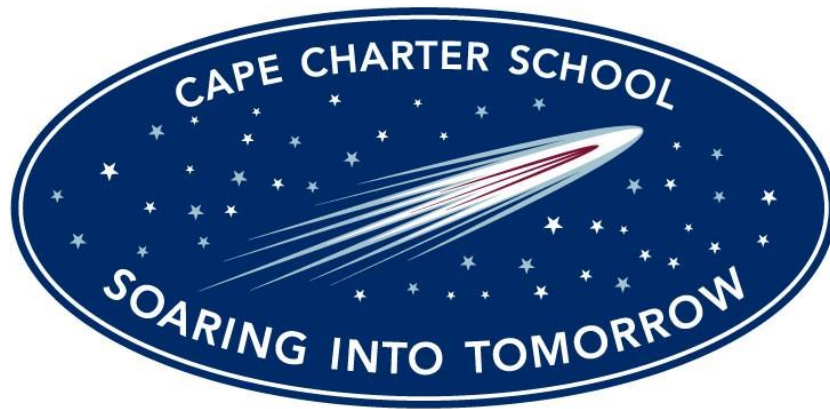


Student and Parent Handbook and Annual Notification



Camarillo Academy of Progressive Education

CAPE Charter School

School Mission Statement and Vision:

The mission of Camarillo Academy of Progressive Education is to foster global, independent, creative thinkers who feel confident in themselves, are willing to take risks, and are able to work cooperatively. Together, teachers, students and parents create and sustain an environment in accordance with a progressive philosophy that sparks imagination, ignites a love for learning and encourages each individual to be and do the best that he/she can, enabling pupils to become self-motivated, competent, life-long learners, who are equipped for the challenges of the 21st century.

The formation of our school vision was an exciting and powerful process: a dream of parents, teachers and students. This dedicated group sought an education for all children that would be student-centered, meaningful, and connected to the real world. Each student, teacher, and parent was empowered to assume personal responsibility for learning and for supporting the learning community.

CAPE supports a comprehensive instructional plan by providing safe, nurturing, and intellectually engaging surroundings, where students are inspired to intrinsically value learning as they achieve social and academic success.

Teachers create a classroom environment which challenges and supports students' learning. Teachers at CAPE implement a standards-based curriculum while promoting diversity, creativity, cooperation, and individual learning styles.

Parents and teachers work as partners to guide and encourage students to become positive, responsible, contributing citizens who value themselves and others in their choices as they strive to become life-long learners.

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The information printed in this handbook is accurate at the time of printing. On occasion minor changes may occur. Notice of changes will be sent home in letters and newsletters.

WELCOME!

Dear CAPE Families,

Welcome to our 2022-2023 school year! As we begin our thirteenth year, we want to take a moment to thank everyone who has worked so hard to get us to where we are today. CAPE is a partnership between school, home and the Camarillo community. We appreciate all the feedback, commitment, support and love of our Educational Partners. We hope everyone had a fun and relaxing summer vacation. We are so excited for this school year to begin!

There are many ways that parents can stay connected and learn about things happening at CAPE. Please read the weekly “Week at a Glance” that is published each Friday for the upcoming week. Teachers also communicate regularly through Parent Square Posts. Please try to attend PTSO meetings, CAPE Chatter Time, and the Governing Board Meetings. If you have a question about things happening on campus or in your child’s classroom, please ask your teacher or administration. If you are on social media, please follow our CAPE Facebook page.

One of the many things that makes our school special is the collaboration of parents, teachers, students and administration. We need to work as a team to ensure the success of every student. We are so thrilled to be here at this time and place, and ready to tackle another wonderful year. We are so proud of our CAPE community and everyone’s hard work and dedication to the education of our students. Let’s continue to inspire each other with kindness and a determination to encourage and support each other on a daily basis.

With Comet Pride,

Maryellen Lang
Director of Education

Doreen Learned
Director of Operations

CONTACT INFORMATION

777 Aileen Street, Camarillo, CA 93010

School Office

805-384-1415

FAX 805-384-1470

Website

<https://www.capecharter.org>

SCHOOL HISTORY and GOVERNANCE

CAPE was designed to replicate the successful education program of a pre-existing alternative public school, the Los Senderos Open School (“Los Senderos”), slated for closure at the end of the 2006-2007 school year by the Pleasant Valley Elementary School District after 31 years of successful education using the open philosophy of teaching¹.

In response to the closure of Los Senderos, a group of parents began to research the feasibility of creating a charter school in order to ensure that the parents of Camarillo and their students had the choice of an open school philosophy. They were joined by a group of teachers with an exceptional knowledge of the open school philosophy and its application in creating students who are lifelong learners. The result was our initial charter petition meant to replicate the successful open philosophy education program at Los

¹ The school opened initially in 1976 under the name “Los Bedford Open School” as a K-5, eventually changing its name to Los Senderos in 2002 and expanding to 8th grade in 2004-2005.

Senderos, in a public charter school serving grades K-12 granted and overseen by the Oxnard Union High School District (the “District”). The District approved the charter on May 22, 2007 to operate for one year. In May 2008 the District approved the charter to operate under a five-year charter term from July 1, 2008 through July 1, 2013. In November of 2012 the District approved the charter to operate under another five-year charter term from July 1, 2013 to July 1, 2018.

CAPE is governed by the CAPE Governing Board. This Board have five members, which consist of two parent representatives, two teachers and one community member. This Board executes the responsibility for establishment and ongoing evaluation of policies as set forth in the charter legislation and charter petition regarding personnel, instructional program, budget, student welfare, transportation, dispute resolution, facility oversight, public relations, and community outreach. The experience and expertise of the Board cuts across the areas of curriculum/instruction and education management, finance, law and business. Parents, educators, and other community members serve on the Board. The Board operates the current charter schools as a 501(c) (3).

The CAPE Governing Board meets monthly.

Please check the school website for information regarding meeting dates/times and a list of Board Members.

<https://www.capecharter.org>

COMMUNICATION

CAPE maintains an open-door policy of communication with all parents/guardians, students, staff, and community- Feel free to contact the school staff. The teachers, office staff, and administration want you to have the information you need to help your child succeed in school and encourage you to contact staff with questions or concerns. Sometimes you simply need to know who to ask:

Talk to the office staff about: registration/enrollment, absences, lost and found, general questions, school calendar, school breakfast and lunch.

Talk to your child’s teacher about: your child’s progress, special needs, classroom behavior, homework, classroom curriculum, class activities, classroom rules and procedures, volunteering in the classroom, assessment results, enrichment ideas, supporting learning from home.

Talk to the Co-Directors about: school wide programs, school rules and discipline, how your child is assigned to a class, special programs to help your child learn, safety plan, ways you can help and support the school, serving on school committees, special concerns, anything you can’t find answers for elsewhere.

Talk to your PTSO: parent and student activities, volunteering for PTSO events, committees on which you might like to serve, meeting times, school program ideas, fundraising.

Please communicate your questions, concerns, or ideas. Open communication guards against misinformation and strengthens the teams’ efforts to improve student achievement. A supportive school community sends a message to our children that the process of education is a high priority. The opportunity to partnership with the staff, students, and parents/guardians is one of the most enjoyable aspects of being part of the CAPE community.

PARENT/GUARDIAN CONCERNS/QUESTIONS

General School and Staff Concerns/Questions

In the event that you have questions or concerns about your child, a program, or classroom expectation, please contact your child’s teacher first. If after working with the teacher you have further questions or concerns you may contact the Co-Directors. It is the responsibility of the Co-Directors to investigate and/or address each concern or complaint with the appropriate parties and take appropriate action. Concerns and complaints may, at times, be taken to the CAPE Governing Board by the Co-Directors for their consideration. You may also ask school staff for our “Uniform Complaint Policy” or may access it on our website.

For allegations of Non-Compliance or Unlawful Discrimination / Harassment / Bullying

Please ask school staff for the Title IX, Harassment, Intimidation, Discrimination and Bullying Policy and form and/or the CAPE Uniform

Complaint Policy and form if you have allegations of non-compliance or unlawful discrimination, harassment, intimidation or bullying based on protected characteristics.

PARENT/GUARDIAN-TEACHER CONFERENCES

Teachers in grades TK-3 will hold one parent/guardian-teacher conferences during the school year at the end of the first trimester. Teachers in grades 3-12 will meet with parent/guardians are offered to families if the teacher, student, or parent has a concern or requests a conference at the end of the first trimester. Spring conferences are at the end of the second trimester and will be offered for students in grades TK-12 to families if the teacher, student, or parent has a concern or requests a conference. Winter conferences for the middle school program Elementary school parents/guardians will receive their child's report card at the end of each trimester. Middle school parents have daily access to grades through Parent Vue and will receive report cards at the end of each trimester. High school parents have daily access to grades through Pearson Connexus and will receive report cards at the end of each trimester. On the days those conferences are scheduled, an early student dismissal will be instituted. Please check the CAPE calendar.

Additional conferences may be scheduled as needed by contacting the teacher to request an appointment. Parents/guardians are invited to schedule parent/guardian-teacher conferences and are also welcomed volunteers in the classroom. However, please schedule all conferences in advance, and please schedule volunteer times in advance with the teacher as well. Please sign in at the school office before going to the classrooms to volunteer. Teachers will share volunteer needs with parents/guardians. Teachers have office hours after school between 2:30-3:15 daily (except for Tuesdays).

CURRICULUM AND INSTRUCTION DESIGN "HOW LEARNING BEST OCCURS"

CAPE believes that learning best occurs when instruction is delivered in a manner consistent with a progressive philosophy. The premise of CAPE's progressive education is to create a learning environment where students actively experience their education and are continually challenged in an ever-changing, yet organized setting. There is an active cooperative partnership among parents, students and teachers, where learning is for its own sake, for the joy of it, and for its intrinsic value. Each student is held accountable for his or her own progress while utilizing the support system of teachers and parents.

The CAPE philosophy encourages each child to fully participate in his or her education. Building self-esteem through personal responsibility is a primary focus. If children feel good about themselves, they will be more open to learning. CAPE shall provide safe, nurturing and intellectually engaging surroundings where students are inspired to intrinsically value learning as they achieve social and academic success. The instructional program shall conform to California Common Core State Standards.

The teachers and board of CAPE shall continuously assess the implementation of its curriculum. The goal of the school is to ensure that every child is successful. Strategies for accomplishing this goal include staff development and training, faculty meetings, articulation among staff members, observation of classroom instruction, parent surveys and a continuous review of assessment results.

Teachers will create classroom environments that challenge and support students' learning of standards-based curriculum while promoting diversity, creativity, cooperation and individual learning styles. Parents and teachers work as partners to guide and encourage students to become positive, responsible, contributing citizens who value themselves and others in their choices as they strive to become life-long learners.

Some of the key instructional programs and methodologies are as follows:

Project-Based Learning – We believe that learning best occurs when utilizing project-based learning methodologies. Project-based learning is an instructional approach that builds upon authentic learning activities that fully engage students in their areas of interest. These activities are designed to answer questions and solve problems. Project-based learning teaches students the 21st century skills describe above, while at the same time delivering content based on the common core standards. These skills include, but are not limited to, problem solving, citizenship, organization, time management, group participation and leadership skills. The students utilize high-level thinking skills while the teachers facilitate and guide the learning toward more and more sophisticated questions and answers. Project-based learning is generally done in groups of students working together in teams, which allows students to express and listen to ideas and opinions, make team decisions, and consider and learn from project outcomes.

