



# School Safety & Emergency Action Plan

## Table of Contents

### [Emergency Action & Safety Plan Overview](#)

A Safe and Orderly Environment Conducive to Learning

Child Abuse and Neglect Reporting

Emergency Preparedness

- Emergency Supplies

- Emergency Phone Numbers

Emergency Contact Resources

- Safety and Emergency Team Roles

- School Site Safety Committee Team Members

- Mass Care and Welfare Shelters

- Determination of Threat

- Emergency Evacuation/Fire or Fire Drill

Evacuation of Individuals with Disabilities

Evacuation, Fire or Fire Drill Procedures at a Glance

### [School Evacuation Maps](#)

#### [Break-in / Burglary Procedures](#)

- Earthquake Emergency Procedures

- Shelter in Place - Code Blue

- Emergency Lockdown - Code Red (E.g. Active Shooter)

- Emergency Drill Schedule CA Admin Code, Title 5 s550

#### [Emergency during after-school or Sport Activities](#)

- Flood/Severe Weather

- Electrical Failure/Gas Line Break

- Water Main Break

- Water Contamination

- Chemical Spill

- Bomb Threat

#### [Homicidal Threat](#)

Death/Suicide

Contagious Disease

Parent Reunification

Student Pick-up in the Event of an Emergency

[Psychological First Aid/Crisis Team](#)

Safe Ingress and Egress

Suspension and Expulsion Policies and Procedures

Title IX & Complaint Policies

[Title IX Policy](#)

[Harassment, Intimidation, Discrimination, And Bullying Policy](#)

[General Complaints Policy](#)

[Policy for Complaints Against Employees](#)

[Procedures to Assess and Respond to Reports of Dangerous, Violent, or Unlawful Activity](#)

[Opioid Overdose Response Protocol](#)

Emergency Action AED Plan

Safe Storage of Firearms

## Emergency Action & Safety Plan Overview

### Purpose

The purpose of this plan is to document the procedures for identification, response, and roles/responsibilities in a variety of emergency scenarios at Alpha Public Schools. In clearly outlining and training towards adherence to these procedures, we aim to ensure that all school employees can act efficiently and confidently in order to keep our students safe in a variety of situations. This Plan also satisfies the requirements of both a "School Safety Plan" under AB 1747 (2018) and an "Emergency Action Plan" under AB 2009 (2018).

### Process of Plan Development

Alpha Network Operations Team (Chris Kang, Chief Operating Officer and Marlynn Nunes, Network Operations Associate) developed the comprehensive safety plan, with input from school leadership and staff. In addition, in creating this document, a variety of stakeholders and resources were consulted over the course of Winter 2024 & Spring 2025, including:

- Guidance & best practices from Santa Clara County Office of Education
- Guidance & best practices from the San Jose Police Department & Fire Department

- Input by School Leadership Teams and Staff
- Review by Legal Counsel (Young, Minney, Corr LLP)
- Review and Approval by Alpha Executive Team
- Review and Approval by Alpha Board of Directors on February 12, 2025

#### Confirmation of Input:

Principal/Schools	Sent on January 21, 2025; Approved after review by January 24, 2025.
Alpha COO (Chris Kang)	Confirmed on February 6, 2025
SJPD and/or SJFD	<a href="#">Confirmation Email</a>
Board	Approved on February 12, 2025: <a href="#">Agenda</a>
Parents	Sent for Review by SSC on January 21, 2025; Various dates approved, all by February 7, 2025
YMC (Legal)	Confirmed and Reviewed on January 22, 2025

#### Training

After adoption of the plan, a variety of communication and training to various stakeholders takes place in order to ensure this plan is well known by all. This includes:

- Posting of Safety Plan on Website
- Mandatory First Aid/CPR/AED training by key leadership team members, including all sports coaching staff
- Fentanyl Safety Training - Training and Naloxone kits provided to all schools
- Sessions during summer staff professional development, with role play and practice - including classified staff in summer 2025.

In order for full implementation of the Emergency and Safety Plan, a Safety Committee team will assist with the rollout of the plan and provide insight into the process with full transparency. They will help guide drills and provide additional support to the school leadership team with feedback.

#### Evaluation & Reflection

In order to ensure that we are improving our emergency and safety procedures, this plan is assessed and updated annually by our Network Operations Team, School Operations Leadership, and our Executive Team prior to March 1.

This plan was reviewed by the San Jose Fire Department during their yearly inspection. No issues/violations were found.

### 2023-24 Data Analysis

School	Suspension Rate	Number of Incidents
Jose Hernandez	5.4	38 (36 unduplicated)
Cindy Avitia High School	7.59	42 (40 unduplicated)
Blanca Alvarado	2.81	22 (24 unduplicated)
Cornerstone Academy	0.89	37 (10 unduplicated)

Incidences above were defined as: Active Gang Representation, Acts of Violence (Assault, Battery, Fighting), Intentional Damage of Property, Possession of Drugs or Alcohol, Possession of weapon, Possession or use of Tobacco or Tobacco Products, Theft, Vandalism, Sexual Assault, Harassment, Lewd Language directed at Staff or Student.

Based on the data above, while our current practices have been satisfactory in preventing major statutory offenses at our schools, especially for incidents that warrant suspension as a consequence, we hope to be more consistent with our behavior practices for 2024-25 and 2025-26. We have included related goals and actions within our LCAPs to address this (LCAP found here: [BA](#) [CAHS](#) [CAPS](#) [JH](#)).

Alpha School and Network Leadership will continue to assess the status of school crime at the school and at school-related functions through its annual planning process, during which it analyzes a variety of data including referrals, attendance, suspension/expulsion data, and school culture surveys. These items are also reviewed on a more regular weekly and monthly basis within school teams to identify intervention and tiered supports needed throughout the year.

# A Safe and Orderly Environment Conducive to Learning

At Alpha Public Schools we strive to use preventative measures to ensure student and staff safety. We have school wide communication systems and norms in place, first aid and AED machines on campus, and various safety precautions to ensure safety while fostering a learning environment. Each classroom is equipped with a variety of safety measures intended to keep students safe while ensuring everyone is prepared in the event of an emergency. Examples include lock blocks on the doors and safety clipboards with accessible information.

The positive mental health of our students is important, in addition to the anti bullying program we also incorporate new state laws into our daily routine:

- SB 972 & SB 316 - Suicide hotline number, crisis text line, and (after September 30, 2020) domestic violence hotline on the back of ID cards
- AB 2022 - access to mental health supports
- Counselor at each site

In concurrence with all of the precautions in place, communication is key. Alpha Public Schools will continue to communicate information happening on campus. Families, it is imperative to maintain an active phone number to receive all communication. If you have a new phone number, contact the front office immediately.

## **Criminal Background Checks**

As required by law, all individuals working or volunteering at Alpha are required to submit to a criminal background investigation. No condition or activity is permitted that may compromise Alpha's commitment to the safety and the well-being of students taking precedence over all other considerations. Conditions that preclude working at Alpha include but are not limited to conviction for a controlled substance offense or sex offense, or a serious or violent felony. Any employee that is charged with or convicted of any offense during his/her employment with Alpha must immediately report the charge or conviction to the Human Resources Manager. Employees who fail to comply with this notice requirement, or who misrepresent the circumstances of a charge or conviction, are subject to immediate release from at-will employment. All volunteers should also immediately report any such change or conviction.

## **Tuberculosis Testing**

All employees of Alpha must submit written proof from a physician of a risk assessment examination for tuberculosis (TB) within the last sixty (60) days. If TB risk factors are identified, a physician must conduct an examination to determine whether the employee is free of

infectious TB. The examination for TB consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All employees will be required to undergo TB risk assessments and, if risk factors are found, the examination at least once every four (4) years. Volunteers may be required to undergo a TB examination as necessary. The TB risk assessment and, if indicated, the examination is a condition of initial employment with Alpha and the cost of the exam will be borne by the applicant.

Food handlers may be required to have annual TB exams. Documentation of employee and volunteer compliance with TB risk assessments and examinations will be kept on file. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to Alpha will be contractually required to ensure that all contract workers have had TB testing that shows them to be free of active TB prior to conducting work with Alpha students.

### **Visitor Policy**

To ensure the safety of students and staff as well as to minimize interruption of the instructional program, the School has established the following procedures, pursuant to California Penal Code Sections 627, *et seq.*, to facilitate visits during regular school days:

- Visits during school hours should first be arranged with the teacher and Principal or designee, at least 24 hours in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three days in advance. Parents seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the Principal or designee. Except for unusual circumstances, approved by the Principal, classroom visits should not exceed approximately 45 minutes in length and may not occur more than once per week.
- When there are a large number of requests, the School shall schedule a minimum of two (2) observation days per school year for parents who are considering application for enrollment. Interested parent observers shall be asked to conduct their observations on one of the scheduled days.
- All visitors, including parents or guardians of currently enrolled students, shall register with the front office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor may be required to provide his/her name, address, occupation, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Principal or designee may design a visible means of identification for visitors while on school premises.

- If the visitor is a government officer/official (including but not limited to local law enforcement officers, immigration enforcement officers, social workers, district attorneys, or U.S. attorneys) the officer/official will also be asked to produce any documentation that authorizes school access. The School shall make reasonable efforts to notify parents or guardians prior to permitting a student to be interviewed or searched, consistent with the law and/or any court order, warrant or instructions from the officer/official. A copy of the documentation provided by the officer and notes from the encounter may be maintained by the School, consistent with the law. The Principal will report to the School's Governing Board and Bureau of Children's Justice in the California Department of Justice, at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes, as recommended by the Attorney General.
- The Principal, or designee, may refuse to register an outsider if he or she has a reasonable basis for concluding that the visitor's presence or acts would disrupt the school, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.
- The Principal or designee may withdraw consent to be on campus whenever there is reasonable basis for concluding that the visitor presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is willfully disrupting the school, its students, its teachers, or its other employees. Consent can be withdrawn for up to fourteen (14) days.
- The Principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the Principal or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.
- The classroom teacher has full discretion as to their use of volunteers and the time and duration of in-class volunteer participation.
- Visitors volunteering in classrooms shall follow all other guidelines indicated elsewhere in this policy. Classroom volunteers are there to benefit the entire class and are not in class solely for the benefit of their own child. Classroom volunteers must follow the instructions provided by the classroom teacher or aide. Classroom rules also apply to parent volunteers to ensure minimal distraction to the teacher. If a volunteer is uncomfortable following the direction of the teacher or aid, the volunteer may leave their volunteer position for that day.



- Information gained by volunteers regarding individual students (e.g. academic performance or behavior) is to be maintained in strict confidentiality. Questions or comments concerning a child's academic performance or behavior must be done in a separate meeting between parent and teacher, as arranged with the teacher. Student discipline is to be left to the teacher, even for a parent volunteer's own child, with the exception of light reminders to students to stay on task.
- Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Principal. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to be sent, and shall be delivered to the Principal within five (5) days after the denial or revocation. The Principal shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Principal shall be held within seven (7) business days after receipt of the request. The Principal shall respond within seven (7) business days.
- The Principal or designee may seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.
- At each entrance to the School grounds, signs shall be posted specifying the hours during which registration is required, stating where the office of the Principal or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.
- No electronic listening or recording device may be used by students or visitors in a classroom without the teacher's and Principal's written permission.

### **Penalties**

- Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.
- Under California Education Code section 44811, disruption by a parent, guardian or other person at a school or school sponsored activity is punishable, upon the first conviction, by a fine of no less than \$500.00 (five hundred dollars) and no more than \$1,000.00 (one thousand dollars) or by imprisonment in a County jail for no more than one (1) year, or both, the fine and imprisonment.

- Further conduct of this nature by the visitor may lead to the School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending School activities for any purpose for a period of three (3) years.

## Student Uniforms

All students must wear the School's uniform every day. If a student arrives out of uniform, a parent or guardian will be called and asked to bring in a uniform for the student. Students may not change out of their uniform at any point during the school day. Students must wear uniforms on all school field trips and while on campus unless the School has directed otherwise.

The School will work with families to ensure all students have access to uniforms.

The Schools reserve the right to determine whether or not any part of a student's dress is appropriate. Whenever any element of physical appearance or grooming—even if it is allowable under the School's current rules—becomes a safety issue or distraction to one's self or to others, it is no longer acceptable and steps will be taken to remove the distraction. This may include calling home to get a change of clothes or covering up the item in question. This includes any clothing or accessories that explicitly or implicitly could be seen as representing affiliation with any gang.

