Council following the meeting regarding the Superintendent or designee's determination. The Board shall then make a final decision regarding readmission or admission of the student during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The student's readmission is also contingent upon the YES Charter Academy's capacity at the time the student seeks readmission or admission to the YES Charter Academy.

P. Notice to Teachers

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

Q. Involuntary Removal for Truancy

As YES Charter Academics are schools of choice and as a YES Charter Academy student who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the YES Charter Academy's Board adopted Attendance Policy for truancy and only after the YES Charter Academy follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal. Students who are involuntarily removed for truancy will be given a rehabilitation plan and will be subject to the readmission procedures set forth herein.

In accordance with Education Code Section 51747 and the YES Charter Academy's Board policy on independent study, after two missed assignments, an evaluation is held to determine whether it is in the best interest of the student to remain in independent study. If it is determined that it is not in the student's best interest to remain in independent study, the YES Charter Academy may involuntarily remove the student after the YES Charter Academy follows the requirements of the Missed Assignment Policy and only after providing notice and an opportunity for a parent,

guardian, educational rights holder to request a hearing prior to any involuntary removal as forth herein. Students who are involuntarily removed for truancy shall be given a rehabilitation plan and shall be subject to the readmission procedures set forth herein.

R. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities

1. Notification of County Office of Education

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

4. Due Process Appeals

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

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

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the YES Charter Academy believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or YES Charter Academy may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

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

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

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

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

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

If the YES Charter Academy had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The YES Charter

Academy shall conduct an expedited evaluation if requested by the parents; however, the student shall remain in the education placement determined by the YES Charter Academy pending the results of the evaluation.

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