Storyline – The storyline method is a structured approach to learning and teaching that was developed in Scotland. The storyline method asserts that: knowledge is complex and has many layers; learning is guided by one’s prior knowledge and experience; and learners construct their own meaning through action and experience. This method of teaching builds on the key principle that learning, to be meaningful, has to be memorable, and that by using a learner’s enthusiasm for story-making, the classroom, the teacher’s role and learning can be transformed. The storyline method also allows teachers to bring all facets of the core curriculum (including Science, Math, Language Arts and History) together as an integrated whole, while providing opportunities for active learning and reflection as essential parts of effective learning and teaching. Lastly, the storyline method gives learners a powerful sense of ownership of their learning.

Lucy Calkins Readers and Writers – This program builds on decades research, curriculum development, and working shoulder to shoulder with students, teachers and school leaders. This curriculum is designed to give young people extraordinary power, not only as readers, but also as thinkers. When young people are explicitly taught the skills and strategies of proficient reading and are invited to live as richly literate people do, carrying books everywhere, bringing reading into every nook and corner of their lives, the results are dramatic. The program is rooted in best practices and newest thinking.

Everyday Mathematics 4 – Everyday Mathematics is a research-based curriculum developed by the University of Chicago, School Mathematics Project for grades K-5, which was founded in 1983 during a time of growing consensus that our nation was failing to provide its students with an adequate mathematical education. Using the Everyday Mathematics curriculum, CAPE’s students will learn math through a hands-on, practical approach that utilizes math games and parent involvement to promote higher-level thinking. Students will develop conceptual understanding and problem-solving skills in arithmetic, data, probability, geometry, algebra and functions; link mathematics to everyday situations; link past experiences to new concepts; participate in hands-on activities and explorations; and use and share multiple strategies.

Information Literacy – By focusing on information literacy, CAPE will help students develop the ability to recognize when information is needed, locate and evaluate the credibility of the information, and effectively use information. Students will learn to research by using the Internet in a safe and effective manner. The teachers will utilize technological tools to guide students in judging sources, recognizing valid or invalid sources of information, and judging the source’s accurate communication of the truth. A final product can be presented to the class with the students using PowerPoint and/or Microsoft Word software. Information literacy will be used to complement project-based learning. Through information literacy, CAPE will promote the skills, knowledge and attitudes that allow students to develop effective lifelong information awareness, including strategies for seeking, managing, and presenting information.

Delta Education Next Generation Foss Science – Research shows that the best way to learn science is by doing science. FOSS next generation puts the Next Generation Science Standard (NGSS) into practice by integrating all three dimensions: the disciplinary core ideas, the science and engineering practices and the crosscutting concepts. This program is designed to help CAPE students develop more sophisticated ways to think about the core ideas of science.

Depth and Complexity – The teachers will differentiate instruction within the scope of one lesson. Differentiated instruction is the manner in which each teacher will modify the core curriculum and design strategies to address the unique needs of each student. The teachers will modify what students will know (content); how students will think (critical, creative and problem-solving skills and processes); how students will access and use resources (research skills); and how students will summarize and share their learning (products). This educational approach is effective in teaching all levels of learning in one classroom.

Civic Mirror – This simulation based social studies curriculum actively engages students in learning about government, law, economic and citizenship. Instead of students just learning about things, Civic Mirror allows students to experiment with the social studies curriculum and content.

Physical Education – The standards-based physical education program at CAPE incorporates regular activity into the day and promotes physical health. Students experience a wide variety of movement skills and patterns and participate in challenging; developmentally appropriate activities that improve strength and endurance and help students understand the benefits of different types of exercise. Students are also encouraged to take positive risks, develop confidence and accept and appreciate the individual differences among classmates.

Music – Research clearly shows a link between musical knowledge and understanding of academic concepts, particularly: spatial-temporal reasoning, ratios, fractions, proportions, thinking in space and time and reading. CAPE will employ a part time music teacher and experts in musical theatre and choir. All students in fourth grade will be provided with a school issued instrument and

receive an eight-week introduction to band program (Build a Band). CAPE will offer strings, guitar, beginning and advanced band programs in addition to the build a band program. Throughout the school year the children will perform for their parents and fellow students.

Spanish –CAPE will employ a part time Spanish teacher. Students in grades K-8 will participate in weekly Spanish classes. Spanish classes will address Spanish conversational speaking, grammar, writing and cultural awareness. High school Spanish classes are also available through Connexus.

Volunteer-driven enrichment programs – Within the constraints of the budget and willingness of the volunteers, the student’s education will be further enriched through the following or similar programs:

Composer of the Month and Artist of the Month are programs in which volunteers introduce students to the biographies and work of the chosen composer and artist for each month. Each month, the students create a piece of art that uses the style and techniques of the chosen artist.

Mini-courses are elective-type classes where parent and community volunteers come to the campus once a week for four weeks twice a year and teach courses reflecting the volunteers’ interests. Past courses have included dance, cooking, the culture of India, rocketry, quilting, Hawaiian culture, paper crafts, scrap booking, Computer coding, STEM and many others. These courses serve to widen children’s awareness, introduce them to new experiences and help them gain confidence by learning new skills or developing areas of expertise.

State Testing

CAPE 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 CAPE officials to excuse their child from any or all parts of the state assessments shall be granted.

Availability of Prospectus

Upon request, CAPE 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 Charter School may charge for the prospectus in an amount not to exceed the cost of duplication.

PARENT VOLUNTEER HOURS

Parents are encouraged to do an average of 40 hours per year per family of volunteer work to support the CAPE community. Volunteer hours can be accomplished in a variety of flexible options including participation in school governance or committees, classroom help, lunch sports club/organization, fundraising activities, etc. (see below). We recognize that many parents have limited availability and may not be able to volunteer on site during the school day. In this case, you may consider helping behind the scenes from home or after hours. You may also consider donating funds in place of donating your hours. However, parents/guardians are not required to volunteer or donate to CAPE. Our schools can use the support in a variety of ways! Examples of volunteer activities:

- Committee member (PTSO-~~or~~ Board of Directors)
- Classroom Volunteer
- Fieldtrip Chaperone
- Preparation work for class projects
- Book Fair
- Capetopia
- Cape-a-thon
- Women in History
- Pi/Science Night
- Planning or assisting with a school fundraisers
- Helping coordinate CAO
- International Fair
- Runners for Photo Days/Testing

HOMEWORK

Homework is assigned by the teacher for skill practice and is essential to the learning program. Students in grades K-8 have

approximately 10 minutes of homework daily for each year in school. In addition, all parents are encouraged to read to or be read to by their child for a minimum of 30 minutes every day. Homework amounts will vary from grade to grade, from teacher to teacher, and from day to day.

EXTRA CURRICULAR ACTIVITIES

Students are encouraged to participate in the school's extra-curricular activities, which are important and exciting opportunities for students to attain social skills, leadership qualities, success, and excellence. Clubs, art activities, and sports programs are open to all students and are often run by our wonderful parent volunteers. Participation in the programs requires that students attend meetings and practices for the duration of the activity or season, and that they be present in school on the day of the activity. Academic, attendance and behavior eligibility requirements apply. Sponsors and coaches inform the students of the standards of behavior and grades expected during the course of the program or activity. Clubs, activities, and sports begin and end at various times throughout the school year. Check Week at a Glance, Parent Square, website, and CAPE general calendar for specific dates and times.

FIELD TRIPS

Classes take a variety of field trips days that support and enrich the curriculum. PTSO and donations support class field trips. In every case, students are required to have signed permission slips.

ATTENDANCE & ABSENCES

Regular attendance and punctuality are essential.

CAPE will, at minimum, follow all state guidelines in regards to health and safety protocols related to COVID-19.

All absences from class and tardies of more than 30 minutes are classified as excused or unexcused. Students are **only excused** for the following reasons:

- ✓ Student's illness
- ✓ Medical, dental, optometry, or chiropractic appointment
- ✓ Due to quarantine under the direction of a county or city health officer.
- ✓ Funeral service for immediate family member
 - a. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the student.
 - b. Not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- ✓ Court appearance
- ✓ Religious observation
- ✓ Cultural ceremony or event participation
- ✓ For the purpose of attending the student's naturalization ceremony to become a United States citizen.
- ✓ For the purpose of spending time with a member of the student's immediate family who is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the Co-Directors.
- ✓ Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
- ✓ Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks.

Schools are mandated by state law to enforce the regular attendance of students. It is very important that we verify each child's safe arrival at school and that we accurately record each student's daily attendance. Please call the main office, (805) 384-1415 to verify your child's attendance - CAPE policy allows for parents to call in or write a note to excuse their students for **illness** for two consecutive days or a combined total of ten days. Three or more consecutive days and/or after a combined total of the ten days for the school year, student absences must be verified through a doctor's note or the absence will be unexcused. Once a student has three unexcused absences or tardies of more than thirty (30) minutes, parents will receive a letter from the school stating that their student has an attendance problem. This letter is forwarded to the School Attendance Review Board (SARB).

We want your child in school every day that they are able to do so. Keep your child home if your child has a fever, continued diarrhea, or is vomiting. If your child is not feeling well and you are not sure if you should or should not bring them to school, please call the school office.

When a student is absent from school for any reason (whether excused or unexcused), the student must, upon returning to school, present to the office a written excuse signed by a parent or guardian or call on the attendance line 805-384-1415.

A student may not be permitted to participate in after school activities if the student was absent from school full or partial day.

Parents picking up children during the school day **must** come to the office first. The child will be called from the classroom and parents will sign the child out in the office. **No student will be allowed off the school premises without the parent or guardian or emergency contact listed in the child's record.** In the case of an emergency contact picking up a student, the school must have permission from the parent/guardian for that person to pick up during the school day. Parent pick-ups for a medical, dental, optometrical, or chiropractic appointment require a health provider note to be marked as an excused absence.

TARDINESS

Students must arrive at school on time to receive a quality instructional program. Being on time is important and helps students to become responsible. All students should be in their classroom ready to learn by 8:15 am. Students should arrive no later than 8:10 to allow time to get to class by 8:15 am. Gates open at 8:00 am. Middle School students must also be on time to all of their classes within the day. Excessive unexcused tardies or unexcused early pick-ups of more than 30 minutes in a school year will result in CAPE initiating the SARB (School Attendance Review Board) process, which may include summoning parents and students to a meeting, creating a contract, and/or ultimately a hearing before representatives from local law enforcement and the District Attorney's office.

EARLY PICK-UP:

We encourage you to always schedule your child's doctor and dental appointments around school hours. If this is not possible, **you must come to the office first to sign your child out. For the safety of all children, if someone other than the parent signs the child out, that person must have written permission from the parent before the child will be permitted to leave the building.** Upon return to school, please provide the office staff with a note from the health provider to verify the excused absence.

INVOLUNTARY REMOVAL PROCESS

No student shall be involuntarily removed by CAPE 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 CAPE'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 CAPE issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to CAPE's suspension and expulsion policy.

Upon parent/guardian request for a hearing, CAPE 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 CAPE'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 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 district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent CAPE from making a similar recommendation in the future should student truancy continue or reoccur.

INDEPENDENT STUDY CONTRACT

Short-term Independent Study is an option for any student who will be absent for a period of a minimum of two (2) to a maximum of ten (10) cumulative school days in a school year. A student may not participate in short-term independent study pursuant to this policy for more than ten (10) cumulative school days in a school year. Further absences will be addressed in accordance with the Charter School's attendance policy and may be considered unexcused and/or lead to truancy prevention measures, depending on the nature of the absence. Students cannot take more than two (2) short-term independent study per school year.

Independent Study requires approval from the Co-Directors or designee in writing. To the extent possible, requests for short-term independent study should be submitted at least five (5) days before a planned absence. The Co-Directors' considerations may include, but are not limited to, the student's current academic standing, the student's grade level, the timing during the grading period, the purpose of the absence for which short-term independent study is requested, previous participation in independent study, and input from teachers, Student Study Team ("SST") or IEP team as applicable. Short Term Independent Studies should not be linked to an extended school break (including but not limited to the beginning and ending of the school year, fall break, winter break and spring break).