TK-4 Dress Code	
Tops	<p>Polo Shirt or Alpha Branded T-shirt</p> <ul style="list-style-type: none"> <li>• Official burgundy Alpha polo shirt</li> <li>• Solid burgundy polo shirt without any logos</li> <li>• School sponsored Alpha branded t-shirt</li> <li>• Optional long or short sleeve worn under polo <ul style="list-style-type: none"> <li>◦ Solid gray, black, burgundy or white only</li> </ul> </li> <li>• Appropriate length (at pockets) or tucked in</li> </ul> <p>Sweatshirt, Sweater, Sweater Vest</p> <ul style="list-style-type: none"> <li>• Official burgundy Alpha sweatshirt, sweater, sweater vest</li> <li>• Solid burgundy sweatshirt, sweater, sweater vest</li> <li>• Logos no larger than a credit card</li> <li>• School sponsored Alpha branded</li> <li>• All hoods must be removed when students are indoors</li> </ul> <p>Rain Jackets/Coats</p> <ul style="list-style-type: none"> <li>• Rain jackets or coats must be solid black to be worn indoors</li> <li>• Rain jackets or coats that are a different color may be worn outside of</li> </ul>

	the school classroom. No solid red or blue.
Bottoms	<ul style="list-style-type: none"> <li>• Pants, shorts, dresses or skirts must be fully black or khaki in color</li> <li>• No athletic wear including spandex, sweatpants, and leggings</li> <li>• No rips</li> </ul>
Shoes	<ul style="list-style-type: none"> <li>• Sneakers or tennis shoes only</li> <li>• Rain boots may be worn on rainy days</li> <li>• No solid or majority red or blue</li> </ul>
Accessories	<ul style="list-style-type: none"> <li>• Optional gray, white, black or brown belts</li> <li>• Socks - no solid red or blue, other colors are acceptable</li> <li>• Indoor headwear is permitted for religious purposes only</li> <li>• Outdoor headwear may be worn for sun protection or warmth (or for purposes of religious observance)</li> <li>• No solid red, blue or navy backpacks or other accessories</li> <li>• Nails cannot be distracting or keep students from fully participating in learning, including PE.</li> </ul>

5-8 Dress Code	
Tops	<p>Polo Shirt or Alpha Branded T-shirt</p> <ul style="list-style-type: none"> <li>• Official black Alpha polo shirt</li> <li>• Solid black polo shirt without any logos</li> <li>• School sponsored Alpha branded t-shirt</li> <li>• Optional long or short sleeve worn under polo <ul style="list-style-type: none"> <li>◦ Solid gray, black or white only</li> </ul> </li> <li>• Appropriate length (at pockets) or tucked in</li> </ul> <p>Sweatshirt or Sweater</p> <ul style="list-style-type: none"> <li>• Official black Alpha sweatshirt or sweater</li> <li>• Solid black sweatshirt</li> <li>• Logos no larger than a credit card</li> <li>• School sponsored Alpha branded</li> <li>• All hoods must be removed when students are indoors</li> </ul> <p>Rain Jackets/Coats</p> <ul style="list-style-type: none"> <li>• Rain jackets or coats must be solid black to be worn indoors</li> <li>• Rain jackets or coats that are a different color may be worn outside of</li> </ul>

	the school classroom. No solid red or blue.
Bottoms	<ul style="list-style-type: none"> <li>• Pants, shorts, dresses or skirts must be fully black or khaki in color</li> <li>• No athletic wear including spandex, sweatpants, and leggings</li> <li>• No rips</li> </ul>
Shoes	<ul style="list-style-type: none"> <li>• Sneakers or tennis shoes only</li> <li>• Rain boots may be worn on rainy days</li> <li>• No solid or majority red or blue</li> </ul>
Accessories	<ul style="list-style-type: none"> <li>• Optional gray, white, black or brown belts</li> <li>• Socks - no solid red or blue, other colors are acceptable</li> <li>• Indoor headwear is permitted for religious purposes only</li> <li>• Outdoor headwear may be worn for sun protection or warmth or for purposes of religious observance.</li> <li>• No solid red, blue, burgundy, or navy backpacks or other accessories</li> <li>• Makeup cannot be applied during school hours</li> <li>• Nails cannot be distracting or keep students from fully participating in learning, including PE.</li> </ul>

9-12 Dress Code	
Tops	<p>Polo Shirt or Alpha Branded T-shirt</p> <ul style="list-style-type: none"> <li>• Official gray or black Alpha polo</li> <li>• Solid gray or black polo shirt</li> <li>• School sponsored Alpha branded t-shirt</li> <li>• Optional long or short sleeve worn under polo <ul style="list-style-type: none"> <li>◦ Solid gray, black or white only</li> </ul> </li> <li>• Appropriate length (at pockets) or tucked in</li> </ul> <p>Sweatshirt or Sweater</p> <ul style="list-style-type: none"> <li>• Official school sponsored Alpha branded sweater, sweatshirt, pullover, hoodie, or jacket</li> <li>• Solid black, gray, gold or white sweater, sweatshirt, pullover, hoodie, or jacket</li> <li>• Logos no larger than a credit card</li> <li>• All hoods must be removed when students are indoors</li> </ul>

	Rain Jackets/Coats <ul style="list-style-type: none"> <li>• Rain jackets or coats must be solid black, white, gray, gold or school issued to be worn indoors</li> </ul>
Bottoms	<ul style="list-style-type: none"> <li>• Pants, shorts, dresses or skirts must be fully black or khaki in color</li> <li>• No athletic wear including spandex, sweatpants, and leggings worn outside of PLT class</li> <li>• No rips</li> </ul>
Shoes	<ul style="list-style-type: none"> <li>• Closed-toed shoes</li> <li>• No high-heeled shoes</li> <li>• No solid or majority red or blue</li> </ul>
Accessories	<ul style="list-style-type: none"> <li>• Optional gray, white, black or brown belts</li> <li>• Socks - no red or blue, other colors are acceptable</li> <li>• Indoor headwear is permitted for religious purposes only.</li> <li>• Outdoor headwear may be worn for sun protection or warmth or for purposes of religious observance</li> <li>• No solid red, blue, burgundy, or navy backpacks or other accessories</li> <li>• Makeup cannot be applied during class</li> <li>• Nails cannot be distracting or keep students from fully participating in learning, including PLT</li> </ul>

#### Additional Information

- Students may be exempt from dress code during approved Spirit Weeks.

#### **The following shall be in effect during uniform days as well as Spirit Week/free dress days:**

1. Tops (i.e.: shirts, sweaters, sweatshirts, dresses, etc.): No tops may be sheer or expose undergarments. No strapless, racer-back, or off the shoulder tops. No shirts may be worn that expose bare midriff.
2. Bottoms (i.e.: pants, leggings, skirts, shorts, dresses, etc.): Bottoms must be worn above the hip and underwear should not be visible. Belts must be worn with bottoms that are too big to fit securely around the student's waist. All bottoms must be fingertip length or four (4) inches above the knee without leggings or stockings. The following are not permitted: fishnet stockings, sagging pants, or bottoms with extensive rips.
3. No clothing, jewelry, accessories, or hairstyles which are, or include, a picture, writing, or insignia which is: (1) gang related; (2) presents a safety hazard to the wearer or others; (3) advertises or symbolizes any type of alcohol, drugs, tobacco, or gambling; (4) includes weapons or acts which are illegal, violent, obscene, or hazardous to one's

health; (5) sexually suggestive, crude, vulgar, profane; discriminatory, obscene, contain threats, libelous; or (6) offensive or degrading to students or staff on the basis of gender, cultural, religious or ethnic values.

- Additional Guidelines for Spirit Week Dress Code may be provided by the School. If a student is in violation of these guidelines, they will be required to change back into the school uniform.
- Students in grades TK-12 may receive permission to wear jeans or free dress at the School's discretion.
  - This is an earned privilege. Students earning free dress may not wear clothing that becomes a safety issue or a distraction to one's self or others and will lose the privilege if the School determines there is an issue.

## Child Abuse and Neglect Reporting

Alpha Public Schools ("APS" or the "School") maintains strict standards for employee reporting of suspected or known child abuse and neglect. This policy serves as a summary for employees regarding their obligations under School policy and California law. All employees must read and familiarize themselves with the mandated reporting laws of the state contained in California Penal Code section 11166.

As an overview, all ASP employees are mandated to report child abuse and neglect when it is "reasonably suspected" or "known." This requirement extends to the employee when they are in "a professional capacity" such as at work or when acting in connection with students of the School.

Child abuse and neglect include the following:

- Physical Abuse – as exhibited by bruises, cuts, burns, or other physical or emotional injuries
- Sexual Abuse – including sexual assault, exploitation, molestation, as exhibited by the physical and emotional injury symptoms (above), particularly when in conjunction with a child's genitals or other private parts
- Neglect – including maltreatment or an absence of care for the child's wellbeing, as exhibited by a failure to provide adequate clothing, food, medical care, shelter, or supervision

- Life Endangerment – including an active disregard for the safety and the wellbeing of the child, including through corporal punishment, mental suffering, etc.

Under mandated reporting laws, employees must make the required reports to “a child protective agency,” which includes Child Protective Services and/or local law enforcement. Reports must be made immediately or as soon as practically possible. The initial report must be followed up by the employee with a written report on the Suspected Child Abuse Reporting form (SCAR form) to the same agency within thirty-six (36) hours. The SCAR form must include all information known to the reporting party as of the time of the report.

ASP will provide annual training on the mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees. Mandated reporter training will also be provided to employees hired during the course of the school year. All employees required to receive mandated reporter training must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment. Employees must also report known or suspected child abuse and neglect to a school administrator without exception.

Any failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine. It may also lead to an employee's discipline or dismissal.

The duty to file a mandated report belongs to each individual employee. It shall not be a defense to making a report that the employee believed another employee would be filing a mandated report. Two or more employees may agree to jointly file a mandated report provided the report is actually filed.

By accepting employment with APS, employees acknowledge they are “child care custodians” (mandated reporters) and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions.

## Emergency Preparedness

The California Department of Education recommends that public schools in California use the Standardized Emergency Management System (SEMS) as detailed in Section 8607 of the

California Emergency Services Act, to ensure coordination with multiple agency emergency and disaster operations, and to ensure eligibility for funding of response-related costs under disaster assistance programs.

Standardized emergency management provides a clear, consistent, and integrated response structure which includes the National Incident Management System (NIMS), the Incident Command System (ICS), Multi-agency or Interagency Coordination (MACS), mutual aid agreements, and an Operational Area Concept. These principles are addressed in this Safety Plan, and will be practiced in all school emergency management programs, operations, and training.

Emergency management based on the concepts and principles of NIMS and ICS provides a consistent template to enable all government, private sector, and nongovernmental organizations to work together during domestic emergency incidents. NIMS is a comprehensive approach to incident management that is applicable at all jurisdictional levels and across functional disciplines. Incorporating NIMS and ICS into school emergency operations will allow Alpha to work together with emergency responders in planning for and accepting response to emergency incidents. Coordinated planning and response efforts have proven to be best practices for ensuring optimal school safety.

## Emergency Supplies

Item	Location	Suggestions
<b>Campus Map:</b> evacuation routes, fire alarms, fire extinguishers and chemistry lab(s) clearly marked	<ul style="list-style-type: none"> <li>• By the classroom door</li> <li>• Not covering classroom windows</li> </ul>	<i>(i.e. On a pin board, clipped to a surface. Not stapled or glued down)</i>
<b>Emergency Resources Contact List</b>	<ul style="list-style-type: none"> <li>• By the office phone</li> <li>• Not covering classroom windows</li> </ul>	Easily tangible so student/staff can easily grab and take with them if necessary. <i>(i.e. On a pin board, or clipboard)</i>



<b>Emergency Code Descriptions</b>	<ul style="list-style-type: none"> <li>Clearly visible place in your room</li> <li>Not covering classroom windows</li> </ul>	Posted on brightly colored paper that aligns with the various emergency codes (i.e.- "Code Red"- On Red Paper)
<a href="#"><u>Determination of Threat Explanation Sheet</u></a>	<ul style="list-style-type: none"> <li>Attached to Safety Clipboard</li> <li>Not covering classroom windows</li> </ul>	Large Font and clearly labeled
<b>Emergency Bag</b>	<ul style="list-style-type: none"> <li>In an easy to access location, so it can simply be grabbed in the event of an emergency</li> </ul>	Possibly assigning two responsible students to grab this during a drill/emergency
<b>Audio/Visual Impairment Notification</b> (Only post if applicable)	<ul style="list-style-type: none"> <li>In a clearly visible place for people who may be entering the room</li> </ul>	Notification should be posted in the same location for each classroom, emergency personnel should be notified of location. (i.e. corner of the classroom window)
<b>Automated External Defibrillators (AED)</b>	<ul style="list-style-type: none"> <li>AED machines are located in the front office.</li> </ul>	<ul style="list-style-type: none"> <li>All AEDs are checked and maintained quarterly</li> <li>All school leaders and sports coaches are trained on AED use.</li> </ul>

## Emergency Phone Numbers

In the case of an emergency (fire, lockdown, active shooter, shelter-in-place), the designated logistics director is the primary point of contact for external parties in emergency situations. Given this they are to be in direct contact with the police and fire department.

The following agencies should be contacted as soon as possible in the case of an emergency. After agencies are notified, the ANT Office should also be notified.

Emergency Contact Resources	
Organization Name	Contact Information
General Emergency Number	911
Fire (non-emergency)	(408) 277-8900
Police (non-emergency)	311
County Emergency Medical Services/County Emergency Services	(408) 794-0600
American Red Cross (Silicon Valley)	(877) 727-6771
State Warning Center	(800) 852-7550
National Response	(800) 424-8802
Poison Control Center	(800) 222-1222
Emergency Broadcast Radio Stations	<ul style="list-style-type: none"> <li>• KCBS - AM 740</li> <li>• KGO - AM 810</li> <li>• KLIV - AM 1590</li> <li>• KQED - FM 88.5</li> <li>• KSOL - FM 98.9 (Spanish)</li> <li>• KSJX - AM 1500 (Vietnamese)</li> </ul>
Alpha Network Team Office	Chris Kang - (408) 357-4333 Marlynn Nunes - (669) 301-0059
School Front Office	ABA- (408) 780 0831 ext 105 AJH- (408) 780-1551 ext 303 CAPS- (408) 361-3876 CAHS- (408) 791-1558

## Safety and Emergency Team Roles

Role	Role Description	Alpha: Cindy Avitia
Emergency Lead	Decision maker in emergency situations  Communicates with rest of team  "Incident Commander"	Principal: Emma Karpowicz Alternate: Assistant Principal - Liliana Villalvazo
Logistics Director	POC for emergency services  Sweep of school after evacuation  Correspondence with nearby schools  Assess injuries and medical risk analysis  "Operations Section Chief" "Liaison Officer"	School Operations Manager - Claudia Flores Alternate: Assistant Principal #2 -Antonio De La Torre Assistant Principal : Darci Gruenberg
Assistant Logistics Director	Verify attendance  Point person for notifying parents of updates and procedures on campus  "Public Info Officer"	Office Manager - Deanna Ruiz Alternate: Dean of Students - Ivan Rodriguez
Assistance Monitor	Assist students, ensure students with disabilities or requiring extra assistance are accounted for	Dean of Students - Ivan Rodriguez

Role	Role Description	Alpha: Jose Hernandez
Emergency Lead	Decision maker in emergency situations  Communicates with rest of team  "Incident Commander"	Principal - Julianna Parra Alternate: Assistant Principal - Elizabeth Minatee, Savina Vargas, MariaJose Funez
Logistics Director	POC for emergency services  Sweep of school after evacuation	School Operations Manager - Cecilia Mendoza

	<p>Correspondence with nearby schools</p> <p>Assess injuries and medical risk analysis</p> <p>"Operations Section Chief"</p> <p>"Liaison Officer"</p>	<p>Alternate: Assistant Principal #2 -Elizabeth Minatee, Savina Vargas, MariaJose Funez</p>
Assistant Logistics Director	<p>Verify attendance</p> <p>Point person for notifying parents of updates and procedures on campus</p> <p>"Public Info Officer"</p>	<p>Office Manager - Jennifer Perez</p> <p>Alternate: Dean of Students - Charles Arcadia-Sanchez</p>
Assistance Monitor	<p>Assist students, ensure students with disabilities or requiring extra assistance are accounted for</p>	<p>Dean of Students - Charles Arcadia-Sanchez</p>