A student participating in short-term independent study must be able to participate in the full educational program required by CAPE through independent study as independent study requires an equivalent quantity and quality of work as required of a student participating through in-person instruction. Participation in independent study for ten (10) or more days shall be determined by the sole discretion of the Co-Directors. The Co-Directors shall not deny a request for independent study on the basis of race, ethnicity, age, gender, mental or physical disability or on the basis of any other protected characteristic, either actual or perceived.

Short-term Independent Study is conducted solely for the educational benefit of the students attending CAPE as a means to encourage daily engagement in schoolwork even during times of extended absence. No student is required to request or participate in Short-term Independent Study program during an extended absence. Independent study is an optional educational alternative in which no student may be required to participate. Parents are to give at least five (5) school days' notice of a request for Independent Study. In an extenuating circumstance (e.g., serious illness, quarantine, injury, or family emergency), with prior approval from the Co-Directors or designee, the student's teacher will work with the parent(s)/guardian(s) to implement a Short-term Independent Study program in an expedited manner with less than five (5) school days' notice. To the extent possible during a student's extended absence, the Charter School shall provide appropriate existing services and resources to enable each student to complete his/her Independent Study successfully.

The Co-Directors have the authority to limit enrollment in accordance with Education Code Section 47612.5(e).

The Board considers independent study an optional alternative instructional strategy by which students may reach curriculum objectives and fulfill promotion requirements. The following written policies have been adopted by the CAPE Governing Board for implementation at Charter School:

POLICY DETAILS:

1. Short-term Independent Study

- 1.1. Independent Study is an option only for absences deemed excusable as defined in the Student Attendance Policy.
- 1.2. Independent study shall offer a means of individualizing the educational program for students whose needs may be met best through study outside of the regular classroom setting on for ten (10) days or fewer.
- 1.3. No student shall be required to participate in independent study.

2. Eligibility

- 2.1. Students who meet the criteria listed below are eligible to participate in independent study.
 - 2.1.1. Absences are excused as defined in the Student Attendance Policy and exceed the minimum absence period of 2 consecutive days.
 - 2.1.2. Student and Parent or Guardian has provided assurance that the student will work independently to complete the program assignments.
 - 2.1.3. Where possible, adequate notification (at least five days) must be given to certificated staff to design the short-term contract and subsequently evaluate its completion.

3. For pupils in all grade levels and programs offered by the Charter School, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be ten (10) days school days.

4. The Co-Directors shall conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study upon the following triggers:

4.1. When any pupil fails to complete three (3) assignments during any period of ten (10) school days.

4.2. In the event Student's educational progress falls below satisfactory levels as determined by the Charter School's SST and Response to Intervention Policies which considers ALL of the following indicators:

4.2.1. The pupil's achievement and engagement in the independent study program, as indicated by the pupil's performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).

4.2.2. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.

4.2.3. Learning required concepts, as determined by the supervising teacher.

4.2.4. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

5. The Charter School shall provide content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction.

6. Students whose families wish to return to in-person instruction from independent study will be returned to in-person instruction expeditiously.

7. A current written agreements shall be maintained on file for each short-term independent study student, including, but not be limited to, all of the following:

7.1.1. The manner, time and place for submitting the student's assignments, for reporting the student's progress and for communicating with a student's parent or guardian regarding a student's academic progress.

7.1.2. The objectives and methods of study for the student's work, and the methods used to evaluate that work.

7.1.3. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.

7.1.4. A statement of the policies adopted pursuant to Education Code Section 51747, subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.

7.1.5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than ten (10) consecutive school days and no less than two consecutive (2) school days. Students cannot take more than two (two) independent studies during a single school year. If a student is requesting a second short-term independent study, a minimum of thirty (30) school days between independent study agreements.

7.1.6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.

7.1.7. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.

7.1.8. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.

7.1.9. Each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil.

8. The Charter School shall comply with the Education Code sections 51745 through 51749.3 and the provisions of the Charter Schools Act of 1992 and the State Board of Education regulations adopted there under.

9. The Co-Directors shall establish regulations to implement these policies in accordance with the law.

ACADEMIC HONESTY

Students' Right:

All students have the right to keep - their materials, homework, tests and expressions which they create through their efforts confidential to the extent allowed under the law.

Students' Responsibility:

Students shall not misrepresent examination materials, research assignments, class work and homework assignments as their own, when in fact they are the work of someone else. Students shall not share their homework, class work or test information with other students, unless permission is expressly given by the teacher. Students will follow classroom test protocol as set by each teacher, including, but not limited to: keeping eyes on his/her own paper and refraining from communication of any kind.

Consequences

First Referral:

Teacher conference with student.
Grade of Fail given for that assignment.
Teacher will notify parent.
Citizenship grade may be lowered in that class
Teacher will send a referral to the Co-Directors noting the details of the incident.

Second Referral:

All "first referral" consequences.
Parent Conference.
Citizenship grade lowered to U in that class.
Further Progressive Discipline.

SCHOOL HOURS

Gates open at 8:00am. There is no supervision outside the gates before 8am. Students can get breakfast starting at 7:45am and eat in the lunch shelter supervised. Please also help our safety and security efforts by making sure that students are off of the CAPE campus and supervised no later than 10 minutes after dismissal. Exceptions are students who are involved in supervised and pre-planned activities, meetings, practices, etc.

SAFETY

GENERAL RULES

- A. Show respect toward all adults and students.
- B. Students may not leave the playground for any reason without checking with the campus supervisors.
- C. Respect school property.
- D. Toys are not permitted at school, UNLESS, pre-approved by the teacher. No toys should ever be out on the playground.
- E. Personal electronic devices are not permitted at school.
- F. Walkie-talkies, radios and other communication devices are prohibited.
- G. Students may have cell phones in their backpack or locker as long as they are always turned off except in the case of a major emergency. If they are used on school property, they will be confiscated.
- H. Apple Watches need to be set in "school mode".
- I. Roller blades, roller skates, roller shoes, skateboards, scooters and other hazardous equipment may not be used on school property.
- J. No pacifiers (including candy pacifiers)/suckers/ and other choking hazards.



- K. Gum is not permitted at any time.

PERSONAL SAFETY

- A. No glass containers can be used on campus due to the hazards of broken glass. Please do not bring them for snack recess or lunch.
- B. Students will walk at all times on campus (except during directed activities).
- C. No weapons (real or replicated), drugs, tobacco, alcohol, vaping devices or lighters are allowed on campus at any time (zero tolerance).
- D. Pets may not be brought to school except when approved in advance by the teacher.
- E. Pets must be in cages or on leashes. Students may **NOT PET OR HOLD** dogs cats, hamsters, mice or any other pets.
- F. Items, which could prove harmful to children, such as medicines, chemicals, or sharp materials cannot be brought to school.

BICYCLES & SCOOTERS:

- A. Walk bikes, scooter, skateboards, etc. at **all** times while on campus.
- B. Bikes and scooters and skateboards are to be locked onto the bike racks. CAPE is not responsible for lost personal items of any kind.
- C. Students are to leave the bike area immediately after locking up bike.
- D. Bikes and scooters should be in good working condition, i.e. brakes, seat adjustment, etc. should be checked periodically during the school year.
- E. Students should be fully aware of city bicycle safety rules. (It would be advisable to go over the rules with your child).
- F. A safety helmet is required by state law.

PLAYGROUND.

Apparatus

- A. Sitting, walking or crawling on top of the horizontal bars is not permitted. Please go in one direction. Do not flip or jump off. **NO BACK FLIPS.** Students must have two hands on the bars.
- B. Please go in one direction on the rings.
- C. Do not walk up the slides or go down the slides on anything except your bottom. No jumping off the slide (top or middle)
- D. Be aware of students in the play equipment area. Watch where you are walking. Do not run.
- E. Equipment must be used properly and only for its intended purpose.

Jump ropes

- A. Jump ropes are to be used for jumping only.

Playground Balls

- A. Playground balls may only be thrown against the handball wall.
- B. Playground balls may not be kicked on the blacktop.
- C. Balls may not be thrown at someone's head or body (unless it is catch)
- D. No Dodgeball of any kind is allowed (unless under the direct instruction of the teacher and of soft balls)



with the use

Sandboxes

- A. Do not throw or remove sand from the sandbox.
- B. Do not behave in an unsafe manner.

General Field Rules.

- A. No tackle games of ANY KIND!
- B. Treat each other with respect.
- C. Keep your hands and feet off other students.
- D. No eating anywhere but in the lunch shelters or specified snack areas at recess.
- E. Stay within specified boundaries

Restrooms & Drinking Fountains

- A. The ledge behind the toilets is not for climbing or standing.
- B. Paper towels are to be put in the trash can.
- C. Eating in the restrooms is not permitted for health reasons.
- D. Practice good hygiene. Wash hands after using restroom. Spraying or splashing water, plugging toilets, sinks, or drinking fountains to cause flooding, and throwing toilet paper or paper towels on ceilings or walls is inappropriate, dangerous, and wasteful.
- E. Are only used for their intended purpose and not as a hanging out area.

CAPE Handball RULES

For singles play, determine which player will serve first. Both players stand in the middle of the court, facing the wall. The server starts the game by bouncing the ball once against the pavement and hitting it, when it comes up, at the wall. The ball must bounce back out over the serving line to be considered good. The server has two tries to make a good serve. The other player tries to hit the served ball back against the wall. The ball can be hit after one bounce or while still on the fly.



The ball is hit back and forth continuously between players until one fails to hit it, or hits it over the wall or out of bounds. If the receiver makes the mistake the receiver is out. But, if the server makes the error, the serve goes to the other player and the server is out. Sometimes one player will get in the way of the others as he or she goes for the ball. This is a foul and means that the serve must be repeated if the receiver committed the foul. If it is the server's error he or she is out.

Doubles play is basically the same. Only the partner closest to the ball may return it. Only the serving partner may be in the court while serving but his or her partner may run back in as soon as the serve is hit.

CAPE Four Square RULES

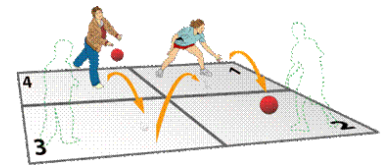
One player stands in the far corner of each square in order to be best prepared for any ball hit to them. The server starts the game by bouncing it once behind the serving line and then batting it with an open hand into one of the other squares.

The player receiving the serve must let it bounce once and then hit it into another square. Any balls that land on lines or leave the court are considered to be out.

When a player commits a fault (steps over the line while serving, misses a serve, hits a line, hits a ball out of bounds, fails to return a hit, uses a fist or an overhand motion to hit the ball, or is hit by the ball on any part of the body except the hands), players shift around the squares.

If there are more than four players, the one who commits a fault leave the court and joins the line of players waiting to get back into the game. A player from the line moves into the square 4 and the other three players move up a square.

There isn't really a winner in four square, the players keep rotating until they grow tired of the game or the bell rings.



SCHOOL VISITORS and CLASSROOM VISITS

All visitors, volunteers, parents, guests or anyone else coming on campus must sign in at the office and wear a visitor's badge. CAPE uses a background check security system and all visitors will need their license to sign-in. The system will create a sticker badge with a picture and this must be worn on the upper part of your body for easy identification. This is for the safety of the children as well as for your safety. If we were to have an emergency, we know who is on campus.

While CAPE encourages parents/guardians and interested members of the community to visit and view the educational program, CAPE also endeavors to create a safe environment for students and staff. Additionally, parents volunteering in the classroom can be extremely helpful to our teachers and valuable to our students. We thank all parents for their willingness to volunteer in this manner.

To minimize any disruption to the instructional plans and the educational process, classroom visits must be arranged twenty-four hours in advance by calling the school or teacher to establish a time for the visit. Thank you!

EMERGENCIES

Evacuation, Fire and Drop, Shelter in Place and Lockdown Drills are held on a regular basis. Every student is instructed on correct behavior for emergencies. When evacuating the classroom, students are to walk silently to the assigned areas of the playground, turn around and face the buildings and wait quietly for teachers to take roll call. During an earthquake drill, students are to drop to the floor under a table or desk, cover their back and neck with one arm, and hold onto the legs of the table with the other arm. Following the drill, students are to respond immediately to instructions given by the adult in charge.

In the event of an actual disaster, students will be held at school until released to an authorized adult, as listed on the emergency card. It is critical that parents make arrangements to have someone available in case of emergencies. Staff works with the PTSO to provide materials and equipment to ensure the safety of all of the students in case of any emergency. A copy of the CAPE Safety Plan is available in the main office.

EMERGENCY CARD INFORMATION

It is extremely important that each student's emergency card be kept up to date. Please be certain there is always someone listed on the card with a current telephone number in the event we have to notify someone regarding an emergency or accident. If there are changes or additions during the year, please notify the office immediately. **When a student is sent home early from school, only contacts listed on the emergency card will be permitted to take the child.**

STUDENT HEALTH

HEALTH TECHNICIAN AND STUDENT SUPPORT

The Health Technician's office is located in the CAPE main office. The Health Technician is the consultant for students concerning health problems. Contagious illnesses are quickly and easily spread at school. If your child has a sore throat, or any other illness, please keep your child at home.

When children complain of illness at school, their temperature is taken. If the student has a fever, parents will be called to come take the child home. If parents cannot be located, an alternate name listed on the emergency card will be called.

Hearing screenings are mandated by the state for grades K, 2, 5, 8, students who are new to California, and by teacher referral. You will be notified by the school when this is to occur.

Vision screenings are mandated for students in grades K, 2, 5, 8 students who are new to California, and by teacher referral.

Scoliosis screening is mandated for each female student in grade 7 and each male student in grade 8.

Oral Health Assessment must be completed in the 12 months prior to entry or by May 31st of the pupils first school year. Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time.

If you **DO NOT WANT** your child to receive any or all of the screenings provided free of charge during the school year, please send a signed note to school, addressed to the Health Office. Please include your child's grade and specific screening (hearing, vision, scoliosis) you do not want. A "**DO NOT SCREEN**" note from the parent/guardian is needed each school year.

Immunization Review - The physical exam can be done by your physician, or if eligible, by a Health Department Clinic. The CDE and CAPE require that immunizations be verified by the school secretary or health technician at school before a child can enter school. To verify the dates of immunizations, you must bring with you the health card from your doctor, Health Department, or an International Health Card which lists the immunization dates. It is the responsibility of the parent to keep immunization records current.

Medication - The state law and our school policy state that your child may never bring **any type of medication** to school without parent and doctor permission. Parents must request an Authorization to Administer Medication form from the school office, which must then be completed by a physician. All medication is stored and administered by the administrative assistant, clerk, or health technician. Medication must be kept in the pharmacy labeled container. This includes all types of pills, inhalers, over the counter medication and/or prescription medications.

Availability of Health Insurance

Children—regardless of immigration status (foster youth, pregnant women, and legally present individuals, including those with deferred action for childhood arrivals ["DACA"] status) may be eligible for no- or low-cost Medi-Cal insurance. Medi-Cal covers immunizations, checkups, specialists, vision, and dental services, and more for children and youth at no- or low-cost. Medi-Cal enrollment is available year-round.

Covered California is where legal residents of California can compare quality health plans and choose the one that works best for them. Based on income and family size, many Californians may qualify for financial assistance. Enroll during Open Enrollment or any time you experience a life-changing event, like losing your job or having a baby. You have sixty (60) days from the event to complete enrollment. Information regarding the availability of insurance is provided with enrollment forms and available at:

CAPE shall not discriminate against a student who does not have health care coverage or use any information relating to a student's health care coverage or interest in learning about health care coverage in any manner that would bring harm to the student or the student's family.

Diabetes

CAPE 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.

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

Mental Health Services

CAPE 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 CAPE 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** – CAPE contracts with on off site company to offer counseling services one day per week on our campus. Our CAPE counselor supports 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 CAPE or by an outside provider listed in this section, are voluntary. If you believe your child needs to see the CAPE counselor, please contact the Co-Directors at 805-384-1415.
- **Special education services** – if you believe your child may have a disability, you are encouraged to directly contact Doreen Learned at 805-384-1415 to set up an SST meeting.
- **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 –Diana Lorimer at 805-381-1415.

Available in the Community:

- Ventura County 24 Hour Crisis Team-Suicide and Safety Concerns Crisis Line 1-866-998-2243
- Crisis Text Line Text the word "home" to 741741
- Interface (runaway/homeless) 1-805-469-5882
- Domestic Violence Hotline 7-800-799-7233
- All Ventura County Resources Dial 211

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.

Concussion and Head Injuries

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district, charter school, or private school that elects to offer an athletic program must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until the athlete is evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Sudden Cardiac Arrest

Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. When this happens, blood stops flowing to the brain and other vital organs. SCA is not a heart attack; it is a malfunction in the heart's electrical system, causing the victim to collapse. The malfunction is caused by a congenital or genetic defect in the heart's structure. SCA is more likely to occur during exercise or sports activity, so athletes are at greater risk. These symptoms can be unclear and confusing in athletes. Often, people confuse these warning signs with physical exhaustion. If not properly treated within minutes, SCA is fatal in 92 percent of cases. In a school district, charter school, or private school that elects to conduct athletic activities, the athletic director, coach, athletic trainer, or authorized person must remove from participation a pupil who passes out or faints, or who is known to have passed out or fainted, while participating in or immediately following an athletic activity. A pupil who exhibits any of the other symptoms of SCA during an athletic activity may be removed from participation if the athletic trainer or authorized person reasonably believes that the symptoms are cardiac related. A pupil who is removed from play may not return to that activity until he or she is evaluated by, and receives written clearance from, a physician or surgeon. On a yearly basis, an acknowledgement of receipt and review of information regarding SCA must be signed and returned by the pupil and the pupil's parent or guardian before a pupil participates in specific types of athletic activities which generally does not apply to those conducted during the regular school day or as part of a physical education course. The information sheet on sudden cardiac arrest is available via the following link: <https://www.cdc.gov/dhdsdp/docs/cardiac-arrest-infographic.pdf>.

Opioid Information Sheet

CAPE annually provides each athlete with an Opioid Factsheet for Patients published by the Centers for Disease Control and Prevention. The athlete and, if the athlete is 17 years of age or younger, the athlete's parent or guardian shall sign a document acknowledging receipt of the Opioid Factsheet for Patients and return that document to CAPE before the athlete initiates practice or competition. The fact sheet is available at:

<https://www.cdc.gov/drugoverdose/pdf/AHA-Patient-Opioid-Factsheet-a.pdf>

Human Trafficking Prevention

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. CAPE believes it is a priority to inform our students about (1) 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 medial and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, CAPE 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 in the school 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. An opportunity to review the curriculum will be offered to parents at least two weeks before any instruction begins.

Pregnant and Parenting Students

CAPE 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. CAPE 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 CAPE if it is necessary in order for the student to be able to complete any graduation requirements, unless CAPE 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 CAPE Uniform Complaint Procedures ("UCP"). The complaint may be filed in writing with the compliance officer:

Doreen Learned
Director of Operations
Camarillo Academy of Progressive Education
777 Aileen Street
Camarillo, CA 93010
Phone: 805-384-1415

A copy of the UCP is available upon request at the main office and on the school website. 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 Co-Directors.

Sexual Health Education

CAPE offers comprehensive sexual health education to its students in grades 7 and 9. 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. CAPE 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 CAPE.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by CAPE personnel or outside consultants. When CAPE 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 student's 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 or 9. 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 CAPE.

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 CAPE 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.

CAFETERIA SERVICES

CAPE participates in the National School Lunch Program. Lunch and breakfast/snack menus are available on our website. CAPE contracts with OUHSD for our lunch program.



CAPE offers healthy meals every school day because children need healthy meals to learn. For the 2022-2023 school year food service is free to all students. Students can have breakfast/snack and lunch at no cost.

Morning Nutrition & Brain Breaks

CAPE classes take a morning brain break or nutrition. Students can go to the kitchen before school starts to grab a breakfast/snack and save it for nutrition break. Students may bring their own snack from home if they prefer.

Lunches

If your student brings home lunch, they should bring it with them when arriving at school. Due to safety procedures and in an effort to reduce classroom disruption, student meals and/or food deliveries cannot be accepted in the office. We thank you in advance for your support and understanding. Students can order a lunch from the cafeteria which will be provided free of charge.

LUNCHTIME AND PLAYGROUND BEHAVIOR

During lunch, all food is to be eaten at the lunch tables. In order to maintain a safe and healthy school environment, please observe the following:

Students are expected to:

1. Exercise good table manners and clean up after themselves.
2. Be responsible for bringing or buying their own lunch.
3. Stand in line and make their own lunch purchases.
4. Never play contact games or rough sports (to avoid injuries!).
5. Use equipment as it is intended to be used.
6. Play or visit with classmates in designated areas only.
7. Refrain from throwing rocks or other objects that may cause harm.
8. Be kind and treat others with respect.
9. Contribute positively to a peaceful school environment
10. Use appropriate language.
11. No glass containers

WELLNESS POLICY

INTRODUCTION

CAPE recognizes the link between student health and academic achievement. It is the goal of CAPE to promote the health of its students by supporting wellness, good nutrition, and regular physical activity as vital components of the complete learning environment.

SNACKS

Food served during the school day should make a positive contribution to student's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and beverages that are within the nutritional standards. Students are not to consume caffeinated drinks on campus.

CELEBRATIONS & EVENTS

CAPE encourages the consumption of healthy foods and beverages at school celebrations and events (including classroom parties). Teachers will limit celebrations that involve food during the school day to no more than one party per class per month. It is strongly recommended that any type of classroom or school sponsored activity which will serve food or beverages take place after the lunch meal period, in order to avoid interference with the lunch program. CAPE teachers and staff ask students and parents to refrain from providing sugary, high calorie or high fat foods for group or class celebrations. We ask that families not send foods with added sugar to school for consumption by groups of students or classes. We encourage all families donating snacks to consider donating nut free snacks.

SHARING OF FOODS AND BEVERAGES:

CAPE shall discourage students from sharing their food or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

STUDENT BEHAVIOR and RESPONSIBILITIES

Be Respectful
Be Responsible
Be Safe
Be Kind

SCHOOL RULES AND DISCIPLINARY PROCEDURES

Your behavior is a reflection of your pride towards yourself, your peers, and your school. School-wide and classroom discipline is necessary to ensure your safety and the best possible learning environment. You are, at all times, responsible for your own behavior. Your good behavior and your respect for the feelings of others (students and all school personnel) will help to maintain the positive school climate we all need for a successful school year.

SCOPE OF SCHOOL RULES

All school rules and standards for student behavior as specified in this handbook are in effect: on school grounds, to/from school, and at any school sponsored activities or event.

AUTHORITY OF SCHOOL PERSONNEL

Every student is under the jurisdiction of all school personnel ie: teachers, substitute teachers, guest teachers, instructional aides, and office staff, custodians, etc. All staff are responsible for monitoring student behavior and safety and may assign appropriate consequences.