Role	Role Description	Alpha: Blanca Alvarado
Emergency Lead	<p>Decision maker in emergency situations</p> <p>Communicates with rest of team</p> <p>"Incident Commander"</p>	<p>Principal - Jin Yun</p> <p>Alternate: Assistant Principal - Chioma Ellis, Maribel Garcia, Anjali Bajaj</p>
Logistics Director	<p>POC for emergency services</p> <p>Sweep of school after evacuation</p> <p>Correspondence with nearby schools</p> <p>Assess injuries and medical risk analysis</p> <p>"Operations Section Chief"</p> <p>"Liaison Officer"</p>	<p>School Operations Manager - Guadalupe Wiggins</p> <p>Alternate: Assistant Principal #2 - Chioma Ellis, Maribel Garcia, Anjali Bajaj</p>
Assistant Logistics Director	<p>Verify attendance</p> <p>Point person for notifying parents of updates and procedures on campus</p> <p>"Public Info Officer"</p>	<p>Office Manager - Mayra Montoya</p> <p>Alternate: Dean of Students - Braxton Tucker</p>
Assistance Monitor	<p>Assist students, ensure students with disabilities or requiring extra assistance are accounted</p>	<p>Dean of Students - Braxton Tucker</p>

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Role	Role Description	Alpha: Cornerstone Academy
Emergency Lead	Decision maker in emergency situations  Communicates with rest of team  "Incident Commander"	Principal - Fallon Housman Alternate: Assistant Principal - Randrea Acda Amber Williams Candace Dickerson
Logistics Director	POC for emergency services  Sweep of school after evacuation  Correspondence with nearby schools  Assess injuries and medical risk analysis  "Operations Section Chief" "Liaison Officer"	School Operations Manager - Stephanie Corona Alternate: Assistant Principal #2 - Randrea Acda Amber Williams Candace Dickerson
Assistant Logistics Director	Verify attendance  Point person for notifying parents of updates and procedures on campus  "Public Info Officer"	Office Manager - Betty Legaspi Alternate: Dean of Students - Claudia Legaspi
Assistance Monitor	Assist students, ensure students with disabilities or requiring extra assistance are accounted for	Dean of Students - Claudia Legaspi

## School Site Safety Committee Team Members

**Our SSC at each school is incorporated into our School Site Councils (SSC). In this role they review, do a site assessment, etc.**

Insert names for this coming school year's Committee

	<b>Alpha:</b>	<b>Alpha:</b>	<b>Alpha:</b>	<b>Alpha:</b>
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	<b>Cindy Avitia High School</b>	<b>Jose Hernandez School</b>	<b>Blanca Alvarado School</b>	<b>Cornerstone Academy</b>
<b>Principal/ Designee</b>	Liliana Villalvazo	Julianna Parra	Jin Yun	Fallon Housman
<b>School Site Council</b>	<p>Rosa Benitez</p> <ul style="list-style-type: none"> <li>• Delilah Benitez 10th grade</li> </ul> <p>Guadalupe Ayuso</p> <ul style="list-style-type: none"> <li>• Isabel 9th grade</li> <li>• Anthony Ayuso 11th grade</li> </ul> <p>Efrain Poot</p> <ul style="list-style-type: none"> <li>• Leslie Poot 10th grade / Rosalba Poot 9th grade</li> </ul> <p>Travis Boubel Arnold Huddlin</p> <p>Nicholas Munoz Anday Fajardo Marcos Romero</p> <p>Alternates/Subs: Alejandra Guillon (student) Marisela Alonso (parent) Anthony Ladd (teacher)</p>	<p>Savina Vargas</p> <ul style="list-style-type: none"> <li>• Rosa Dalila Benite</li> <li>• Rosita Lemus</li> </ul> <p>Jessica Stackhouse</p>	<p>Sunny Sandoval Angela Bowen Patrick Kelly Guadalupe Wiggins</p>	<p>Maya Landau Caitlin Souders Olivia Keller Amber Williams (Student)</p>
<b>Parent of an attending student</b>	Migdalia Vazquez	Guadalupe Martinez	Sunny Sandoval	Raquel Garibay Kanupriya

				Michael White Candice lefevre
<b>Classified Employee</b>	Claudia Flores	Cecilia Mendoza	Lupe Wiggins	Stephanie Corona

## Mass Care and Welfare Shelters

### Use of School Facilities

The Board shall offer the use of public school buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

## Determination of Threat

The Emergency Lead will determine the appropriate response to any situation that may require an additional course of action. They will then share this information immediately to the rest of their team. In the case of a shared campus, the campus emergency lead will make the final decision about lockdown or evacuation in a timely manner, and will share this information with the other school's emergency lead to communicate to their team.

This Emergency Plan outlines procedures for situations that present imminent danger to students, staff and property beyond the school's ability to control and involve a 911 emergency response. These situations could result or require evacuation or containment/lockdown.

For Containment/Lockdown, staff and students will remain indoors and continue teaching as normal. Everyone will minimize going outside for any reason until the lockdown has been lifted.

For Evacuation, staff and students will evacuate the classrooms because of imminent danger on campus. Staff and students will evacuate to the Field. If the situation continues to escalate staff and students will evacuate to the [Safe Haven Locations](#).

Evacuation will be required in the event of:	Containment/Lockdown will be required or in the best interest of students in the event of:
<ul style="list-style-type: none"> <li>• Fire</li> <li>• Explosion</li> <li>• Hazardous Material Spill (Inside)</li> <li>• Hostage Situation</li> <li>• Bomb Threat</li> <li>• Gas/Environmental Leak</li> </ul>	<ul style="list-style-type: none"> <li>• Riot</li> <li>• Shooting</li> <li>• Armed Person On or Near Site</li> <li>• Hazardous Material Spill (Outside)</li> <li>• Hostage Situation</li> <li>• Suicide</li> <li>• Earthquake</li> <li>• Air quality concern</li> <li>• Traffic accident in neighborhood within view of campus</li> <li>• Adults on campus that did not check in with Front Office</li> </ul>

## Evacuation Procedure

In case of evacuation, the general procedure is as follows. (Specific procedures for fire, earthquake, shelter-in-place and lockdown are further below):

- A) The Principal or School Leader will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions.
- B) Teachers will instruct students to evacuate the building, using designated routes, and assemble in their assigned Assembly Area.
- C) Teachers will take the student roster when leaving the building and take attendance once the class is assembled in a safe location
- D) Once assembled, teachers and students will stay in place until further instructions are given.
- E) (If Off-site) Once assembled off-site, teachers and students will stay in place until further instructions are given.
- F) When Principal determines the event is over, they will give an all-clear to return to their classrooms (via PA or announcement).
- G) Once back on campus/in classrooms, the Principal will direct teachers to report back to SLs by email, text, or in person (at an evacuation site). Teachers should report the following:
  - a. # of students present in their classroom at that time



- b. Names of any students on the roster who aren't currently in the classroom;
- c. Names of any students who are not on the roster but are in the classroom
- H) As teachers report in, school leaders should compile the information from teachers, for every student on the roster who isn't currently in their teacher's classroom.
- I) If a student is still missing, the SOM should contact the child's family to confirm that the child was at school that day and did not leave early. If the child is still unaccounted for, the Principal should search for the child or notify the police.

## Disaster Procedures

Administrators will conduct regular training with staff and students to ensure that disaster procedures will be followed in the event of an emergency.

To use the all-school paging function on the school's phone system, pick up your receiver and dial \*9601. To page a specific room or classroom, dial \* and the extension of the room you are trying to reach.

The school owns two-way radios. These should be charged each night. One should always be left in the office. The other must be turned on and carried by the designated people on the correct channel.

### Periodic Drills

Drills are a necessary component of this plan to help rescuers practice and retain their skills. Alpha shall conduct at least 1 successful drill each school year with the participation of athletic trainers, athletic training students, team and consulting physicians, coaches, campus safety officials and other targeted responders. A successful drill is defined as full and successful completion of the drill in 5 minutes or less. Each drill will be conducted with small teams of rescuers and will be unannounced. The person conducting the drills will provide feedback and guidance as necessary.

### Drill Reports

Alpha shall prepare and maintain a written report for each drill. These reports shall be maintained for a minimum of 5 years with other safety documents, or in accordance with the Alpha document retention policy, if any. The reports shall include an evaluation of the drill and shall include recommendations for the modification of this plan if needed.

## **Emergency Evacuation/Fire or Fire Drill**

A fire, fire drill, or other emergency evacuation will be indicated either by the school's fire alarm or via an announcement over the intercom system.

During a fire drill or fire emergency evacuation, teachers should instruct students to evacuate the building in an orderly fashion, using designated routes, and assemble in their assigned Assembly Area. Teachers should take the student roster when leaving the building and take attendance once the class is assembled in their assigned Assembly Area. **Teachers should confirm that all members of their class are accounted for by displaying their “Green” all students present card. If students are missing, teachers should display their “red” missing students card.** Teachers and students should wait silently for an “all-clear” to return to class or for further instructions.

In an actual emergency, the ability to communicate quickly and clearly will be extremely important. It is vital that students remain silent in drills and during actual emergencies, to ensure the safety of students and staff.

**In the event that the Fire Alarm should sound between classes or during lunch transitions:**

- Students within a classroom are to stop what they are doing immediately and form a single line near the doorway.
- Teacher will check to ensure that all students are out of the classroom, then proceed to escort students to the assigned assembly place.
- If there are students in the cafeteria or common area when the alarm sounds, they are to immediately stop what they are doing and line up a single file nearest to the doorway and head to the assigned assembly place.
- All **staff/faculty** should be outside making sure the students are lined up and silent.

**Evacuation of Individuals with Disabilities**

The Assistance Monitors will maintain an active list of the names of individuals who might require assistance during an evacuation, which will be kept in the front office where it's easily accessed. Assistance Monitors will be responsible for ensuring that individuals requiring assistance are safely evacuated from the building.

**Evacuation, Fire or Fire Drill Procedures at a Glance**

- Fire alarm with sound and flashing lights/silent students
- Take emergency bag with roster, and red and green cards
- Door closed
- Walk to the assigned assembly place; students sit down in a line
- Teacher takes attendance
- Show green flag for all clear signal, or red flag if a student is missing
- If student is missing, Ops team searches for the student
- If a student is injured, display the Injury Assessment Card and indicate the severity
  - 1- Non life-threatening,
  - 2- life-threatening
- Cell phone on, on silent, emergency use only
- Procedure ends when PA announcement is made: "All Clear"

### **School Evacuation Maps**

[AJH Emergency Evacuation Map](#)

[ABA Emergency Evacuation Map](#)

[CAHS Emergency Evacuation Map](#)

[CAPS Emergency Evacuation Map](#)

### **Break-in / Burglary Procedures**

#### **CAHS**

Steps to take in case of a break-in/burglary:

1. The district will inform Claudia or Chris of the break-in.
  - a. Inform SLTs and Network of the situation.
2. Do an inspection/walk-through of the school, taking pictures of damage and making sure not to touch anything.

3. Call the Police Department. They will do fingerprints and give the green light to clean up.
4. Review the camera footage.
5. Request cleaning crew services.
6. Board up the windows, if needed. Submit a ticket request to the district through UpKeep to have the windows replaced.
7. Send email to ANT Ops (Chris & Joceline) summarizing the following:
  - a. Date & Time of incident
  - b. Description of damage caused
  - c. List of lost or damaged items
8. Collect and send any invoices or receipts for replacement items or repairs.

<b>JH</b>
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Steps to take in case of a break-in/burglary:

1. Bay Alarm will notify Cecilia if there is a break in (SOMs on yearly rotation)
  - a. If she does not answer, they will call in order: Guadalupe Wiggins, Marlynn Nunes, Chris Kang
  - b. Both SOMs will do a walkthrough of entire campus to assess the situation.
  - c. Both SOMs will inform respective SLTs
2. SOMs will have Bay Alarm send out security or the Police Department.
  - a. SOMs will get Police Report filled out and send to ANT Ops
3. SOMs will do a walk through of both schools and take pictures.
4. SOMs will inform Network of the break-in.
5. SOMs will check the security cameras.
6. SOMs will call needed vendors to fix/clean whatever is damaged.
7. SOMs will call vendor to board up the windows, if needed.
  - a. If support is needed, SOMs can request support from NOA. NOA can submit a ticket request to the district through UpKeep to have the windows replaced. If any locks are broken, NOA can submit a ticket through UpKeep with the district.
8. SOMs will send email to ANT Ops (Chris & Marlynn) summarizing the following:
  - a. Date & Time of incident
  - b. Description of damage caused
  - c. List of lost or damaged items

9. SOMs will collect and send any invoices or receipts for replacement items or repairs.

## **BA**

Steps to take in case of a break-in/burglary:

1. Bay Alarm will notify Guadalupe if there is a break in (SOMs on yearly rotation):
  - a. If she does not answer, they will call in order: Cecilia Mendoza, Marlynn Nunes, Chris Kang
  - b. Both SOMs will do a walkthrough of entire campus to assess the situation.
  - c. Both SOMs will inform respective SLTs
2. SOMs will have Bay Alarm send out security or the Police Department.
  - a. SOMs will get Police Report filled out and send to ANT Ops
3. SOMs will do a walk through of both schools and take pictures.
4. SOMs will inform Network of the break-in.
5. SOMs will check the security cameras.
6. SOMs will call needed vendors to fix/clean whatever is damaged.
7. SOMs will call vendor to board up the windows, if needed.
  - a. If support is needed, SOMs can request support from NOA. NOA can submit a ticket request to the district through UpKeep to have the windows replaced. If any locks are broken, NOA can submit a ticket through UpKeep with the district.
8. SOMs will send email to ANT Ops (Chris & Marlynn) summarizing the following:
  - a. Date & Time of incident
  - b. Description of damage caused
  - c. List of lost or damaged items
9. SOMs will collect and send any invoices or receipts for replacement items or repairs.

## **CAPS**

Steps to take in the event of a break-in / burglary:

1. Do a walk through to assess the situation, making sure no one is on campus. Make sure not to touch anything. Take any pictures of damage.
2. Inform SLTs of the situation.

3. Call the Police Department: They will do fingerprints and give the green light of when to clean up.
4. Inform the Network team of the situation.
5. Review the camera footage.
6. Request cleaning crew services or other vendor services if needed.
7. Send email to ANT Ops (Chris & Joceline) summarizing the following:
  - a. Date & Time of incident
  - b. Description of damage caused
  - c. List of lost or damaged items
8. Collect and send any invoices or receipts for replacement items or repairs.