HANDS TO SELF/HANDS OFF

Fighting and play fighting are not allowed. For the safety of all, we practice a "Hands Off" policy. When you touch others in any way, you are putting yourself at risk for injury, and thus at risk for disciplinary action (including suspension). Keep hands, feet and objects to yourself; no hitting, shoving, running, or horseplay. No "table-topping", "body blows" or "punchlines". In situations that involve fighting, all students who participate may receive consequences regardless of who started it. Refrain from public displays of affection, including kissing, hand holding and hugging.

DISCRIMINATION, HARRASSEMENT, VIOLENCE, INTIMIDATION AND BULLYING

CAPE is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and Education Code section 220, of mental or physical disability, sex (including pregnancy, childbirth or related medical conditions, and parental status), gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, sexual orientation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable federal, state, local law, ordinance or regulation. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within the school will be subject to disciplinary action which may be up to and including expulsion and shall be required to participate in restorative justice classes to educate and put into practice appropriate replacement behaviors. Students who witness acts of discrimination, harassment, violence, intimidation, or bullying related to a school activity or school attendance are expected to report the incident to a trusted adult. To report an incident, please contact [Doreen Learned](mailto:Doreen.Learned@capecharter.org) or [Maryellen Lang](mailto:Maryellen.Lang@capecharter.org) (Doreen.Learned@capecharter.org and Maryellen.Lang@capecharter.org). A copy of the CAPE anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policy is available in this handbook. (See below)

RESPECTFUL LANGUAGE

Children may not make remarks, slurs, name calling, innuendoes, jokes, etc. related to a the actual or perceived characteristics of mental or physical disability, sex (including pregnancy, childbirth or related medical conditions, and parental status), gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, sexual orientation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable federal, state, local law, ordinance or regulation. These remarks made in general or directed toward another child, adult, or family will not be tolerated. Participating in, or conspiring to engage in, acts of hate or violence is prohibited. Intentionally engaging in threats or intimidation that creates disorder, invades the rights of others, or creates a hostile educational environment is prohibited.

Gossip is harmful to our community and should not be engaged in by students, staff, or parents. Gossip causes heartache and hurt feelings and generates grief. Before you repeat a story, ask yourself: Is it true? Is it fair? Is it kind? Is it necessary? Is it beneficial to everyone concerned?

BE AN ALLY

It is not ok to be quiet! If you see something, say something! Students can be an ally by taking the side of the victim by speaking up for the victim, walking away with the victim and/or immediately telling a trusted adult.

UNAUTHORIZED ITEMS AT SCHOOL

Student and staff efforts during the school day should focus on the learning process. Therefore, many items that interfere with the educational process are not allowed at school. All unauthorized items brought to school will be confiscated by staff and may or may not be returned directly to the student. Possession of unauthorized items may lead to disciplinary action, including but not limited to suspension or expulsion.

Items include but are not limited to: **permanent markers/sharpiers** (except as provided by teachers), **energy drinks, water balloons, electronic games**, iPods, electronic devices including cell phones/wireless communication devices **laser pens/pointers**, silly string, **trading cards**, aerosol cans, weapons or weapon look-alikes, drugs and drug paraphernalia including, but not limited to **alcohol, vapes**, pipes, rolling papers, and lighters, stink bombs, toys, chains, hobby/collectibles, or other items that are not related to classroom instruction and learning.

Clothing accessories or other items may not display words, pictures or phrases promoting violence, gang affiliation, profanity, sexual reference, or other categories deemed inappropriate by school personnel.

Parents may recover confiscated items, excluding illegal items held in evidence, upon administrative approval within a reasonable period of time. Items not recovered within a reasonable period of time will be discarded. CAPE is not responsible for materials confiscated from students while at school. The primary objectives of requiring you not bring restricted materials to school are to ensure that you focus on educational tasks, to assure your safety, and to prevent the loss of or damage to private property.

PERSONAL POSSESSIONS

Toys and other personal items which are used for sharing time or for enhancement of the school's educational program may be brought to school by students if prior approval has been obtained by the teachers. For safety reasons and to protect personal property, all other toys and playground equipment should remain at home. This includes trading cards. If a student brings in a ball for playground use it is to be checked with the teacher or the office and will be available for all students to use. Real weapons and "look alike" weapons are not allowed at school at any time.

WEAPONS AND DANGEROUS INSTRUMENTS

No student shall bring a weapon, including a firearm, explosive, knife, any dangerous or illegal instrument, or any instrument represented as one of the above items or that reasonably appear to be a weapon to school. No students shall interfere with normal activities, occupancy, or use of any building or portion of campus by exhibiting, using, or threatening to exhibit or use any weapon or any item that is represented as or that reasonably appears to be a weapon.

Any article which could endanger or be used as a weapon will be confiscated immediately, and depending on circumstances, parents and/or police may be called. - Any student violating the Weapons and Dangerous Instruments Policy shall be (a) suspended; or (b) expelled.

Weapons and dangerous instruments include, but are not limited to:

1. Firearms - pistol, revolver, shotgun, rifle, "zip gun," "stun gun", taser, **laser pen light**, and any device capable of chemically propelling a projectile. For school purposes, this includes air-guns, CO2 guns, paint guns, BB guns, pellet guns and dart guns, and non-operating devices made to look like a firearm which might be used for intimidation. Penal Code 417.27, 12550, 12556
2. Cutting and puncturing devices, dirks, daggers, legal knives, illegal knives (knives longer than two and one-half inches, folding knives with a blade that locks into place), razors with an unguarded blade and any other device capable of cutting or puncturing.
3. Explosive and/or incendiary devices: pipe bombs, time bombs, tear gas and tear gas weapons, i.e. pepper spray, cap guns, caps, containers of inflammable fluids, and other hazardous devices.
4. Any other dangerous device, instrument or weapon, especially those defined in Penal Code 12020, including a blackjack, slingshot, billy club, nunchucks, and club, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edge designed for use as a weapon.
5. Other - any other objects that could be used to inflict harm.

Rules are for the safety and well-being of everyone. Infractions of the rules will lead to certain consequences and disciplinary procedures. Referrals are reports written by school employees about behavior. A referral usually states that you have an attendance, behavior, and/or academic problem. Referrals are usually handled by the teacher, school Directors (Principals), or designee. Referrals written for severe infractions or multiple infractions may result in higher levels of progressive discipline.

Listed below are examples of consequences:

1. Warning
2. Parent contact
3. Loss of privileges and/or guidance session
4. Restorative Justice
5. On-Campus Suspension (OCS) may be used in lieu of suspension for certain offenses. OCS is held during the school day. Assignment to OCS is made by an administrator for a period of one to five days. You will remain in OCS during the length of the school day, including lunch period. Restroom breaks are scheduled. When in OCS, you are expected to complete all assignments and service projects provided by your teachers. When you are disruptive in OCS, you are subject to more severe disciplinary action.
6. Suspension and expulsion (see Suspension/Expulsion section below).

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, and BULLYING

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Camarillo Academy of Progressive Education ("CAPE") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy, childbirth or related medical conditions, and parental status), gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist),

religion (including agnosticism and atheism), religious affiliation, sexual orientation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable federal, state, local law, ordinance or regulation. Hereafter, such actions are referred to as “misconduct prohibited by this Policy.”

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

Moreover, CAPE will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom CAPE does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. CAPE will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and take appropriate corrective action, if warranted. CAPE complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

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

Co-Directors

Maryellen Lang and Doreen Learned

Camarillo Academy of Progressive Education “CAPE”

777 Aileen Street

Camarillo, CA 93010

Phone: 805-384-1415

Email Address: Maryellen.lang@capecharter.org and Doreen.learned@capecharter.org

Definitions

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school because of sex, race or any other protected basis
- Retaliation for reporting or threatening to report harassment
- Deferential or preferential treatment based on any of the protected characteristics listed above

Prohibited Unlawful Harassment under Title IX

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

CAPE is committed to providing a workplace and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

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 the educational institution.

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

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body

- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct
 - Subjecting or threats of subjecting 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

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

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

Prohibited Bullying

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

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

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

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of “bullying,” above
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of “Cyber sexual bullying” including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. “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.
4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in CAPE’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that CAPE investigate the allegation of sexual harassment.

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

Bullying and Cyberbullying Prevention Procedures

CAPE has adopted the following procedures for preventing acts of bullying, including cyberbullying.

1. Cyberbullying Prevention Procedures

CAPE advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- d. To consider how it would feel receiving such comments before making comments about others online.

CAPE informs Charter School employees, students, and parents/guardians of CAPE’s policies regarding the use of technology in and out of the classroom. CAPE encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

2. Education

CAPE employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. CAPE advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at CAPE and encourages students to practice compassion and respect each other.

CAPE educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

CAPE's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

CAPE informs its employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

3. Professional Development

CAPE annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other CAPE employees who have regular interaction with students.

CAPE informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

CAPE also informs certificated employees about the groups of students determined by CAPE, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth ("LGBTQ") and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

CAPE encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for our students.

Grievance Procedures

1. Scope of Grievance Procedures

CAPE will comply with its Uniform Complaint Procedures ("UCP") policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person's association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- a. Are written and signed;
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the CAPE UCP Compliance Officer not later than six (6) months from the date the alleged unlawful 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.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, CAPE will utilize the following grievance procedures in addition to its UCP when applicable.

2. Reporting

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

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

Maryellen Lang and Doreen Learned
Co-Directors
777 Aileen Street
Camarillo, CA 93010
Email: Maryellen.lang@capecharter.org and Doreen.learned@capecharter.org
Phone: 805-384-1415

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. CAPE will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Director, 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.

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

CAPE 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. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff and any individual designated as a coordinator, investigator or decision-maker will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

3. Supportive Measures

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will 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 of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to CAPE's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or CAPE's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. CAPE will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of CAPE to provide the supportive measures.

4. Investigation and Response

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of CAPE, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant and any other relevant parties of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator (or administrative designee) will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or administrative designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

Notice of the Allegations

- Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
- A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
- A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
- A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
- A statement that CAPE prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.

Emergency Removal

- CAPE may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with CAPE's policies.
- CAPE may remove a respondent from CAPE's education program or activity on an emergency basis, in accordance with CAPE's policies, provided that CAPE undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual 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 may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

Informal Resolution

- If a formal complaint of sexual harassment is filed, CAPE may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If CAPE offers such a process, it will do the following:
- Provide the parties with advance written notice of:
- The allegations;
- The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
- The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
- Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
- Obtain the parties' advance voluntary, written consent to the informal resolution process.
- CAPE will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Investigation Process

- The decision-maker will not be the same person(s) as the Coordinator or the investigator. CAPE shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
- In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the

investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

- 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 to gather and present 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.
- Prior to completion of the investigative report, CAPE 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's consideration prior to the completion of 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.

Dismissal of a Formal Complaint of Sexual Harassment

- If the investigation reveals that the alleged harassment did not occur in CAPE's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable CAPE policy.
- CAPE may dismiss a formal complaint of sexual harassment if:
 - The complainant provides a written withdrawal of the complaint to the Coordinator;
 - The respondent is no longer employed or enrolled at CAPE; or
 - The specific circumstances prevent CAPE from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
- If a formal complaint of sexual harassment or any of the claims therein are dismissed, CAPE will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.

Determination of Responsibility

- The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
- CAPE will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
 - The allegations in the formal complaint of sexual harassment;
 - All 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 about the application of CAPE's code of conduct to the facts;
 - The decision and rationale for each allegation;
 - Any disciplinary sanctions the recipient imposes on 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.

5. 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 CAPE or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by CAPE in response to a formal complaint of sexual harassment.

6. Right of Appeal

Should the reporting individual find CAPE's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of CAPE's decision or resolution, submit a written appeal to the President of the CAPE Governing Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and CAPE will implement appeal procedures equally for both parties.
- CAPE will notify the other party in writing when an appeal is filed.

- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

7. Recordkeeping

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

CAPE 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 sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

DRESS CODE (Dress for Success!)

All students are expected to demonstrate high standards of appearance and appropriate dress at school and on field trips. The dress code is in place to support safety and a positive learning environment. The dress code may slightly limit personal choice of styles or inconvenience some individuals. However, the rules established for the school will support an atmosphere of learning and are for the good and safety of all. Students and parents should make sure that cleanliness, health and safety are guides to acceptable school attire.

Students will receive one warning about a Dress Code violation and will be required to replace an article of clothing with a loaner from school or may be asked to turn a t-shirt inside out. After a first warning, parents will be called and asked to bring appropriate clothes, accessories or shoes to school. Please see below for specific requirements:

1. **Clothing must not interfere with the student's ability to perform assigned class activities or pose a health or safety hazard.**
2. Students are expected to wear closed-toe shoes at all times and shoes must provide protection and not be a safety hazard during regular school activities. Examples of shoes that are not acceptable are: flip flops, open-toed shoes, bare strap type sandals or dressy shoes with high heels (shoes with a heel higher than 1 inch must be approved by school administration).
3. Clothing that advocates or is considered by school administration to represent inappropriate language, drugs, alcohol, any known gang affiliation or appearance, violence, weapons, demon/death related symbols, or illegal acts will not be allowed.
4. Clothing that contains sexually suggestive language, rude comments, double meanings, derogatory language directed at a particular gender, race, ethnic group, disability, religion or other protected group is also prohibited.
5. All clothing must be neat and clean in appearance and in good repair.
6. Clothing must cover undergarments at all times.
7. Pants and shorts must be worn at the waist and be able to stay up without a belt or other support.
8. Wallet chains, chains worn as bracelets or necklaces, large or spiked rings, spike bracelets or necklaces, or other objects deemed by school administration to be potentially dangerous are not permitted.
9. Cosmetics and jewelry which distracts or calls undue attention are not allowed. Parents/guardians are encouraged not to allow students to wear or bring valuable jewelry to school.
10. Sunglasses, caps, hats or hoods are not allowed in the classroom unless needed for medical or religious reasons. Parents must provide a letter indicating the special needs. Hats, caps, and sunglasses may be worn on the playground and at PE for sun protection.

CELLULAR PHONES (and other electronic devices)

Ringling and vibrating cell phones are disruptive during class time. Camera phones and text messaging are also major disruptions to instruction. Phones are stolen, loaned to other students, and may be lost or broken. The use of cell phones at school can be detrimental to the academic climate because it takes valuable time away from instruction and creates distractions to the learning process.

CAPE is not responsible for lost, stolen, or broken cell phones or other electronic devices.

Due to the increasing frequency of lost, damaged, and stolen cell phones, and other electronic devices, CAPE will generally be unable to investigate stolen items. Their security is the sole responsibility of the student, and we therefore strongly urge families to keep electronics and other costly belongings at home. Only in the case of extenuating circumstances will reports of stolen or lost devices be turned over to the police.

All cell phones and any other electronic devices must be turned off and kept in backpacks or lockers at the middle school OR in backpacks or classrooms in teachers' technology baskets at the elementary school. They must not be visible. Students may not use their cell phones or have them visible once entering campus at the start of the school day and until exiting campus. Using a cell phone as a clock or saying that it "fell out of my pocket" is not an excuse to have a cell phone out.

We understand the need and convenience of cell phones for students of a particular age. For this reason, a student may use his or her phone before or after the school day off campus. If a student has a matter that requires contacting a parent, they must do so under the supervision and with the permission of a staff member using a land line from the main office or with the help of a teacher from the teacher's classroom. Students may not loan their cell phones to other students to use during school hours.

Because of the disruption to the instructional process, if a student is using a cell phone (any of the functions) for any reason during the restricted time, students will be held accountable, and the following consequences will be imposed:

- Phone will be taken from the student.
- Discipline will take place (loss of privileges, detentions, suspensions, etc.) at the discretion of school administration.
- The cell phone will be returned only to the Parent/Guardian of the student. The student, sibling, neighbor or relative other than the parent/guardian, may not pick up the phone.

Students who have cell phones confiscated more than two times will be placed on a behavior contract and may be subject to further discipline. The school may also require the student to check the phone into the office for repeat offenders.

We realize that having to pick up a student's phone may be inconvenient for parents and guardians and therefore we recommend you discuss this policy with your student in order to avoid this problem. We also ask you to keep in mind that the use of cell phones is not only disruptive in class, they are an inconvenience to teachers and staff that must stop what they are doing to correct the problem. Confiscated phones will be labeled with the student's name and kept in the main office until the parent takes possession.

Notwithstanding the above, a student shall not be prohibited from possessing or using a cellular phone under any of the following circumstances:

- (1) In the case of an emergency, or in response to a perceived threat of danger.
- (2) When a teacher or administrator of CAPE grants permission to a student, subject to any reasonable limitation imposed by that teacher or administrator.
- (3) When a licensed physician and surgeon determines that the possession or use of a cellular phone is necessary for the health or well-being of the student.
- (4) When the possession or use of a cellular is required in a student's individualized education program.

PARENT MESSAGES AND TELEPHONE CALLS

We request your cooperation in limiting phone calls, deliveries, and other classroom disruptions to emergencies only. Because classroom time is valuable, we aim to minimize disruptions. If your child brings a home lunch, please send the lunch with your child in the morning. Lunches, forgotten books and assignments, or other items will be kept in the main office until break time when the student will be notified and may pick up the item(s). Every time a classroom door is opened, concentration and instruction are interrupted. Our teachers thank you for keeping disruptions to a minimum!

Student Admission Policies and Procedures

CAPE will actively recruit an ethnically, linguistically, socio-economic, and special needs diverse student population whose families understand and value the school's mission, are committed to the school's instructional and operational philosophy, and whose children will benefit from the school's design. CAPE will be nonsectarian in its programs, admission policies, and all other operations,

and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

CAPE shall admit all pupils who wish to attend CAPE. No test or assessment shall be administered to students prior to acceptance and enrollment into CAPE. CAPE will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state.

CAPE shall require students who wish to attend CAPE to complete an application form. If the number of applications exceeds the number of spaces available in the school, admission, except for existing students of CAPE who are guaranteed admission in the following school year, acceptance and enrollment shall be determined by a random lottery. The random lottery will be conducted by grade level and will be conducted in the month of February.

CAPE will give admission preference in the random lottery to the following students in the following order:

- Siblings of existing students
- Children of Full-Time CAPE Faculty/Staff
- All other students applying

After the deadline for applications has passed and a random lottery, as needed, has been conducted, parents will be notified by phone if there is a space available for their child. Applications will continue to be received and processed until all available spaces have been filled. Families whose children have been admitted to the school will be required to fill in registration packets and provide all immunization and emergency information.

Racial and Ethnic Balance

CAPE shall be non-sectarian in its programs, admission policies, employment practices and all other operations; shall not charge tuition; and shall not discriminate against any pupil on the basis of any of the characteristics described in Education Code Section 220.

In order to establish a student population which mirrors the ethnic, linguistic, socio-economic, and special needs of the Oxnard Plains, CAPE will advertise throughout Ventura County communities in Spanish and English.

The process for seeking admission to CAPE will be advertised in a variety of ways. Advertisements will be placed in the local newspaper and Spanish media outlets across Ventura County. Information packets will be available through the school's office and on the website to families and will include the school's mission and vision statements, and descriptions of the school's programs and instructional organization. Information tours will be held in January and February for interested families. Families are highly encouraged to attend an orientation/tour of the program prior to applying to ensure commitment/understanding of the program.

MISCELLANEOUS

CHILD FIND SYSTEM

CAPE provides special education instruction and related services in accordance with the Individuals with Disabilities in Education Improvement Act ("IDEA"), Education Code requirements, and applicable policies and procedures of the Ventura County SELPA. These services are available for special education students enrolled at CAPE. We offer high quality educational programs and services for all our students in accordance with the assessed needs of each student. CAPE 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, CAPE is responsible for identifying, locating, and evaluating children enrolled at our school 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. CAPE 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 Co-Directors.

Maryellen Lang and Doreen Learned

Co-Directors
777 Aileen Street
Camarillo, CA 93010
Email: Maryellen.lang@capecharter.org and Doreen.learned@capecharter.org
Phone: 805-384-1415

SECTION 504

CAPE 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 CAPE. 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 CAPE. The parent/guardian of any student suspected of needing or qualifying for accommodations under Section 504 may make a referral for an evaluation to the Co-Directors. Contact information is located above this paragraph. A copy of CAPE's Section 504 policies and procedures is available upon request at the main office.

LOST AND FOUND

Any lost personal articles or books, which are found, are to be placed in the lost and found receptacle in the CAPE office. It is the responsibility of students or parents to search lost and found for missing articles. Articles will be removed monthly and donated to charity.

NON-DISCRIMINATION

CAPE is committed to providing a safe school environment where all individuals in education are afforded equal access and opportunities. The school's academic and other educational support programs, services and activities shall be free from discrimination, harassment, intimidation, and bullying of any individual based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance.

CAPE 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").

CAPE does not discourage students from enrolling or seeking to enroll in CAPE 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. CAPE shall not encourage a student currently attending CAPE 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 CAPE's charter and relevant policies.

CAPE does not request nor require student records prior to a student's enrollment.

CAPE 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 inquires about enrollment; (2) before conducting an enrollment lottery; and (3) before disenrollment of a student.

CAPE 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). CAPE 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. CAPE 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 CAPE does business, or any

other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. CAPE will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

The lack of English language skills will not be a barrier to admission or participation in school programs or activities. Complaints of unlawful discrimination, harassment, intimidation, or bullying based on protected characteristics are investigated through the CAPE Uniform Complaint Process or the CAPE Title IX, Harassment, Intimidation, Discrimination and Bullying Policy. For a complaint form, a copy of these policies or additional information, contact: Maryellen Lang or Doreen Learned. CAPE prohibits retaliation against anyone who files a complaint or who participates or refuses to participate in a complaint investigation.

EDUCATIONAL EQUITY: IMMIGRATION AND CITIZENSHIP STATUS

All persons in public schools, regardless of their Immigration status, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, are to be afforded equal rights and opportunities in the schools, and are not to be discriminated against on the basis of these specific characteristics in any program or activity conducted by the school that receives or benefits from state financial assistance or enrolls students who receive state financial aid. School officials are prohibited from collecting information or documents regarding citizenship or immigration status of students or their family members. Schools are to adopt a policy that prohibits and adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. The superintendent of a school district or county office of education and principal of a charter school are to report to the governing board of local educational agency in a timely manner any requests for information or access to the school site by an officer or employee or a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. Schools are encouraged, when an employee is aware that a student's parent or guardian is not available to care for the student, to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the student's care unless the school is able to arrange for care through the use of emergency contact information or instructions provided by the student's parent or guardian. Governing boards or schools are to provide information to parents and guardians as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. Schools and school districts will adopt by July 1, 2018, model policies created by the California Attorney General, limiting immigration enforcement at public schools ensuring that public schools remain safe and accessible regardless of immigration status.

PESTICIDE PRODUCTS

To obtain a copy of all pesticide products and expected use at the school facility during the year, and to receive notification of individual pesticide applications at the school at least 72 hours before the application, please contact Doreen Learned, Director of Operations. The notice will identify the active ingredient(s) in each pesticide product, the intended date of application an Internet address on pesticide use and reduction, and the Internet address where the school site integrated pest management plan may be found if the school site has posted the plan.