<b>Network</b>
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Steps to take in case of a break-in/burglary:

1. Ensure school level steps completes
2. Receive email from school (see above step 7)
3. Contact insurance company to initiate the claim
4. Complete any insurance related claim information needed:
  - a. Claim form
  - b. Table of lost or damaged items with replacement cost
5. Submit claim
6. Submit any receipts

Emergency Contacts	
San Jose Police Department (non-emergency line)	(408) 277-8900
Bay Alarm	(800) 470-1000
AD Windows	(408) 771-5636

<b>Facilities/Clean Up</b>	
Benito Guzman	(408) 464-0445
Juan Carlos	(408) 824-3765
Maribelle's Janitorial	(408) 509-3519
Lamas Clean Services	(408) 780-0831
<b>CAHS School Leadership Team</b>	
Claudia Flores	(408) 674-1117
Liliana Villalvazo	(669)287-9985
Antonio De La Torre	(669)287-6825
Sabrina Smallen	(669)287-6845
Ivan Rodriguez	(408) 613-1290
<b>BA School Leadership Team</b>	
Guadalupe Wiggins	(408) 343-9528
Jin Yun	(408) 300-8926
<b>JH School Leadership Team</b>	
Cecilia Mendoza	(408) 318-1469
Julianna Parra	(408) 209-7982
<b>CAPS School Leadership Team</b>	
Stephanie Corona	(408) 206-1632
Fallon Housman	(408) 495-9247
Randrea Acda	(408) 314-8404
Candace Wills	(408) 649-9093
Amber Williams	(408) 649-0215
Claudia Legaspi	(408) 483-5992

Network Team	
Chris Kang	(408) 357-4333
Lana Nguyen	(408) 401-9563
Joceline Plantillas	(669) 245-0783
Marlynn Nunes	(669) 301-0059

## Earthquake Emergency Procedures

In the event of an actual earthquake, either you feel the earth shaking or Safety Director makes an announcement indicating **"This is an Earthquake."**

Teachers are to direct students to drop (duck and cover). Duck and cover under the table with head and neck underneath and cover your neck with the back of your hands, with your back to the windows. Once the earthquake has stopped or a second announcement is made indicating "Earthquake has stopped, please evacuate."

At this point, teachers should check the exit to ensure there are no hazards (downed electrical lines, etc.). Then, they should follow the emergency evacuation procedures above.

### Earthquake – Drop, Cover and Hold Drill

1. An administrator/teacher will announce that a Drop, Cover Hold Drill will begin.
2. The administrator/teacher will announce that you do not need to leave the classroom for this drill.
3. At the administrator/teacher's command, all students will drop under their desks.
4. All students will drop under the desk and hold in drop procedure as discussed above, hold the desk and remain under the desk until told to return to the seated position by the administrator/teacher
5. Teachers should monitor students to be sure all students are under their desks.
6. The administrator/teacher will tell the students to return to their seats.
7. The administrator/teacher will remind students of the need to follow this procedure whenever there is an earthquake and to remain in the duck hold position until they are told to evacuate the building.



### **Earthquake, Earthquake Drill Procedures at a Glance**

- PA announcement of shaking earth
- Duck and cover under table – head and neck underneath, cover back of neck with hands, with back to windows.
- 2nd PA announcement or when earth stops shaking, follow evacuation procedures
- Take emergency bag and escort students to assigned assembly place
- Once outside, take attendance and indicate whether all students are present (green card) or students are missing (red card).
- Indicate if there are any injuries, by displaying the appropriate "injury card."
- Wait for Risk Analysis personnel to instruct the teacher on the next steps.

### **Shelter in Place - Code Blue**

In general, "code blue" will be called when there is police activity or danger in the surrounding neighborhood, but no immediate threat on campus.

Safety Director/Office Staff should notify classrooms of code blue by dialing \*9601 on the office phones and announcing "code blue – please lock doors, close blinds, account for all students, and remain in your classroom until you receive an 'all clear.'" Safety Director/Office Staff should notify PLT coaches or after school coordinators of code blue by using the two-way radio.

When code blue is called, all students and staff should go immediately to their classrooms/office, lock the doors, and close the blinds. All students should be accounted for. Missing students should be reported to the office immediately by phone. Finally, Safety Director/Office Staff should confirm that bathrooms are empty, lock bathroom doors, and return to the office.

PLT coaches and after school coordinators should ensure all students return immediately to their classrooms

During code blue, once the campus is secure and all students are accounted for, please ensure students of their safety and continue with instructional activities. Do not leave your

classroom or send students out of classrooms for any reason until receiving an “all-clear” or specific instruction from a member of the Safety Director/Office Staff.

**Under no circumstances are teachers to open the door.**

- All classroom teachers must lockdown in their classrooms.
- All staff and teachers not with a class must lockdown in the nearest office space or classroom. **Please remember, classroom doors are not to re-open for any circumstance.**
- If students are in the Cafeteria they are to be locked in place and doors are barricaded, e.g. lunch.
- If students are at PLT or in the field they are to go to their homerooms.

**Shelter In Place - Code Blue at a Glance**

- Police activity in the neighborhood, shelter in place, announcement is made, **“This is a code blue.”**
- Shelter in place – don’t leave room, (not even for the bathroom)
- Lock door, close blinds
- Keep teaching/normal classroom activities
- Check email for updates
- Cell phone on, on silent, emergency use only
- Procedure ends when announcement is made, **“All clear”**

**Emergency Lockdown - Code Red (E.g. Active Shooter)**

For overall detailed policy, see [link](#). In general, “code red” will be called only when there is immediate threat on campus. When code red is called unless more detailed instructions are given, all students and staff should go immediately to their classrooms/office, lock the doors, close the blinds, turn off lights, and barricade the doors. All students should be accounted for. Missing students should be reported to the office immediately via phone or text.

Safety Director/Office Staff should notify classrooms of code red by dialing \*9601 on the office phones and announcing “code red – Safety Director/Office Staff should notify PLT coaches or after school coordinators of code red by using the two-way radio. Finally, Safety Director/Office Staff should check bathrooms for students reported missing by classroom teachers, returning with them to the office if located.

PLT coaches and after school coordinators should ensure all students return immediately to their classrooms. If the classroom has already been barricaded, students should go directly to the office.

Please note that this section is consistent with law enforcement recommendations. A detailed "Procedure for Tactical Responses to Criminal Incidences" is in a separate document, and can be provided, if authorized by Alpha leadership.

### **In the case of an Active Shooter Event:**

**RUN:** Decide if you can escape safely. If it is safe, run as fast as you can away from the direction of the danger. DO NOT stop running until you are far away from the area.

- Leave your belongings behind
- Call 911 when safe and notify the office of your location as soon as possible.

**HIDE/CODE RED:** If it is not safe to run, hide and create a stronghold. Lock the doors, close the blinds, turn off lights, barricade the doors and move away from doors and windows. Silence your cell phones and turn off vibrate mode. \*Note: In many cases, you will not know where the threat is. If unsure, hiding and creating a stronghold will be your best option. Law enforcement will evacuate the campus once it is safe.

**DEFEND/FIGHT:** This is a last resort. Prepare yourself mentally and physically for the possibility of engaging the shooter. Use any materials available in your room to defend yourself and your students.

Any staff member who needs to report an in-class emergency during a code red should Dial 911.

### **Active Shooter/Code Red Drill Requirements:**

Education Code section 32282, subdivision (a)(2)(K), restricts the drill procedures that can be used to prepare students for active shooter situations. Accordingly, whenever a Code-Red/Lockdown drill is held, it shall be designed to comply with the following features:

- (1) Code-Red/Lockdown drills shall not be "high-intensity" drills, meaning they shall not include simulations that mimic an actual school shooter or other armed assailant, such

as by using theatrical makeup, fake blood, actors, or participation of students in acting out active resistance to an assailant.

(2) The drill shall not use real weapons, gunfire blanks, or explosions.

(3) The drill shall be designed pursuant to a trauma-informed approach, meaning:

- a. It shall be age and developmentally appropriate in content and terminology, as determined in consultation with school-based mental health professionals;
- b. Advance notice of the drill (and its expected length of time) shall be provided to parents and guardians, teachers, administrators, and school personnel;
- c. It shall offer the opportunity for parents/guardians to opt their students out of participation;
- d. An announcement of the drill shall be given before and after the drill;
- e. A notice shall be given to parents/guardians after the drill has concluded; and
- f. The school shall provide contact information for community-based resources to parents/guardians, pupils, and staff who are negatively impacted by the drills.

### Lockdown - Code Red at a Glance

- Threat **on campus**: PA announcement, ***"This is a code red."***
- Teacher discretion to **RUN, HIDE, or DEFEND**

#### **RUN**

- Leave your room and run to a safe spot off campus
- Notify the office of your location as soon as possible (fire station)

#### **HIDE**

- Lock door
- Shut blinds
- **Silent**
- Lights off

#### **DEFEND**

- Use any materials available in your room to defend yourself and your students (e.g., fire extinguisher)
- Teachers with classes outside should also RUN, HIDE (in the nearest classroom), or DEFEND
- Students in the bathroom should either run to the nearest classroom building, or lock the stall and sit/stand on the toilet with feet hidden silently.
- Check email for updates
- Cell phone on, on silent, emergency use only

- Procedure ends when PA announcement is made

## **Emergency Drill Schedule** *CA Admin Code, Title 5 s550*

The Emergency Drill Schedule should be completed at the beginning of each school year by the Principal and Safety Director/Office Staff. The annual schedule should include one emergency drill each month between August and May. The principal and Safety Director/Office Staff should ensure that school staff are trained on emergency procedures at the beginning of the school year and regularly notified of the monthly emergency drill schedule.

We are required to have the following drills throughout the academic school year. More than these are okay, but at the very least:

- 2 Fire Drills/academic school year (High School)
- 1 Fire Drill/month of the academic year (K-8)
- 1 Lock Down Drills/academic school year
- 2 Earthquake/academic school year (1/quarter for EA, 1/semester for other)

Please talk with your students about the importance of drills and how to continue being safe even in non-drill or emergency moments of the school day.

### COLOR CODING

FIRE DRILL
EARTHQUAKE DRILL
LOCKDOWN DRILL
SHELTER IN PLACE DRILL

<u>Month</u>	<u>CAHS</u>	<u>JH</u>	<u>BA</u>	<u>CAPS</u>	<u>Start Time</u>	<u>End Time</u>
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<b>August</b>	8/27/25	8/26/25	8/26/25	8/22/25	9:30am	9:45am
<b>September</b>	9/17/25	9/16/25	9/16/25	9/12/25	9:30am	9:45am
<b>October</b>	10/22/25	10/14/25	10/14/25	10/17/25	9:30am	9:45am
				10/28/25		
<b>November</b>	11/19/25			11/7/25	1130am	1145am
<b>December</b>		12/9/25	12/9/25	12/5/25	1:45pm	2:00pm
				12/17/25		
<b>January</b>	1/28/26			1/16/26		
<b>February</b>		2/10/2026	2/10/2026	2/13/26	1:45pm	2:00pm
				2/10/25		
<b>March</b>		3/17/26	3/17/26	3/27/26	1:45pm	2:00pm
<b>April</b>	4/22/26			4/10/26		
<b>May</b>						
<b>June</b>						

**\*Note:** The "California Shake Out Drill" will be held every year on the 3rd Thursday in October. We schedule it for Wednesday given our minimum day on Thursday.

**\*Note:** If the fire alarm will be triggered during a drill, contact ANT Ops Team so that that panel is taken offline.

## **Emergency during after-school or Sport Activities**

Given the existence of interscholastic athletic programs at each school, the following procedures and policies are in place:

- The designated emergency lead is the head coach of the team impacted, and will be responsible for assessing the situation and then calling emergency services
- The assistant coach will be responsible for contacting external parties/families and supervising the other students.
- The designated emergency lead will administer CPR/AED/Basic First aid measures until emergency services arrive.
- An AED will be present in the main office of all schools, and will be checked/maintained quarterly.
- All coaches will be trained prior to the school year in CPR/AED/First Aid use.

## **Flood/Severe Weather**

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school. The principal will assess the situation and make an announcement over the PA or megaphone to evacuate, stay in classes or release students to go home. See emergency procedures previously described for evacuation directions.

## **Electrical Failure/Gas Line Break**

1. Principal and/or custodian notify PG&E at 800-743-5000
2. If severe, notify the fire department
3. Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored.
4. Principal will make the decision if evacuation is needed (as described above)

## **Water Main Break**

1. Principal and/or custodian notifies the water department.
2. Groundskeeper shuts off the water.
3. Principal/SOM notifies the police.
4. Principal determines if it is necessary to follow the evacuation procedures above

## **Water Contamination**

1. Instruct teachers to move students away from drinking fountains and sinks.
2. Notify school office and ANT Ops
3. Groundskeeper turns off pressure to drinking fountains and sinks.

## **Chemical Spill**

1. If Indoors:
  - a. Block or rope off area – DO NOT TOUCH ANYTHING.
  - b. Evacuate room and TURN OFF air conditioning system.
  - c. Notify the school office of the incident – office will contact 911 if necessary.
  - d. Groundskeeper should check for chemical safety data to determine the clean up procedure.
2. If Outdoors:
  - a. Upon hearing of a chemical leak (usually from the fire department or other city office) the principal will determine if students should be evacuated
  - b. Move away from buildings, poles and overhead wires.
  - c. Close doors and windows and TURN OFF air conditioning systems.
  - d. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.
  - e. Give first aid.
  - f. Principal to determine if staff to follow the evacuation procedures described above.

## **Bomb Threat**

There are two primary ways a bomb threat may arise. One is through a phone call or written letter in which a bomb is discussed. The other is through a citing of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:

1. Notify the Principal immediately.
2. Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).



If there is a citing of a suspicious object, the person would:

1. Notify the Principal immediately.
2. Do not touch the object but note any identifying features to describe it to the Principal and emergency crews.

In all cases:

1. If Principal determines to evacuate, staff follows evacuation procedures previously described.
2. Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
3. If you see any suspicious object, steer clear of it and report it to the Principal and the emergency crew chief. Follow all emergency crew and bomb squad directives.
4. Use radios, walkie and phones only if absolutely necessary as the frequencies may set off the bomb(s).

## **Homicidal Threat**

Any school official who is alerted to or perceives a homicidal threat or perceived threat made by a student in grades 6-12 must immediately escalate and report this to the school principal, who will report the threat or perceived threat to law enforcement.


Pursuant to California Education Code section 49390(e), a “‘threat or perceived threat’ means any writing or action of a pupil that creates a reasonable suspicion that the pupil is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual.”

In this situation, the procedure below will be followed:

1. Notify the Principal immediately.
2. Try to obtain and write down detailed information about the threat made: who is involved, where (screenshots), when, etc.