SURVEYS

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. Questions pertaining to the sexual orientation and gender identify of a student shall not be removed from a survey that already includes them.

PETS

Unless requested by a teacher for a specific class project, pets are not allowed on campus. For health and safety reasons pets are not allowed on campus during drop-off and pick-up times.

CLASSROOM VISITATIONS

Parents are always welcome at CAPE. Many parents regularly volunteer in the classroom or on campus. If you wish to visit your child's classroom for a formal visit or observation, please call and make an appointment at least 24 hours in advance. It is suggested that the length of the formal visit be limited to 20-30 minutes to minimize disruption to the instructional process.

All visitors must sign in and obtain a visitor's badge at the office before going to the classroom. If parents want to talk with the teacher regarding their child's progress, please make the appointment for before or after school. Teachers cannot take phone calls during the school day.

HARM OR DESTRUCTION OF ANIMALS

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform their teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

FOSTER YOUTH EDUCATIONAL PLACEMENT

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

1. "Foster youth" refers to any child who has been removed from their home pursuant Welfare and Institutions Code section 309 and/or is the subject of a petition filed under Welfare and Institutions Code section 300 or 602. This includes children who are the subject of cases in dependency court and juvenile justice court.
2. "Former juvenile court school pupils" refers to a student who, upon completion of the student's second year of high school, transfers from a juvenile court school to CAPE.
3. "Child of a military family" refers to a student who resides in the household of an active duty military member.
4. "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 CAPE from another Local Educational Agency ("LEA"), either within California or from another state, in order 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. "Currently Migratory Child" 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.
5. "Pupil participating in a newcomer program" means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

Within this notice, foster youth, former juvenile court school pupils, a child of a military family, a currently migratory child, and a pupil participating in the newcomer program 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."

Foster and Mobile Youth Liaison: The CAPE Governing Board designates the following staff person as the Liaison for Foster and Mobile Youth:

Doreen Learned
Director of Operations
777 Aileen Street
Camarillo, CA 93010

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: CAPE will work with foster youth and their parent to ensure that each pupil 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 pupils, 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. CAPE will immediately enroll a foster youth, currently migratory child or child of a military family seeking reenrollment in CAPE as the student's school of origin (subject to CAPE's capacity and pursuant to the procedures stated in CAPE's charter and Board policy). If a dispute arises regarding a foster youth's request to remain in CAPE as the school of origin, the foster youth has the right to remain at CAPE pending the resolution of the dispute. CAPE will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to CAPE (subject to CAPE's capacity and pursuant to the procedures stated in CAPE's charter 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 Transitional 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.

Acceptance of Course Work: CAPE 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.

CAPE 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, CAPE shall not require the student to retake the portion of the course the student completed unless CAPE, 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 CAPE 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"), CAPE shall provide these student records within two (2) business days. CAPE shall compile the complete educational record of the pupil, 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 pupil'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 record keeping needs of Foster and Mobile Youth.

CAPE 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 in 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 CAPE.

In accordance with CAPE's Educational Records and Student Information Policy, under limited circumstances, CAPE 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 parental consent.

Discipline Determinations: If CAPE intends to extend the suspension of any foster/ youth pending a recommendation for expulsion, CAPE 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 CAPE 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, CAPE 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 CAPE'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 Foster and Mobile Youth who enrolls at CAPE, a copy of CAPE’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 YOUTH

The term “homeless children and youth” means individuals who lack a fixed, regular and adequate nighttime residence due to economic hardship. It includes children and youths who (42 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 School Liaison.

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

Doreen Learned
Director of Operations
777 Aileen Street
Camarillo, CA 93010

School Liaison shall ensure that (42 U.S.C. § 11432(g)(6)):

1. Homeless students are identified by school personnel and through outreach and coordination activities with other entities and agencies.
2. Homeless students enroll in and have a full and equal opportunity to succeed at CAPE.
3. 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.
4. 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.
5. Enrollment/admissions disputes are mediated in accordance with law, CAPE’s charter, and Board policy.
6. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
7. CAPE personnel providing services receive professional development and other support.
8. School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
9. 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 School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

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/>

Acceptance of Course Work: CAPE 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.

CAPE 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, CAPE shall not require the student to retake the portion of the course the student completed unless CAPE, 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.

For any homeless student who enrolls at CAPE, a copy of CAPE'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.

PARENT RIGHTS

General Complaints

This policy is for use when either a complaint does not fall under other complaint procedures or a third party (non-employee) raises a complaint or concern about CAPE generally, or a CAPE employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Co-Directors or President of the CAPE Governing Board (only if the complaint concerns the Co-Directors) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, the Co-Directors (or designee) shall abide by the following process:

1. The Co-Directors or designee shall use their best efforts to ascertain the facts relating to the complaint and talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts.
2. In the event that the Co-Directors (or designee) finds that a complaint is valid, the Co-Directors (or designee) may take appropriate action to resolve the problem. Where the complaint is against an employee of CAPE, the Co-Directors may take disciplinary action against the employee. As appropriate, the Co-Directors (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Co-Directors' (or designee's) decision relating to the complaint shall be final unless it is appealed to CAPE Governing Board. The decision of the CAPE Governing Board shall be final.

General Requirements

1. **Confidentiality:** All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be guaranteed.
2. **Non-Retaliation:** All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

3. **Resolution:** The CAPE Governing Board (if a complaint is about either of the Co-Directors) or the Co-Directors or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians 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 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or designee] a written request that identifies the record(s) they wish to inspect. The School 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/guardian or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents/guardians or eligible students who wish to ask the School to amend a record that they believe is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA should write the School principal [or designee], clearly identify the part of the record they want changed and specify why it should be changed. If the School decides not to amend the record as requested by the parent/guardian or eligible student, the School will notify the parent/guardian or eligible student of the decision and advise them 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 School decides to amend the record as requested by the parent or eligible student, the School principal or designee 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 School discloses personally identifiable information (PII) contained in 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 School officials with legitimate educational interests. A School official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person, volunteer, contractor or company outside of the School who performs an institutional service or function for which the School 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, or therapist; a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer or company or assisting the School in performing an institutional function or service. A school 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 School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

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

CAPE may disclose appropriately designated "directory information" to outside organizations without a parent's/guardian's prior written consent, unless you have advised the school to the contrary in accordance with CAPE's procedures. Directory information is information that is generally not considered harmful or an invasion of privacy if released. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. The primary purpose of directory information is to allow CAPE to include this type of information from your child's education records in certain school publications. Examples include but are not limited to:

- ✓ The annual yearbook;
- ✓ A program for a show or presentation, showing your student's role;
- ✓ Honor roll or other recognition lists;
- ✓ Forward directory information to high school district upon promotion;
- ✓ Graduation programs; and
- ✓ Sports activity sheets, such as for basketball
- ✓ Others listed in the paragraph above.

CAPE 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 and video
8. Date and place of birth
9. Dates of attendance
10. Grade level
11. Participation in officially recognized activities and sports
12. Weight and height of members of athletic teams
13. Degrees, honors, and awards received
14. The most recent educational agency or institution attended
15. Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's social security number, in whole or in part, cannot be used for this purpose.)

If you do not want CAPE to disclose directory information from your child's education records without your prior written consent, you must notify the School in writing by September 1st.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School 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 20202-5901

5. The right to request that the School 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 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 School 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 School to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. The School 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. School 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 School 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 School will make a reasonable attempt to notify the parent or eligible student of the request for records at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, the School will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing;
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 School 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 non related 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 School for student and parents, and any individualized education program (“IEP”) or Section 504 plan that may have been developed or maintained by the School; 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 School with respect to that alleged crime or offense. The School discloses the final results of the disciplinary proceeding regardless of whether the School concluded a violation was committed.

Teacher Qualification Information and Parent and Family Engagement

All parents or guardians may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals. The CAPE Charter promotes active involvement of all families as partners with schools to ensure student success. A copy of CAPE’s Charter is available upon request in the main office.

Uniform Complaint Procedures

CAPE is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. CAPE shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by our CAPE Governing Board 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 CAPE program or activity.
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - Accommodations for Pregnant, Parenting or Lactating Students;
 - Adult Education;
 - Career Technical and Technical Education;
 - Career Technical and Technical Training;

- Child Care and Development Programs;
- Consolidated Categorical Aid;
- 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;
- Migrant Education Programs;
- Regional Occupational Centers and Programs; and/or
- School Safety Plans.

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 Co-Directors of CAPE.

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 CAPE 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:

Doreen Learned and Maryellen Lang
 Co-Directors
 777 Aileen Street
 Camarillo, CA 93010
 Phone: 805-384-1415

Only complaints regarding pupil fees or LCAP compliance may be filed anonymously and only if the anonymous complainant provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees or LCAP.

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 CAPE’s Governing Board approved the LCAP or the annual update was adopted by CAPE’s Governing Board.

The Compliance Officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with CAPE’s UCP Policy. The Compliance Officer shall provide the complainant with a final

written investigation report (“Decision”) within sixty (60) calendar days from CAPE’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 CAPE’s Decision to the California Department of Education (“CDE”) by filing a written appeal within thirty (30) calendar days of the date of the CAPE’s written Decision, except if CAPE 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 CAPE, a copy of CAPE’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. CAPE failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, CAPE’s Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in CAPE’s Decision are not supported by substantial evidence.
4. The legal conclusion in CAPE’s Decision is inconsistent with the law.
5. In a case in which CAPE’s Decision found noncompliance, the corrective actions fail to provide a proper remedy.

A complainant who appeals CAPE’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.

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 CAPE finds merit in a UCP complaint, or the CDE finds merit in an appeal, CAPE 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 CAPE’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 CAPE has appropriately, and in a timely manner, apprised the complainant of the complainant’s right to file a complaint in accordance with 5 CCR § 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 Co-Directors.

DISCIPLINE POLICIES

Discipline policies for CAPE are based on concepts of positive behavioral support and a progressive discipline process that will involve the children, the school staff, and the child’s parent(s)/guardian(s). The discipline policies are guided by the view that children should be accountable for their behavior. The climate is one of support, understanding, and respect. Every effort will be made to model appropriate behavior and to be proactive in preventing the need for undesirable behavior.

Underlying this progressive discipline process is the belief that retaining students in their learning environment is essential. If, as students progress through the process, it is determined that CAPE is not considered to be the best educational environment for the child, efforts will be made to find an appropriate match for the student. There is a commitment to providing students an opportunity to experience the benefits of the curriculum in an environment that fosters and promotes their potential, achievement, and well-being. Certain expectations of the students are therefore essential to achieving these aims. Student attentiveness, cooperation, punctuality, an attitude of readiness, and respect for peers, adults and property are manifestations of proper behavior. When there is divergence from these expectations, the staff, the student, and the student's parent(s)/caregiver(s) will seek age-appropriate interventions which redirect inappropriate behaviors into more successful behaviors with the least disruption to the student(s) educational program and class. A desire of the discipline process is to maintain the child in the learning environment and implement interventions that are least restrictive to the individual(s) involved.

The process developed and described is not discriminatory, arbitrary or capricious. Procedures follow general principles of due process. Pursuant to all state laws and CAPE's Policies and Procedures, the following steps may be taken to enforce necessary regulations.

The non-exhaustive listing below of minimum and maximum disciplinary actions does not imply or require that a "step by step" progression of increasing severity be used by school staff in dealing with a violation. In most cases, disciplinary action is dependent upon each individual situation and the previous behavior record of the student.

******In accordance with state law, all school rules apply on the way to and from school, on CAPE's campus and during CAPE school-related activities.***

1. Verbal and/or written warnings.
2. Individual teacher consequences.
3. Loss of privileges.
4. Notices to parent(s)/caregiver(s) by telephone, email and/or letter.
5. Parent/staff/student conference.
6. Referral to SARB.
7. Parent to accompany student to school.
8. In lieu of suspension from school where appropriate: alternative in-school placement.
9. Progressive discipline up to and including suspension and expulsion.

Discipline policies conform to federal law regarding all students who attend the school. Students served pursuant to the terms of a special education Individual Education Plan (IEP) may be subject to federal statutory and case law. Disciplinary matters involving these students will be carried out in consultation with staff knowledgeable about the provisions of the Individuals with Disabilities Act (IDEA) and the California Education Code. All decisions affecting the students who attend CAPE will be afforded the rights of due process. The school will notify the child's district of any action that results in the students being moved to an alternative placement. CAPE adheres to the California Education Code as it is currently constituted regarding alternative placement as outlined under Section 47605 (c)(5)(J), the procedures by which students can be suspended or expelled.

Serious behavior may be grounds for suspension or expulsion from school. Please see the full Suspension and Expulsion Policy and Procedures below.

SCHOOL PROPERTY

The cleanliness of the school buildings and grounds is the responsibility of all students, staff, and parents. Students are expected to respect school property and the property of others. Willfully defacing property, real or personal will result in a disciplinary action and/or fees for damages in accordance with the law and the Student Code of Conduct.

ILLEGAL SUBSTANCES and WEAPONS

Any student found in possession or use of illegal substances (drugs) or weapons (including pocket knives) is subject to both school consequences and the jurisdiction of the police.

NO USE STATEMENT

CAPE recognizes that the use of alcohol, other drugs, and tobacco and the problems associated with these are becoming increasingly common in our society and among youth. CAPE also recognizes that the use of alcohol, drugs, and tobacco often precedes the development of problems. For that reason, we believe that "no use" of alcohol, drugs or tobacco by students is desirable.

CAPE believes that it is in the best interest of the community for it to take steps to promote, enhance, and maintain an alcohol, tobacco and drug-free school system and student body, and that along with parents/guardians and other segments of the community it has a role to play in helping students to remain alcohol, tobacco and drug-free.

SUSPENSION AND EXPULSION POLICY AND PROCEDURES

Policy

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and wellbeing of all students at Camarillo Academy of Progressive Education (“CAPE” or the “Charter School”). In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non-charter schools 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 Charter School 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 or expulsion.

Consistent with this policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as CAPE’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 charter so long as the amendments comport with legal requirements.

Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and 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 the Policy, corporal punishment does not include an employee’s use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians 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 Executive Director’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.

A student identified as an individual with disabilities or for whom CAPE 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 mandates additional or different procedures. CAPE 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 CAPE 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 CAPE 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) 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 or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform the student, the student’s parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student’s parent, guardian, or

educational rights holder's right to request a hearing to challenge the involuntary removal. If the student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until CAPE 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.

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; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the pupil:

- 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.
- 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 pupil.
- 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 pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this 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 pupils 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 subdivision (e) of Section 233 of the Education Code. This provision shall apply to pupils 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 pupils 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 CAPE.
- 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 having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this 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 pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(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 Executive Director or designee’s concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the pupil:
- 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 Executive Director or designee’s concurrence.
 - b) Brandishing a knife at another person.
 - c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
 - d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 of former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4

3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the pupil:

- 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.
- 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 pupil.
- 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 drugs.
- 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 pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this 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 pupils 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 subdivision (e) of Section 233 of the Education Code. This provision shall apply to pupils 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 pupils 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.

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

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

5) "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:

iv. A message, text, sound, video, or image.

v. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

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

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

vi. An act of cyber sexual bullying.

(c) 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 pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(d) 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.

6) 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 pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(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 Executive Director or designee’s concurrence.

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

- 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 Executive Director or designee’s concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 of 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 pupil shall be provided due process rights of notice and a hearing as required in this policy.

CAPE 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 Co-Directors or designee with the student and their parent/guardian and, whenever practical, the teacher, supervisor or CAPE employee who referred the student to the Co-Directors or designee.

The conference may be omitted if the Co-Directors 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 CAPE personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against 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 pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

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

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense(s) committed by the student as well as the date the student may return to school following the suspension. In addition, the notice may also state the time when the student may return to school. If CAPE 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 Co-Directors or designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when CAPE has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

4. Homework Assignments During Suspension

In accordance with Education Code Section 48913.5, 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 48913.5(b), if a homework assignment that is requested pursuant to Section 48913.5(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 neutral and impartial CAPE Governing Board following a hearing before it or by the CAPE Governing Board upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the CAPE Governing Board as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the CAPE Governing Board. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the CAPE Governing Board 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 Co-Directors or designee determines that the pupil 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 CAPE Governing Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under the Family Educational Rights and Privacy Act "FERPA") unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of CAPE'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 CAPE 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

CAPE 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 CAPE or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of 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. CAPE 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, CAPE must present evidence that the witness' presence is both desired by the witness and will be helpful to CAPE. 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 pupil 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 circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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 CAPE Governing Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have 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 Board of Directors, which will make a final determination regarding the expulsion. The CAPE Governing Board shall make the final determination regarding the expulsion within ten (10) school days following the conclusion of the hearing. The decision of the CAPE Governing Board is final.

If the Administrative Panel decides not to recommend expulsion, or the CAPE Governing Board ultimately decides not to expel, the student shall immediately be returned to their previous educational program.

J. Written Notice to Expel

The Co-Directors or designee, following a decision of the CAPE Governing Board to expel, shall send written notice of the decision to expel, including the CAPE Governing Board adopted findings of fact, to the student and the 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 CAPE.

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

K. Disciplinary Records

CAPE shall maintain records of all student suspensions and expulsions at CAPE. Such records shall be made available to the authorizer upon request.

L. No Right to Appeal

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

M. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. CAPE shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

N. Rehabilitation Plans

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

O. Readmission or Admission of Previously Expelled Student

The decision to readmit a pupil after the end of the student's expulsion term or to admit a previously expelled pupil from another school, district or charter school 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 CAPE Governing Board following a meeting with the Co-Directors or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Co-Director or designee shall make a recommendation to the CAPE Governing Board following the meeting regarding the Co-Directors 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 pupil's readmission is also contingent upon CAPE's capacity at the time the student seeks readmission or admission to the Charter School.

P. Notice to Teachers

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

1. Notification of SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

If CAPE, 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 CAPE 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 CAPE agree to a change of placement as part of the modification of the behavioral intervention plan.

If CAPE, 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 CAPE 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 CAPE 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 CAPE, 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 CAPE 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 CAPE 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 CAPE 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

CAPE 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 Co-Directors 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 CAPE's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if CAPE had knowledge that the student was disabled before the behavior occurred.

CAPE 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 CAPE 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 CAPE personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other CAPE supervisory personnel.

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

CAPE 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.

STAFF AND STUDENT INTERACTION POLICY

CAPE recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

Corporal Punishment

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 property.

For clarification purposes, the following examples are offered for direction and guidance of CAPE personnel:

- A. Examples of PERMITTED actions (NOT corporal punishment)
1. Stopping a student from fighting with another student;
 2. Preventing a pupil from committing an act of vandalism;
 3. Defending yourself from physical injury or assault by a student;
 4. Forcing a pupil to give up a weapon or dangerous object;
 5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
 6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.
- B. Examples of PROHIBITED actions (corporal punishment)
1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
 2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
 3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

CAPE HIGH SCHOOL PROGRAM

- **Overview**

CAPE Charter School began admitting high school students beginning in the fall of 2017. Students will be selected using the CAPE lottery process. For the school year 2017-2018, up to ten (10) students will be in the high school program as 9th, 10th, 11th or 12th graders. Each year thereafter, students will be added until there is a maximum of 20 students total in grades 9-12. As with the elementary students, CAPE will target high school students and families who are looking for a progressive philosophy of learning. As noted before, progressive philosophy of CAPE allows each child to participate in his or her own education. Personal responsibility will be especially emphasized for high school students. This will help students build self-esteem and self-motivation, which is necessary to become a functioning citizen in the future.

- **Course Transferability**

CAPE will inform parents of course transferability through a parent/student handbook that includes specific information on course transferability and outlines school policies and expectations for all students and parents. Courses that meet University of California and California State University entrance requirements will be listed in the parent/student handbook as soon as they are available. All entering high school students and parents will be required to complete an orientation that will include a review of the handbook. In addition to the “A to G” admissions criteria and the approved course list for the University of California and the California State University, a statement regarding the transferability of courses to other district and out of district high schools will be included.

In addition to course descriptions, the handbook will also include information on the CHSPE, Career Technical Education, Community College Concurrent Enrollment, ROP courses and Work Experience. In addition, a CAPE counselor will be available to address credits, course selections and college planning. CAPE will offer PSAT testing. Also, the OUHSD offers a College Fair, Career Fair, and SAT and ACT workshops for students in the district even if they do not attend a district sponsored school. CAPE also plans to have College and Career Information Nights, where the counselor and college and career representatives can present the many options available to students.

CAPE is fully accredited by the Western Association of Schools and Colleges. This ensures that high School courses will be transferable to other high schools.

Both the “A to G” list and transferability of classes will be updated on a yearly basis. A diploma certified by Camarillo Academy of Progressive Education (CAPE) will be issued to all students who meet the CAPE graduation requirements.

- **Graduation Requirements**

CAPE will follow the graduation requirements established by the Oxnard Union High School District beginning with the class of 2018. Minimum requirements for graduation are:

English – 40 credits

Mathematics – 30 credits
Physical Education – 20 credits
Science – 20 credits
Health Education/State Requirements – 5 credits
Social Science – 35 credits
Foreign Language or Visual and Performing Arts or Career Technical Education – 20 credits
Elective Coursework – 60 credits
Total – 230 credits

- **On-Line Course Work**

Like many other small schools, CAPE has chosen to utilize courses offered through a vendor, Pearsons Connexus (Connections Learning) for their high school students. Pearsons Connexus will provide CAPE with the curriculum, platform and the teachers. All Pearson courses are A-G acceptable and follow the Common Core standards. Pearson Connexus is a division of Connection Education which is accredited by AdvancED. Pearson teachers will teach the course and recommend a grade, but CAPE will grant the credit.

While CAPE Charter School believes in encouraging all students to keep their educational options available by pursuing a course of study that will enable them a good chance of being admitted into college, CAPE also recognizes and honors students who have goals other than attending college. Therefore, all CAPE High School students will be required to complete CAPE's Recommended Course of Study for College Bound Students, which is aligned with college admission requirements through the National Association for College Admission Counseling as well as the UC/CSU recommended course of study.

CAPE's learning program provides students and their families the flexibility to work with a rigorous and challenging curriculum that reflects the student's ability and goals. CAPE will provide core courses for college-prep credit, and College Board approved Advanced Placement credit. If a student has a need to move at a slower pace, Foundation courses will also be offered for general studies credit.

- **Transcripts**

All work attempted and completed by a CAPE High School Student is recorded on a high-school transcript. The Students Records office maintains a computerized transcript system. The school administrators will utilize the transcript system to determine a student's grade point average. Any school making an official written request for a student's cumulative file will be given a copy of a current transcript. The transcript will show work completed through as well as credits earned from CAPE Charter School.

Annual Goals and Actions in the State Priorities

In accordance with Education Code Section 47605(b)(5)(A)(ii), the Charter School has presented a reasonably comprehensive description of its annual goals and actions, schoolwide and for all numerically significant student subgroups, in the state priorities, in its Local Control and Accountability Plan ("LCAP").