Principal or designee:

1. Reach out to Chief Schools Officer to advise and discuss next steps
2. Complete [Threat Assessment](#)
3. Principal should contact law enforcement
  - a. If police comes to interview or question a student, they are legally able to do so. However, confirm with the officer if the student is within their custody (ie. formally arrested/detained). They should also produce (and you should copy) their ID, and inform the CSO and COO.

- b. In addition, family should be notified prior to questioning.
  - c. Principal/SLT should attempt to be present at questioning, if able.
- 4. Using information above, SLT should fill out the
  -  Student Accident Report Incident Report Template (Internal) . The report shall include copies of any documentary or other evidence associated with the threat or perceived threat.
- 5. Follow up with CSO for behavior procedures

## Death/Suicide

1. Principal will be notified in the event of a death or suicide on campus.
2. SOM will phone 911.
3. Principal/SOM will inform Network (CSO and COO) for next steps
4. Principal will notify teachers to keep students in their classrooms until informed otherwise.
5. Network will consult with the Principal to control and organize media.
6. Network will consult with the Principal to notify relatives where the victim(s) have been taken and not divulge unnecessary details.
7. Network will consult with the Principal to ensure that counseling services are available as soon as possible.

## Contagious Disease

### **Procedure if student/staff exhibits severe flu-like symptoms (fever, cough, shortness of breath)**

1. Separate student/staff from others in isolated location;
2. Send home students/staff as soon as possible & keep isolated until off premises.
3. After student/staff is off the premises, ensure all locations are disinfected (ie. wipe down surfaces above)
4. Students or staff members who have symptoms should remain home until it is safe for them to return (fever-free for at least 24 hours), or as directed by the Public Health Department.

### **Procedure if student/staff is identified with more serious contagious disease (ie. COVID-19)**

1. The Principal reports incident to CSO and COO
2. The Chief Operating Officer reports to the State Department of Health (408-885-3980) to seek guidance on managing the outbreak and to create public communications materials for families with up-to-date medical information
3. COO will work with the network team to finalize communication language for various stakeholders and share with appropriate people. Stakeholders include:

1. Families (Principal)
  2. Staff (Principal)
  3. Network (COO)
  4. Afterschool Program (Principal)
  5. Surrounding Schools/Centers (COO/Network)
1. After consultation with COO, the Principal will notify families of exposure to this disease by sending home a letter with information on next steps
  2. Student or staff members who have symptoms should remain home until it is safe for them to return, per guidelines provided by the State Department of Health
  3. Principal will work with the student's teacher to create an education plan for the student while out.
  4. With consultation from the Public Health Department, the Principal and COO will determine if school is closed, and the length of school closure.

## **Parent Reunification**

### **Student Pick-up in the Event of an Emergency**

In the event of an emergency, it may become necessary to relocate the school population to the football field. Such a move would take place when it is determined by school or county officials that keeping students in the school would be hazardous to students and staff.

Parents will be notified of the relocation via a mass one-call sent out by school administrators. When parents are notified of the relocation, you will be told which site the students have been transported to. It is critically important that the school office has all necessary CURRENT phone numbers so that we are able to contact you at any time during the school day in the event of an emergency.

When you arrive to pick up your child—either at Alpha or the football field—there will be a student release station. Please pay attention to all directions for parking. Locate the release station and give the station worker your child's name. Once you have been identified, your child will be brought to you at the station. It is essential that parents cooperate with the release station procedures.

We must be organized in order to ensure 100% accountability for our students. All individuals picking up students must be positively identified by our staff or provide valid identification. Unless a person's name is on your emergency card as having your permission to pick up your child, we will not release your child to them.

## **Psychological First Aid/Crisis Team**

Psychological First Aid/Crisis Team is responsible for the social-emotional well-being and safety of all students on campus during an emergency. The team provides psychological first aid as needed in the immediate aftermath of a critical incident or emergency. The goals during crisis response are to help restore the school to pre-crisis level functioning and to prevent further psychological trauma by providing interventions to students and staff impacted by the crisis. The entire crisis response process is considered important for mental health intervention and can be broken down into three stages: Triage, Evaluation, and Intervention.

A school crisis situation that may require a PFA would be:

1. The suicide of a student, staff, or parent
2. The death of a student, staff or one of their family members
3. The terminal illness of a student or staff member
4. An accident on or near the school grounds
5. A violent incident at or near school or involving students or staff

### **ASSIGNMENTS**

Psychological First Aid Team Lead: Mental Health Counselor

Alternate Team Lead: School Leader

Psychological First Aid Team Member: School Leader

Location: School Office

Supplies and equipment for the Psychological First Aid Team:

- Two-way radio
- General office supplies
- Crisis Counseling sign-in sheet
- Printouts of local resources (e.g. community mental health)
- Printouts of blank Risk Assessment or Threat Assessment Documentation forms

To activate the Psychological First Aid (PFA) Team:

- The PFA School Team Lead will contact their supervisor or Director of Special Education for consultation and support if necessary.
- Based on information received, the Team Lead will activate the PFA Team, requesting support from other mental health counselors if needed.
- The PFA Team will follow their pre-assigned responsibilities as outlined.

### **TRIAGE**

The primary goal here is to provide immediate physical and psychological safety of impacted individuals. This may include implementing crisis counseling or medical attention/first aid, de-escalating behavior, or, if no other safe alternative is available, CPI techniques to move a

child to a safer location.

## EVALUATION

The evaluation process is used throughout the entire event of crisis response. The mental health counselor and members of the Psychological First Aid Team constantly evaluate victims and responders' levels of psychological risk (low, moderate, high) and determine who should be prioritized.

## INTERVENTION

Depending on the level of risk and scope of impact of the crisis incident, the PFA team will determine the appropriate interventions. Services will be provided based on level of need prioritizing high risk.

1. **Low risk-** Re-establish social supports, psychoeducation groups for students and caregivers
2. **Moderate risk-** Re-establish social support, psychoeducation groups for students and caregivers, and immediate crisis counseling, or Uplift / Mobile Crisis Response Team.
3. **High risk-** Re-establish social support, psychoeducation groups for students and caregivers, immediate PFA or other mental health intervention, call Uplift / Mobile Crisis Response Team, SJPd/Tarasoff report, and referrals to long-term therapy
  - a. High risk or at risk populations include but are not limited to those who:
    - i. Had direct exposure (witnessed) or experienced similar trauma
    - ii. Were injured
    - iii. Experienced death or serious injury of a loved one
    - iv. Had close personal relationship with any victims(s)
    - v. Have history of depression or suicidal thoughts or attempts

See the full [suicide prevention policy](#) for more detailed information.

# Safe Ingress and Egress

At Alpha Public Schools, our goal is to have safe ingress and egress of students, parents and employees. We ensure student and family safety by staffing the gated entrances, crosswalks, and adult presence ushering students safely into campus.

## Entrances and Exits

The school principal and school operations team will develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly

way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
- Periodically testing the security system according to the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

#### Safe Passage to and from School

Youngsters must be prepared for safe travel to and from school. As a significant number of pedestrian fatalities are school-age children, it is critical that children understand the dangers of street travel and how to avoid needless tragedies.

School personnel will discuss the following safety issues with students and parents, distribute and post materials, as appropriate:

- Traffic and pedestrian safety
- Bicycle Helmet Law
- Bus Safety
- Safe Routes to School
- Drop-off, pick-up, and parking procedures
- Exiting and entering a car
- Seat belt law use

#### Responsibility of Administrator

- Assess traffic, warning signs, parent loading zones, crosswalks, stop signs, etc.
- Confer with the local Department of Transportation in establishing safe pedestrian routes to and from school and appropriate student pick-up and drop-off points.
- Encourage parents to walk their children to school.
- Request volunteers to participate in the Volunteer Crossing Guard program.

- Inform students, staff and parents of designated "Safe Routes", student drop-off and pick-up points, and safety procedures to be observed whenever there are moving vehicles in or around the school.
- Report continuing traffic non-compliance problems to local enforcement agencies.

#### Traffic Patterns and Drop-Off/Pick-Up Points

Each Alpha Public Schools campus is required to develop appropriate protocols to minimize traffic congestion and enhance pedestrian safety around the school site.

#### Responsibility of Administrator

- Administrator is to ensure through daily monitoring by designated staff that loading and unloading areas are "curbside" and designated to minimize student proximity to moving vehicles and that these areas are readily accessible to students.
- School personnel are to ensure that appropriate traffic and pedestrian signs are posted in the vicinity of the school.
- School personnel are to develop a student drop off and pick up plan and distribute plan to parents.
- All designated drop-off/pick-up points are safe and at "curbside."
- Local Police Department is contacted for assistance relating to traffic enforcement during drop-off and pick-up times as necessary to ensure student safety and minimize traffic congestion.
- Proper supervision is provided at any automobile loading and unloading areas.

#### Releasing Students

Alpha Public Schools employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school.

In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the school principal, principal's designee or the Alpha Support Office staff before releasing the student.

During dismissal or egress, adult staff are available to assist students getting to their cars safely. Students are walking to the designated areas and safely use crosswalks when necessary.

# Suspension and Expulsion Policies and Procedures

Alpha Public Schools create a school culture where students are able to focus on learning. The discipline system is designed to create and maintain a productive place of learning and our methods are intended to be preventative. Teachers are trained to use effective classroom management strategies to maximize instruction and minimize student misbehavior, and there are school-wide systems for assigning both positive incentives and negative consequences. Students who do not adhere to stated expectations for behavior and who violate the school rules may expect consequences for their behavior. Consequences are fair, gradual, and developmentally appropriate. Consequences include, but are not limited to:

- Warnings, verbal and/or written
- Loss of privileges (structured choice time)
- Notice to parents by telephone or letter
- Parent conference
- Suspension
- Expulsion

Expectations for school behavior are developmentally appropriate and clearly articulated to students and families during orientation and will be provided as written policy in our Family Handbook. Each student and his or her parent or guardian is required to verify that they have reviewed and understand the policies prior to enrollment. These policies provide all students with an opportunity for due process and conform to applicable federal and state law regarding students with special needs. The comprehensive set of suspension and expulsion policies are attached in Appendix F of the Renewal Charter.

In the case of students with an IEP or 504 Plan, the Charter School ensures that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the Individuals with Disabilities Education Improvement Act of 2004 and Section 504 of the Rehabilitation Act of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or a student with an IEP, or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to IDEA, the Principal convenes a manifestation hearing, which includes the IEP team, to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the Charter School's failure to implement the 504 Plan or IEP. If it is determined that the student's misconduct was not caused by or had a direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the Charter School's failure to implement the 504 Plan or IEP, the student may be recommended for expulsion.



## **Alpha's Official Suspension & Expulsion Policy**

Teachers and administrators will use a large array of strategies to promote positive behavior and to correct problem behaviors. We also use consequences and a problem-solving approach to help students fix behavior problems. Students may lose privileges when they violate the rules.

The School's administrative team will work closely with teachers, families, and students to help them learn and grow and has the authority to decide on the appropriate consequences for student behavior. The administrative team may solicit parent / guardian input in certain situations, but they retain all decision-making authority.

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the School. In creating this policy, the School has reviewed California Education Code Section 48900 et seq. which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions and the language below closely follows the California Education Code. The School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. 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 School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. The notice shall state that this Policy and Procedures are available on request at the School's Main 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 the School 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. The School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (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 him or her of the basis for which the student is being involuntarily removed and their right to request a hearing to challenge the involuntary removal. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

### **Grounds for Suspension and Expulsion of Students**

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring anytime 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.

### **Progressive Discipline**

The School believes in progressive discipline as a means to ensuring due process, intervention, and fairness to the disciplinary process. However, the School is committed first and foremost to the health and safety of our students and staff; and second to creating the strongest possible learning and teaching environment free from the distractions of poor student behavior. Any progressive discipline steps shall not preclude the immediate suspension and/or

recommendation for expulsion of any student for any of the enumerated offenses listed below in Section C.

### **Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force 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 his or her 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 subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 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 section 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 classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or students by creating an intimidating or hostile educational environment. This section 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;
  - i) "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:

- 1) Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - 2) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - 3) Causing a reasonable student to experience substantial interference with his or her academic performance.
  - 4) Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the School.
- ii) "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:
- 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 subparagraph (i) above.
    - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (i) 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 (i) 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.
    - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (1-4), inclusive, of paragraph (i). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
  - 4) Notwithstanding subparagraphs (i) and (ii) 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 unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
2. Non-Discretionary Suspension Offenses. Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
    - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence
    - b) Brandishing a knife at another person

- c) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code
  - d) Committed or attempted to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)
3. Discretionary Expellable Offenses. Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force 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 his or her 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 subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 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 section 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 classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or students by creating an intimidating or hostile educational environment. This section 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;



- i) "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:
  - 1) Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - 2) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - 3) Causing a reasonable student to experience substantial interference with his or her academic performance.
  - 4) Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the School.
- ii) "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:
  - 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 subparagraph (i) above.
    - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (i) 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 (i) 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.
  - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (1-4), inclusive, of paragraph (i). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 4) Notwithstanding subparagraphs (i) and (ii) 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 unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students

had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- d) Committed or attempted to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

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

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

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

## **Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

### **1. Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the designee with the student and his or her parent and, whenever practical, the teacher, supervisor or School employee who referred the student to the Principal or designee.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense in accordance with Education Code Section 47605(b)(5)(J)(i) . This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

## 2. Notice to Parents/Guardians

At the time of 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 committed by the student. In addition, the notice may also state the date and time when the student may return to school. If School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

## 3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal 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. This determination will be made by the Principal 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. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

## **Authority to Expel**

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

hearing, as required by law.

A student may be expelled either by the neutral and impartial School Board of Directors following a hearing before it or by the School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board of Directors 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 School's Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

### **Expulsion Procedures**

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

In the event an Administrative Panel hears the case, it will make a recommendation to the Board of Directors for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the 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:

- The date and place of the expulsion hearing;
- A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- A copy of the School's disciplinary rules which relate to the alleged violation;
- Notification of the student's or parent/guardian's obligation to provide information about the student's status at the School to any other school district or school to which the student seeks enrollment;
- 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;
- The right to inspect and obtain copies of all documents to be used at the hearing;
- The opportunity to confront and question all witnesses who testify at the hearing;
- The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

## **Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses**

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

- The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
- The School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
- 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 he or she may leave the hearing room.
- 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.
- The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- 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 him or her to the witness stand.
- If one or both of the support persons is also a witness, the School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The 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 his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
- 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.

- 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 his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
- 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.

### **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.

### **Presentation of Evidence**

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

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

right to have his or her testimony heard in a session closed to the public.

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

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

### **Written Notice to Expel**

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

The Principal 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

### **Disciplinary Records**

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

### **No Right to Appeal**

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

### **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. The School 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.



## **Rehabilitation Plans**

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

## **Readmission**

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board of Directors following a meeting with the Chief Schools Officer, Principal, and/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 Chief Schools Officer or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

## **Notice to Teachers**

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

## **Involuntary Removal for Truancy**

As charter schools are schools of choice and as a charter school pupil who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the Charter School's board adopted Attendance Policy for truancy and only after the Charter School follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a Parent/Guardian/Educational Rights Holder to request a hearing prior to any involuntary removal.

## **Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities**

- Notification of SELPA:  
The School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who the School or the SELPA would be deemed to have knowledge that the student had a disability.
- 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.
- Procedural Safeguards/Manifestation Determination:  
Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:
  - If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
  - If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

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

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

- Conduct a functional behavioral assessment, and implement a behavioral intervention plan for such child, provided that the School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

- 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
- Return the child to the placement from which the child was removed, unless the parent and the School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

- Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the School 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 or the School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k) or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School 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 Charter School 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.

- Special Circumstances

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

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

- 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;
- 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,
- 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.

- Interim Alternative Educational Setting

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

- Procedures for Students Not Yet Eligible for Special Education Services

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

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

- 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 School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- The parent has requested an evaluation of the child.
- The child's teacher, or other School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other School supervisory personnel.

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

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

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

## **Procedures for Notifying Teacher(s) of Dangerous Pupil(s)**

Pursuant to Education Code Section 49079, Alpha shall inform a student's teacher of any student who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h) (smoking), of Education Code Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 during the three (3) previous school years. Pursuant to Welfare and Institutions Code Section 827, similar notification shall be given on any student who has committed certain acts enumerated in Section 827. Information regarding the student must be shared in a timely manner, but no later than seven (7) school days after the information is received. This information shall be based upon any records that Alpha maintains in its ordinary course of business. The information provided is for teachers only. All information regarding suspension and expulsion is CONFIDENTIAL, is not to be shared with any student(s) or parent(s). Teachers are asked to secure the list so students and others may not view it.

# **Title IX & Complaint Policies**

## **Title IX Policy**

This Title IX Policy Prohibiting Discrimination on the Basis of Sex ("Policy") contains the policies and grievance procedures of Alpha Public Schools ("Alpha") to address sex discrimination, including but not limited to sexual harassment, occurring within Alpha's education program or activity.

Alpha does not discriminate on the basis of sex and prohibits any acts of sex discrimination in any education program or activity that it operates, as required by California law, Title IX (20 U.S.C. § 1681 *et seq.*) and the Title IX regulations (34 C.F.R. Part 106), including in admission and employment.<sup>1</sup>

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

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

## **Definitions**

### **Prohibited Sex Discrimination**

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

### **Prohibited Sexual Harassment**

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

- An employee of Alpha conditioning the provision of an aid, benefit, or service of Alpha on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Alpha's education program or activity; or

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<sup>1</sup> Alpha complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports and complaints of misconduct prohibited by this Policy.

- “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

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

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

- Physical assaults of a sexual or sex-based nature, such as:
  - o Rape, sexual battery, molestation or attempts to commit these assaults.
  - o Intentional physical conduct that is sex-based or sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, poking another's body, violence, intentionally blocking normal movement or interfering with work or school because of sex.
- Unwanted sexual advances or propositions, derogatory sex-based comments, or other sex-based conduct, such as:
  - o Sexually oriented or sex-based gestures, notices, epithets, slurs, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - o 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.

- o 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.
- o Retaliation against an individual who has articulated a good faith concern about sex-based harassment.
- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
  - o 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.
  - o 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.
  - o Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

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

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

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

**Party** means a complainant or respondent.



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

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

### **Title IX Coordinator**

The Board of Directors of Alpha ("Board") has designated the following employee as the Title IX Coordinator ("Coordinator"):

Cynthia Martinez Nava

Chief Schools Officer

2110 Story Road, #250

San Jose, CA 95122

408-643-0862

[titleix@alphapublicschools.org](mailto:titleix@alphapublicschools.org) (cc: [cmartineznava@alphaps.org](mailto:cmartineznava@alphaps.org) and [shegde@alphaps.org](mailto:shegde@alphaps.org))

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

Chris Kang

Chief Operating Officer

2110 Story Road, #250

San Jose, CA 95122

408-357-4333

[ckang@alphapublicschools.org](mailto:ckang@alphapublicschools.org)

(cc: [shegde@alphapublicschools.org](mailto:shegde@alphapublicschools.org))

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

### **Reporting Sex Discrimination**

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

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

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

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

### **Privacy**

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

**Retaliation**

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

**Response to Sexual Harassment**

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

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

**Supportive Measures**

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

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

Supportive measures will not unreasonably burden either party or be imposed for punitive or disciplinary reasons. Alpha will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining

such confidentiality would not impair Alpha's ability to provide the supportive measures. The Coordinator is responsible for coordinating the effective implementation of supportive measures.

## **Grievance Procedures**

### **Scope and General Requirements**

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

Complaints of misconduct prohibited by this Policy that do not constitute a formal complaint of sexual harassment will be addressed in accordance with Alpha's Uniform Complaint Procedures, its employment discrimination complaint procedures, or the grievance procedures set forth in its Harassment, Intimidation, Discrimination, and Bullying Policy, as applicable. The following grievance procedures will apply to formal complaints of sexual harassment.

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

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

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

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

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

Alpha will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence.<sup>2</sup> Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

### **Dismissal**

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

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

Alpha may dismiss a formal complaint of sexual harassment or any of the allegations therein if:

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

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

### **Notice of the Allegations**

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

- Alpha's grievance procedures and any informal resolution process;

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<sup>2</sup> Inculpatory means tending to impute guilt or fault, and exculpatory means tending to absolve from guilt or fault.

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

### **Emergency Removal**

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

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

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

### **Informal Resolution**

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

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

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

### **Investigation**

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

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

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

The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised,

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

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

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

### **Determination of Responsibility**

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

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

Within fifteen (15) business days after Alpha sends the investigation report to the parties, the decisionmaker, who will not be the same person as the Coordinator or investigator, will simultaneously send the parties a written determination of whether sexual harassment occurred. The written determination will include:

- The allegations of sexual harassment;
- A description of the procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- The findings of facts supporting the determination;



- The conclusions regarding the application of Alpha's code of conduct to the facts;
- The decision and rationale for each allegation;
- Any recommended disciplinary sanctions for the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
- The procedures and permissible bases for appeals.

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

### **Appeals**

Either party may, within five (5) business days of their receipt of Alpha's written determination of responsibility or dismissal of a formal complaint of sexual harassment, submit a written appeal to the Chief Executive Officer (Shara Hegde, 408-401-9388, shegde@alphaps.org), who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal.

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

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

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

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

provide a written decision simultaneously to the parties describing the result of the appeal and the rationale for the result.

### **Consequences**

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

### **Training**

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

### **Recordkeeping**

Alpha will maintain the following records for at least seven (7) years:

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

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

# Harassment, Intimidation, Discrimination, And Bullying Policy

Discrimination, 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, Alpha Public Schools ("Alpha" or "Charter School") prohibits any acts of discrimination, harassment, intimidation, and bullying altogether.

As used in this policy, discrimination, 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 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, locs, and twists), 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. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, Charter School 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. Charter School staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

This policy applies to incidents occurring on the school campus, at school-sponsored events and activities regardless of the location, through school-owned technology, and through other electronic means, whether perpetrated by a student, employee, parent/guardian, volunteer, independent contractor or other person with whom

Charter School does business, and all acts of Charter School's Board of Directors ("Board") in enacting policies and procedures that govern Charter School.<sup>3</sup>

Charter School 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.

## **Definitions**

**Harassment** means conduct based upon one or more of the protected characteristics listed above that is severe or pervasive, which unreasonably disrupts an individual's educational or work environment or that creates a hostile educational or work environment. Harassment includes, but is not limited to:

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

**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 hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- Placing a reasonable student <sup>4</sup> or students in fear of harm to that student's or those students' person or property.
- Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.

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<sup>3</sup> This policy becomes effective on August 1, 2024. Conduct occurring before August 1, 2024 will be addressed in accordance with the former version of this policy, which was entitled "Title IX, Harassment, Intimidation, Discrimination and Bullying Policy."

<sup>4</sup> "Reasonable student" is defined as a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill and judgment in conduct for a person of the student's age, or for a person of the student's age with the student's exceptional needs.

- Causing a reasonable student to experience a substantial interference with the student's academic performance.
- Causing a reasonable student to experience a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by Charter School.

**Cyberbullying** is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, video 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 or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- A message, text, sound, video, or image.
- A post on a social network Internet Web site including, but not limited to:
  - Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
  - Creating a credible impersonation of another actual student 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 student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
  - 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 student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- An act of "Cyber sexual bullying" including, but not limited to:
  - The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be

- reasonably predicted to have one or more of the effects described in 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.
- o “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
  - Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

### **Bullying and Cyberbullying Prevention Procedures**

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

#### **Cyberbullying Prevention Procedures**

Charter School advises students:

- To never share passwords, personal data, or private photos online.
- To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- 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.
- To consider how it would feel receiving such comments before making comments about others online.

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

#### **Education**

Charter School employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying

from happening. Charter School advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at Charter School and encourages students to practice compassion and respect each other.

Charter School 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.

Charter School informs Charter School 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.

### **Professional Development**

Charter School 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 Charter School employees who have regular interaction with students.

Charter School 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

Charter School also informs certificated employees about the groups of students determined by Charter School and available research to be at elevated risk for bullying and provides its certificated employees with information on existing school and community resources related to the support of these groups. 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.

Charter School encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for Charter School's students.

## **Complaint Procedures**

### **Scope of the Complaint Procedures**

Charter School 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:

- Are written and signed;
- Filed by an individual who alleges that they have 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 based on a protected characteristic, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- Submitted to the Charter School 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.

Charter School will comply with its Title IX Policy when investigating and responding to complaints alleging sex discrimination, including sex-based harassment, in its education program or activity, as applicable.

The following procedures shall be utilized for complaints of misconduct prohibited by this Policy that do not fall within the scope of Charter School's Title IX Policy or comply with the writing, timeline, or other formal filing requirements of the UCP. A copy of Charter School's Title IX Policy and UCP is available on the Alpha website.

### **Submitting a Report or Complaint**

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 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.

Reports and complaints of misconduct prohibited by this Policy shall be submitted to the Chief Executive Officer (or the Secretary of the Board if the complaint is against the Chief Executive Officer) as soon as possible after the incidents giving rise to the report or complaint.

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, and Charter School will investigate and respond to all oral and written reports of misconduct prohibited by this Policy, the reporting party is encouraged to submit a written report. 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 and other verbal or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Principal, 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.

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

Charter School 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.

### **Investigation and Response**

Upon receipt of a report or complaint of misconduct prohibited by this Policy, the Chief Executive Officer or designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days.

At the conclusion of the investigation, the Chief Executive Officer or designee will, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation and resolution of the incident/situation. However, the Chief Executive Officer or designee will not reveal confidential information related to other students or employees.

If the complaint is against the Chief Executive Officer, the board governance committee, or designee will conduct a fact-finding investigation and provide the complainant with information about the investigation and resolution of the incident/situation.

### **Consequences**

Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action up to and including expulsion from Charter School or termination of employment.

### **Right of Appeal**

Should a complainant find Charter School's resolution unsatisfactory, for complaints within the scope of this Policy, the complainant may, within five (5) business days of notice of Charter School's decision or resolution, submit a written appeal to the Chief Executive Officer, who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal. The decisionmaker for the appeal will notify the complainant of the final decision.

## **General Complaints Policy**

Suggestions for improving the School are always welcome. Your good-faith complaints, questions, and suggestions also are of concern to the School. We ask you to first discuss your concerns with your child's teacher, principal, and then follow these steps:

Any complaint shall be put in writing using the "Complaint Form" and addressed to the Principal. A written complaint shall include:

1. The full name of each person involved
2. A brief but specific summary of the complaint and the facts surrounding it
3. A specific description of any prior attempt to discuss the complaint with the person and the failure to resolve the matter

For complaints regarding unlawful discrimination, harassment, intimidation or bullying, unlawful pupil fees, or other specific perceived violations of state or federal laws, please refer to the Charter School's Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy and/or the Charter School's Uniform Complaint Policy and Procedures and their corresponding complaint forms at the end of this Handbook.

The Principal shall investigate the complaint as necessary and shall promptly mail a written notice to the Complainant of the date, time, and place of a meeting between the Complainant and the Principal, which shall occur no later than ten (10) school days following the receipt of complaint.

If no resolution can be agreed upon between the Principal and the Complainant, the Principal shall submit the complaint to the Chief Schools Officer.

The Chief Schools Officer may seek additional investigation by the Principal as he/she deems necessary and will issue a resolution. The Chief Schools Officer will make the final determination regarding the dispute and shall notify the Complainant of the resolution within ten school days of the determination.

This procedure, which we believe is important for both you and the School, cannot guarantee that every problem will be resolved to your satisfaction. However, the School values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

## **Policy for Complaints Against Employees**

The School requires all employees to observe the highest standard of business and personal ethics in the conduct of their duties and responsibilities. As representatives of the School, employees must practice honesty and integrity in fulfilling responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all employees to comply with school policies noted in the Employment Guidelines and to report violations or suspected violations in accordance with this Whistleblower Policy.

Depending on the nature of the complaint, the complainant will be provided information concerning the applicable policy and procedures to be followed. If there is no applicable policy or procedures, the Principal (or designee) shall encourage the parties involved to seek an informal resolution of the issues. If this is not possible due to the nature of the complaint or if informal resolution has been unsuccessfully attempted, the Principal (or designee) shall undertake a responsible inquiry into the complaint to ensure it is reasonably and swiftly addressed. When appropriate, a written statement of the complaint will be obtained from the complainant.

If the complainant files a written complaint and no other school policy or procedure is applicable, the Principal (or designee) shall abide by the following process:

1. Within 10 working days of the receipt of the complaint, the Principal or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Principal (or designee) finds that a complaint against an employee is valid, the Principal (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Principal (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Principal's (or designee) decision relating to the complaint shall be final unless it is appealed to the Chief Schools Officer. The decision of the Chief Schools Officer shall be final.

### **Confidentiality**

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 assured.

### **Non-Retaliation**

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.

### **Resolution**

The administration 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.

### **Nondiscrimination**

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

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

The School is committed to providing a work and educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination in Employment Act of 1967; The Age Discrimination Act of 1975; the IDEA; and Section 504 and Title II of the ADA (mental or physical disability).

The School also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. The School does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which the School does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. The School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the Charter School Uniform Complaint Procedures ("UCP") Compliance Officer:

Chief Schools Officer  
Alpha Public Schools  
2110 Story Rd. Suite 250  
San Jose, CA 95122

# Procedures to Assess and Respond to Reports of Dangerous, Violent, or Unlawful Activity

Alpha Public Schools is committed to ensuring it provides a safe school environment. Doing so requires diligence in ensuring that dangerous, violent, and unlawful activities are prevented to the degree reasonable possible.

Alpha Public Schools encourages its employees, students, parents, and its entire broader community to alert the school to any dangerous, violent, or unlawful act that is threatened or suspected to be occurring or about to occur at school, at any school-sponsored activity, or on any school-provided transportation.

Reports can be made anonymously to the Principal, School Operations Manager, or Chief Schools Officer.

The person responsible for receiving and respond to these reports will, to the extent possible, ask the reporting individual to provide any additional information and detail as required to reasonably assess the likelihood of occurrence of any dangerous, violent, or unlawful activity and to prevent that occurrence.

If a report is deemed to be reliable, the campus Principal shall be alerted and all reasonable efforts to prevent dangerous, violent, or unlawful activity will be undertaken.

## Opioid Overdose Response Protocol

### **STEP 1: Evaluate for Signs of Overdose.**

- a. All employees will be trained to recognize the following signs of an opioid overdose:
  - Unconsciousness or inability to awaken;
  - Slow or shallow breathing or breathing difficulty, such as choking sounds or a gurgling/snoring noise from a person who cannot be awakened; and
  - Fingernails or lips turning blue/purple.

- b. If any person is suspected of suffering an overdose, any employee shall first attempt to stimulate the person by:
  - Calling the person's name;
  - Then, vigorously grinding knuckles into the sternum (breastbone) or rub knuckles on the person's upper lip.
- c. If the person responds, assess whether he or she can maintain responsiveness and breathing.
- d. Continue to monitor the person, including breathing and alertness, and try to keep the person awake and alert.
- e. If unresponsive, call 911, provide rescue breathing if the person is not breathing on their own, and administer one dose of naloxone.

**STEP 2: Call 911.** Calling 911 at the appropriate time is an essential step to getting someone with medical expertise to care for the person suspected of experiencing an opioid overdose. If no emergency medical services (EMS) or other trained personnel are on campus, activate the 911 emergency system immediately. All that needs to be reported is "Someone is unresponsive and not breathing" and then report the specific address and/or description of the location on the campus where the person is located. After relaying this information, follow the dispatcher's instructions. If appropriate, the 911 operator will instruct you to begin CPR.

**STEP 3: Administering Naloxone.** Employees will be trained on the administration of naloxone according to the instructions provided with the naloxone product maintained at the school.

- a. If a person does not respond within 2-3 minutes after administering a dose of naloxone administer a second dose of naloxone.
- b. The duration of effect of naloxone depends on the dose, method of administration, and overdose symptoms. The goal of naloxone therapy should be to restore adequate spontaneous breathing, but not necessarily complete arousal.
- c. More than one dose of naloxone may be needed to revive someone who is overdosing. People who have taken longer acting or more potent opioids may require additional doses or forms of naloxone therapy.
- d. Comfort the person being treated, as withdrawal triggered by naloxone can feel unpleasant. Some people may become agitated or confused, which may improve by providing reassurance and explaining what is happening.

**STEP 4: Support the Person's Breathing.** Supporting breathing is an important intervention and may be lifesaving on its own. Rescue breathing can be very effective in supporting respiration, and chest compressions can provide ventilatory support.

- a. Rescue breathing for adults involves the following steps:
  - Be sure the person's airway is clear (check that nothing inside the person's mouth or throat is blocking the airway).
  - Place one hand on the person's chin, tilt the head back, and pinch the nose closed.
  - Place your mouth over the person's mouth to make a seal and give two slow breaths.
  - Watch for the person's chest (but not the stomach) to rise.
  - Follow up with one breath every 5 seconds.
- b. Chest compressions for adults involve the following steps:
  - Place the person on his or her back.
  - Press hard and fast on the center of the chest.
  - Keep your arms extended.

**STEP 5: Monitor the Person's Response.** All should be monitored for recurrence of signs and symptoms of opioid toxicity for at least 4 hours from the last dose of naloxone or discontinuation of naloxone infusion. Most people respond to naloxone by returning to spontaneous breathing within 2-3 minutes of receiving a dose of naloxone. Because naloxone has a relatively short duration of effect, overdose symptoms may return, so it is essential to get the person to an emergency department or other source of medical care as quickly as possible, even if the person revives after the initial dose of naloxone and seems to feel better.

#### **DO's and DON'T's:**

**DO** attend to the person's breathing and cardiovascular support needs by administering oxygen or performing rescue breathing and/or chest compressions.

**DO** administer naloxone and utilize a second dose if no response to the first dose.

**DO** put the person in the "recovery position" on the side, if you must leave the person unattended for any reason.

**DO** stay with the person and keep them warm.

**DON'T** slap or forcefully try to stimulate the person; it will only cause further injury. If you cannot wake the person by shouting, rubbing your knuckles on the sternum, or light pinching, the person may be unconscious.

**DON'T** put the person into a cold bath or shower. This increases the risk of falling, drowning, or going into shock.

**DON'T** inject the person with any substance (e.g., saltwater, milk, stimulants). The only safe and appropriate treatment is naloxone.

**DON'T** try to make the person vomit drugs that may have been swallowed. Choking or inhaling vomit into lungs can cause a fatal injury.



**NOTE:** all naloxone products have an expiration date, so it is important to check the expiration date and obtain replacement naloxone as needed.

## Emergency Action AED Plan

The Board of Directors of Alpha Public Schools understands the importance of safety measures to be taken as a participant of interscholastic sports programs. To that end, this Emergency Action Plan has been created to ensure the safety of students and provide for the proper maintenance and use of an Automatic External Defibrillator ("AED"). Alpha will notify the local Emergency Medical Services (EMS) Agency (Santa Clara County EMS) of the existence, location and type of AED acquired.

### Location and Storage of AED

The AED will be located at 1881 Cunningham Ave., San José, CA 95122 (the "Site"). The AED will be stored in an unlocked cabinet in a location that is easily accessible during all hours that the building is open. A prominent sign will be placed above the cabinet identifying the AED location. Instructions on how to use the AED shall be posted next to the AED. Instructions shall be printed in no less than 14-point font.

### Access

AEDs shall be readily accessible for use in responding to a cardiac emergency, during both school-day and after-school interscholastic athletic activities, in accordance with this Plan. AEDs shall not be locked in an office or stored in a location that is not easily and quickly accessible at all times.

### Placement of AED

At least 1 AED shall be located within the school building in a location that is sufficient to enable the school staff or another person to retrieve an AED and deliver it to any location where interscholastic athletic activities are conducted, ideally within 3 to 5 minutes of being notified of a possible cardiac emergency. In the event that placement of the AED inside the school building will not allow a person to retrieve the device within that time frame, the AED can be maintained outside the school building in the possession of an on-site athletic trainer, coach, or other qualified person, to enable the delivery of the AED to the location of interscholastic athletic activities outside of the school (on school grounds) including any athletic field, ideally within 3 to 5 minutes of being notified of a possible cardiac emergency.

### Associated Equipment

One set of pads will be connected to the AED at all times (if possible) and a spare set of pads will be kept in the AED case. One rescue kit will also be stored with each AED. This kit will

contain latex-free gloves, a disposable shaving razor, one set of trauma shears, a washcloth or small towel, and a pocket face mask or other barrier device.

#### Authorization of the Use of AEDs

Alpha will maintain a list of personnel authorized to use the AED. Authorized staff will be those who have current certification in CPR and the use of AEDs from a recognized training agency. Additionally, trained and certified members of the general public are authorized to use the AED in cardiac emergencies.

All trained and certified persons present when a cardiac emergency occurs will constitute the emergency response team (ERT).

#### Procedure

In the event of an unresponsive individual on the grounds of or in any of the buildings on the Site, the Principal and SOM is to be notified. The 911 system is to be immediately activated. The personnel shall announce a predetermined code word on the building's public address system. At least two members of ERT shall go to the announced location of the patient, assess the patient and if necessary begin CPR. At least one other member of the ERT shall go to the location of the AED and bring the AED to the patient. Any remaining members or bystanders should be used for crowd control or should be sent to key intersections to direct emergency personnel.

#### Protocol for the Use of the AED

##### **IMMEDIATELY UPON ARRIVAL, CHECK THE SCENE FOR SAFETY, AND THEN VERIFY SUDDEN CARDIAC ARREST:**

- Verify unconsciousness
- If no response, call or have someone CALL 911
- Don appropriate personal protective equipment
- Verify no breathing
- Perform CPR by
  - Baring the patient's chest
  - Providing 30 chest compressions followed by 2 rescue breaths
  - Continue compressions and breaths on a ratio of 30:2 for approximately two minutes. Count out loud: 1,2,3, etc.
  - After two minutes, check for signs of circulation. If circulation is absent, continue CPR
- As soon as the AED arrives:
  - Place the AED near the patient's ear
  - Turn on the AED
  - Prepare the patient's chest
    - Cut or tear away clothing

- If excessive chest hair, shave it
- If medication patch where pads are to be placed, remove it with gloved hand, wipe off medication and discard
- Dry the chest, if wet, or move patient to a dry area if lying in water
- If patient is lying on a metal surface, move him or her
- Pads should be attached at least one inch away from an implanted pacemaker/defibrillator
- Apply defibrillation pads as per diagram on machine
- Clear the patient as the AED analyzes heart rhythm and again immediately prior to shock delivery
- Deliver shock when prompted by pushing the 'shock' button
- Check for signs of circulation. If absent, perform CPR for two minutes

Continue sequence of one shock and two minutes of CPR until 'No shock' prompt or EMS arrives. If no shock advised, check for signs of circulation

- If no circulation, continue CPR
- If circulation present, check breathing
- If no breathing, provide rescue breaths – one every five seconds
- If breathing is restored, move the victim to the recovery position. Do not remove pads from patient's chest and do not disconnect pads from the AED
- When EMS arrives, the rescuer will continue the AED protocol until EMS personnel acknowledge they are assuming responsibility for patient care.

### Contraindications

- The AED should not be attached to persons who are breathing, conscious, or responsive
- The AED should not be used with children under the age of one (1) year
- If the victim is less than eight (8) years of age and if the facility has them, pediatric pads should be used. If no pediatric pads are available, adult pads can be used on a young patient as long as they do not overlap. Pediatric pads should **never** be used with adult patients

### Post Use Procedure

Following any use of the AED

- Notify the Principal, the School Operations Manager, and ANT Operations Team
- Complete an incident report.
- Supply any recorded data from the rescue and all electronic files captured by the AED, if requested
- File a copy of the incident report with the Business Coordinator.
- Restock electrode pads, batteries, razors, gloves. Inspect all supplies for any damage, expiration dates and required replacement

- Clean the AED. Inspect the exterior and connector for dirt or contamination
- Notify staff AED is back in service

### Post Event Review

Following each use of an AED by the ERT or a volunteer responder, a review shall be conducted to learn from the experience. All key participants in the event shall participate in the review. Included in the review shall be the identification of actions that went well and the collection of opportunities for improvement as well as stress debriefing.

### Regular System Checks

The AED shall be tested in accordance with the manufacturer's protocol at least every 2 years and after every use. At least every 90 days, the School Ops Team shall conduct and document a system check. These records shall be retained in the school office. This system check shall confirm the absence of any indications that the functionality of the AED may be compromised, such as a blinking light or other obvious defect that suggests tampering or damage, including a review of the following elements:

- Emergency kit supplies
- AED battery life
- AED operation and status
- Pad expiration date

## Safe Storage of Firearms

It is critical that parents keep firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

Below is a summary of California law regarding the storage of firearms.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and

control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.<sup>5</sup>

- **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.<sup>6</sup>
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.<sup>7</sup>
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.<sup>8</sup>

**Note:** Santa Clara County and San Jose (or your city if you do not live in San Jose) may have additional restrictions regarding the safe storage of firearms.

Schools alone cannot prevent incidents of gun violence. It is the responsibility of parents, guardians, and household members to store firearms according to California law. Tips and information about firearms safety, including Rules for Kids, can be found on the State of California Department of Justice Firearm Safety web page at <https://oag.ca.gov/firearms/tips>.

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<sup>5</sup> See California Penal Code sections 25100 through 25125 and 25200 through 25220.

<sup>6</sup> See California Penal Code section 25100(c).

<sup>7</sup> See California Civil Code Section 29805.

<sup>8</sup> See California Civil Code Section 1714.3.

# 2025-26 Instructional Continuity Plan (ICP)

This template provides a framework for the Instructional Continuity Plan (ICP) and should be tailored to the unique needs and resources of the LEA and its school sites.

Guidance regarding completion and requirements of the Instructional Continuity Plan (ICP), including SB 153 requirement that this ICP be included in the Comprehensive School Safety Plan (CSSP) by July 1, 2025 can be found at <https://www.cde.ca.gov/re/di/or/icpguidance.asp>.

Local Educational Agency (LEA) Name	School Name	Contact Name and Title	Email and Phone
Alpha: Cornerstone Academy Preparatory	Alpha: Cornerstone Academy Preparatory	Fallon Housman Principal	fhousman@alphapublicschools.org 408-495-9247

## Introduction and Purpose

Information about the Instructional Continuity Plan (ICP) requirements, revision and adoption dates.

This Instructional Continuity Plan (ICP) was last revised on June 5, 2025 and adopted by Alpha: Cornerstone Academy Preparatory on June 18, 2025 to ensure all students have access to instruction during a natural disaster or emergency, as mandated by Senate Bill 153, Chapter 38, Statutes of 2024 (SB 153), which adds a provision to California Education Code (EC) Section 32282.

This ICP will be included in the LEA's Comprehensive School Safety Plan (CSSP) by July 1, 2025. Inclusion of this ICP in the CSSP will be required to obtain approval of a Form J-13A waiver request beginning in fiscal year 2026-27. This plan is intended to minimize disruptions to instruction and provide support for pupils' social-emotional, mental health, and academic needs.

## Engagement with Pupils and Families

### Protocol for Engagement

Protocol for engagement with pupils and their families.

As required, Alpha: Cornerstone Academy Preparatory will engage with pupils and their families as soon as practicable, but **no later than five calendar days** following an emergency.

## Methods of Two-Way Communication

Methods for two-way engagement.

The protocol for engagement with pupils and their families is designed to establish two-way communication. Current existing methods include:

- Short messaging service (SMS)
- Phone Calls
- Email
- School Portal
- Social Media
- Flyers

Alpha Public Schools has a variety of ways we have established two-way communication with pupils and their families. Alpha will support staff, student, and their families access to information through emergency alerts via text and emails, automated phone calls and texts, communication platforms (e.g. Konstella), district website updates, social media, flyers, and/or local media postings in multiple languages.

## Plans for Unforeseen Events

Plans to address unforeseen events such as power outages and damage to infrastructure and how they may impact methods for two-way communication.

Alpha Public Schools is able to use the communication methods described above in unforeseen events, given these are cloud-based communication platforms that can be accessed via mobile or remote devices. However, Alpha Public Schools also has structures (homeroom/advisories) to utilize direct calls/phone trees if other methods are not available.

## Support for Unique Needs

Plans designed to identify and provide support for pupils' social-emotional, mental health, and academic needs.

Students with special needs will be supported by their homeroom teacher or advisor, as well as through other members of the school team, which include (but are not limited to): Learning specialists (ELD, Math, Education/SPED, and/or ELA), academic interventionists, paraprofessionals, school counselors, and other resource team members. The entire team collaborates to ensure all students receive the academic and social/emotional support they need.

The school team ensures it builds an understanding of each students needs prior to and at the start of the school year. There are opportunities (orientation, individual meetings) to establish home/school relationships and to gain a good understanding of the student's context (e.g. technology needs, strengths/challenges/supports needed).

In executing plans, the school will organize additional ways for connection (webinars, office hours, conferences). For English Learners, students will continue to be provided the designated and integrated supports from the team. Students with IEP's will be supported as outlined in their IEP by the Sped team. Alpha leadership and counselors will work to provide guidance to families/students around mental health and social emotional supports. Resources will continue to be updated on the website, as well as shared directly via communication platforms and workshops and/or cafecitos that occur during the year.

# Access to Instruction

## Timeline for Access to Instruction

Timeline for access to instruction no more than 10 instructional days following the emergency.

As required, Alpha: Cornerstone Academy Preparatory will provide access to in-person or remote instruction as soon as practicable, but **no more than 10 instructional days** following the emergency.

## Conditions for Resuming Access to In-Person Instruction

Conditions under which in-person instruction will resume and any alternative sites or arrangements considering various aspects of recovery.

Outlined below are conditions under which in-person instruction will resume and any alternative sites or arrangements considering various aspects of recovery, including:

- Evacuation orders lifted
- Power and utilities functioning
- Healthy air quality
- Access to safe and clean water
- Campus free from debris and hazards
- Internet fiber lines connected and functioning
- Sufficient staff available
- Kitchens operational for meals

## Remote Instruction

Plans for remote instruction.

As required, Alpha: Cornerstone Academy Preparatory remote instruction will align with EC sections 51747 and 51749.5, governing Independent Study instruction modalities. Remote instruction will be designed to meet instructional standards that are, at minimum, equivalent to those applicable in independent study programs.

- Alpha ensures that all students are able to have the devices (chromebooks/ipads) to a 1:1 ratio, with access to internet for anyone who needs it. The needed technology devices are available at each site, and can be deployed in emergency situations, and/or organized to allow for pick-up/drop-off.
- Zoom will be used to deliver lessons to students with their peers and provide any additional small group or 1:1 to support from staff.
- Google Classroom will continue to be utilized to ensure that students have the specific assignments, lessons, and resources they need for each subject. In addition, students will be able to submit student work via GC.
- Alpha will continue to use a variety of high quality instructional materials/curriculum, which is accessible via clever, for both regular classes and intervention (e.g. ELAchieve, NatGeo, Studysync, Amplify, etc).
- Checking for understanding and progress assessments administered frequently.
- Intervention support for students by staff through Zoom and/or by phone (one on one or small group).
- Integrated and Designated supports for English Learners.
- Special Education accommodations and supports for students with IEPs.
- Translation support to families will be provided through our Spanish speaking staff for communication to our parents.



## Access to Instructional Materials

Methods for distributing digital and non-digital materials.

As required, remote instruction offered will align with expectations of access and equity.

Through the use of chromebooks students will have access to all material using Google Classroom and other online Educational programs provided by the school.

## Access to Schoolwork

Platforms and processes for accessing and submitting schoolwork.

As required, remote instruction offered will align with expectations of access and equity.

As mentioned earlier, students will have access to a device (chromebook/ipad), and internet access. The school will continue to have direct interaction with each of our families to organize delivery/pickup of these items. Our IT team will be on hand to troubleshoot any issues. Students will follow the normal school schedule, as to meet instructional minute requirements as intended.

## Temporary Reassignment

Procedures and agreements for temporary reassignment with neighboring LEAs.

Alpha: Cornerstone Academy Preparatory provides support to pupils and families to enroll in or be temporarily reassigned to another site, school district, county office of education, or charter school if an emergency or natural disaster disrupts in-person learning:

In the event that pupils and families would need to enroll in or be temporarily reassigned to another school or school district, Alpha would work with surrounding districts to place students.

# Instructional Continuity

## Communication Protocols

Communication protocols for families, students, staff and faculty, including how information will be made available and with what frequency including methods and timelines.

If an emergency/interruption to instruction occurs, the school will communicate to families, students, and staff through our various forms of communication. The school leadership team will communicate with the rest of the team (staff and faculty) to prepare to switch to remote instruction (via internal comm systems). The school will communicate to families and students to share steps around instruction and directions for updated schedules. We will use aforementioned communication methods (Infinite Campus, Deanslist, website, and social media). All communication will begin to take place within 24 hours of the emergency.

## Technological Readiness

Technology readiness for educators and students to support a pivot from in-person to remote learning through independent study including early access to independent study program written agreements, online access to assignments and academic resources, assignment of devices, online instructional platform and access to internet and devices.

All students have access to a device and internet at home if needed. Teachers have google classroom, and are well-trained in how to use other virtual platforms, including zoom.

## Instruction and Assessment

Prioritization of essential learning, making standards-aligned learning objectives, methods for monitoring progress and additional support whenever possible, including tutoring, check-ins, virtual office hours or other methods.

Teachers will use tools such as google classroom to share course/class information, to post assignments, lessons, etc. Students are currently using high quality curriculum that is also available online through their chromebook and clever logins. This standards-based curriculum will continue if it needs to transition to a remote environment.

All assessments (CAASPP, ELPAC, curriculum, and NWEA) can be administered online. Our current schedule can continue to be implemented with minor modifications via zoom and google classroom, in order to meet the annual instructional minutes.

The team will continue to have wednesday professional development and time for grade level or departmental collaboration.

Additional support will be given in one to one and small group zoom setting for tier 2/3 interventions.

In addition, our mental health counselors and other partner organizations (e.g. FACTR), will continue to provide social emotional / mental health supports. The ability to transition services also applies to our SPED/Education specialists and ELD specialists, who are practiced in providing services and additional supports for those students with disabilities and english learners who are required to be at home.

# Access (Equity, Accessibility, and Inclusion)

## Equity, Accessibility, and Inclusion

How all students, including those with disabilities, those experiencing homelessness, foster youth, or English learner (EL) students will continue to have equal access to instructional resources.

Students with disabilities, Homeless or Foster Youth, and English Learners will continue to be supported by their teacher, as well as by the support teams we have in place for each of these student groups. This includes specialized staff members that are responsible for ensuring that all of our students receive additional supports, both academically and socioemotionally. Alpha will hold touchpoint opportunities (meetings, events, one on one conferences) to establish relationships with students and parents, during which concerns and goals for the year will be discussed. All students will be provided additional interventions according to their needs. In addition, Alpha provides mental health resources and counseling through a referral system.

## Individualized Education Plans (IEP)

How will IEPs continue to be provided and maintained.

In the event of an emergency requiring a shift to remote learning, our school remains committed to ensuring that all students, including those with Individualized Education Programs (IEPs), continue to receive the services, supports, and accommodations outlined in their plans. These include direct services (via virtual platforms such as Zoom) that align with their IEP, collaboration between teachers and education specialists to implement accommodations, a robust SPED team to ensure IEP implementation and regular communication with families. Accessibility and documentation will continue to be properly accounted for in a remote environment.

## English Learners (EL)

How will EL students continue to be supported in alignment with the California English Learner Roadmap Policy.

Alpha Public Schools is committed to providing English Learners with access to curriculum and meaningful designated and integrated supports whether in person or during remote instruction. In emergency remote learning, Alpha will ensure continuity of services for English Learners through Integrated and designated ELD, culturally responsive instruction, access to grade-level core content (that is accessible virtually/online), progress monitoring by the school's English Language Development specialist to ensure language development and growth towards reclassification, and collaboration between ELD specialists, general education teachers, families, and other support staff members.

## Professional Learning

Professional learning opportunities and resources utilized if the need to pivot to remote instruction and assessment arises.

Our team currently utilizes the tools that would be utilized in case of a shift to remote learning: Providing access to high quality instructional materials/curriculum on a virtual platform, a variety of online programs, zoom, google classroom, and other teaching devices. In addition, teachers utilize a variety of online systems to communicate (Konstella and Deanslist), grade (Infinite Campus and Google Classroom), and provide incentives related to the behavior system. Training on these platforms begins in the summer during teacher Professional Development, and are built upon during PD during the year.

## Well-Being and Support Services

How the LEA will provide access to physical and mental health professionals, including those who speak languages other than English.

The school has a socioemotional curriculum called Sown to Grow, that is delivered through homeroom and advisory periods for all students. The school also has a mental health counselor, who manages a case load of students at the school, according to referrals received. In addition, staff is trained on aspects of SEL and mental health, and build relationships and hold time to check in with students. The school also has a partnership with a counseling provider called FACTR. Our team is trained and equipped on how to respond to any physical or mental health issues that arise, and students are given a variety of resources and ways to communicate directly with multiple adults, including administration, if they need support.

In order to be proactive, the school will track engagement through Deanslist and Infinite Campus. If students are falling below 60% of attendance within a week, staff will attempt to re-engage, and our operations and leadership teams have a structure to reach out to those who are consistently disengaged. This will feed into our attendance systems.

In addition to school-based supports, Alpha has a Parent Learning Center (PLC), that exists to provide families with a variety of resources (food, housing, emergency) if they need additional support.

All of these supports are available when needed in Spanish (bilingual team, translated materials, etc).

#### Plans to provide access back-up, water and medicines in the event of an emergency.

In the event of an emergency, school will implement the following to ensure the safety, health, and continued care of all students and staff:

- Our school leadership team will coordinate with local emergency services to determine when and how access to campus can be safely restored or maintained.
- The school maintains an emergency supply of bottled water sufficient for all students and staff.
- Additional water will be provided by our network team (Alpha Public Schools), as needed.
- All student medications stored on campus will be kept in a secure, accessible emergency container under the supervision of our operations team.
- In the event of a prolonged emergency, our operations team will manage and administer medications as needed, following each student's health plan.
- Parents/guardians will be contacted regarding any medical needs or if medications are administered during the emergency.

#### Plans to ensure continuity of other support services, including special education, counseling, after-school programs, and access to kitchens and food services, adapting these services to the online or hybrid environment when necessary.

The school will ensure all students continue to receive their services during remote or hybrid instruction:

##### Special Education Services:

- Students with IEPs will continue to receive services as outlined in their plans through virtual platforms (e.g., Zoom) to the greatest extent possible.
- Special education teachers and service providers will provide individualized and small-group sessions and accommodations.
- Progress monitoring will continue, and IEP meetings will be held virtually with families and team members.

##### Counseling and Mental Health Support:

- School counselors and mental health staff will offer virtual check-ins, individual sessions, and group support through video conferencing.
- Online resources will be shared regularly through communication platforms.
- Staff will maintain regular communication with families to identify and respond to student social-emotional needs.

##### After-School Programs:

- After-school enrichment and academic support programs will be adapted to virtual or hybrid formats when needed.

##### Food Services:

- The school will provide meal pick-up services during remote instruction days, ensuring students have access to breakfast and lunch.

## Site-Based Collaboration

How administrators, faculty, information technology staff, students, and parents will collaborate in the development and implementation of this ICP.

To ensure the Instructional Continuity Plan (ICP) reflects the needs and realities of our school community, we will integrate the voice of administrators, faculty, staff, students, and parents primarily through our School Site Council. In addition, many of the elements covered in this ICP include important programmatic and logistics actions built through our LCAP, which includes a collaborative process of engagement with a variety of partners through surveys and discussions. This ICP will be approved by our Board.

## Return to Site-Based Learning

Conditions that must be met prior to returning from disruption including reopening sites.

Prior to reopening school sites and resuming in-person instruction after a disruption (such as a natural disaster, public health emergency, or infrastructure failure), the following conditions must be met to ensure the safety and readiness of the school community:

- Safety Clearance: The site must be deemed safe for occupancy by appropriate local authorities.
- Health and Safety Protocols: We will follow public health guidance to support reopening, and will communicate these protocols to staff, students, and families prior to returning.
- Operational Readiness: All utilities, food service operations must be fully operational and cleared for use.
- Sufficient staff will be available to provide instruction, supervision, and support services.
- Communication and Notification: All families and staff must be notified of reopening plans, schedules, expectations, and any changes to normal procedures.
- Staff will be provided time prior to transition to prepare their classrooms spaces and transition plans back to in-person learning. This includes all support services (special education, counseling, ELD).
- Collection and repair of all devices will be completed upon return.

## Integration with Comprehensive School Safety Plan (CSSP)

Integration of this Instructional Continuity Plan (ICP) into Alpha: Cornerstone Academy Preparatory's Comprehensive School Safety Plan (CSSP).

This Instructional Continuity Plan (ICP) will be included as an integral component of Alpha: Cornerstone Academy Preparatory's Comprehensive School Safety Plan (CSSP) by July 1, 2025, as required by SB 153. The information in this ICP will be considered in relation to other aspects of the existing safety plan. A locally-adopted CSSP must include this ICP to obtain approval of a Form J-13A waiver request beginning in fiscal year 2026-27.

# Review and Updates of this Instructional Continuity Plan (ICP)

Frequency of review and update of this ICP.

This Instructional Continuity Plan will be reviewed and updated in collaboration with Educational Partners, considering feedback and lessons learned on the following basis:

The Instructional Continuity Plan (ICP) will be reviewed and updated annually, or more frequently as needed in response to changes in state policy, updates in CDE or county guidance, feedback from staff, students, families, or other lessons learned.