



INVICTUS

ACADEMY OF RICHMOND

**STUDENT AND FAMILY HANDBOOK
2023-2024**

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Mission Statement

Invictus Academy of Richmond (“The School”) prepares 100% of students in grades 7-12 to thrive in the colleges of their choice, solve relevant problems, and communicate with confidence.

Core Values

We believe strongly in supporting students to develop positive habits and beliefs, which in turn support academic achievement. Our school focuses on 6 core values:

- **Growth:** we improve with effort.
- **Positivity:** we seek out and recognize the good around us.
- **Purpose:** we are resolute in our focus on achieving our mission.
- **Productivity:** we utilize our time, energy, and attention to accomplish as much as possible each day.
- **Kindness:** we communicate care for those around us through our words and actions.
- **Self-Control:** we manage our thoughts, feelings, and actions to be our best selves.

These values will be integrated into the classroom and school environment, and will help guide our students as they grow into adulthood.

Daily Routine

Calendar & School Schedule

Our school year includes 176 instructional days, divided into two semesters each with two quarters. A copy can be viewed on the website, as well as through this [link](#) directly.

Students attend classes daily on Mondays, Tuesdays, and Fridays from 8:30 a.m. until 3:50 p.m., except when there is a scheduled minimum day, which dismisses at 2:30 p.m. All Wednesdays and Thursdays are minimum days. The [calendar](#) identifies when additional minimum days are scheduled.

Students are required to arrive at school on time (both feet on the ramp of their 1st period class) by 8:30 a.m. and to remain in school until dismissal. Any student who is not on the ramp of their 1st period class by 8:30 a.m. will be considered tardy. Attending school is

extremely important and developing good attendance habits at an early age can lead to a lifetime of educational and professional success for our students.

Arrival

Classroom instruction begins at 8:30 a.m. Students may be dropped off between 8:00 a.m. and 8:28 a.m. Upon entrance to our campus, students will be offered breakfast on their way to their homeroom. They will also complete a uniform check, which means that students should already have their uniform on when they come to school. Students not in uniform will receive a loaner uniform that must be returned by the end of the school day.

After being offered breakfast and completing the uniform check, students proceed directly to their homeroom. Students who do not have both feet on the ramp to their first class of the day by 8:30 a.m. will be marked late and assigned a -2 deduction, which may contribute to other consequences such as lunchtime reflection (LR), after school reflection (AR), or loss of free-dress privileges. Students who have 5 or more unexcused tardies to school will receive additional consequences such as a required SART meeting, Wednesday Work Time, and Saturday School. Additional information is in the attendance section of the handbook.

The arrival process is designed to set students up for a productive, successful day. Students will have the opportunity to eat breakfast, use the restroom, and check their supplies to set themselves up for a strong school day. This is a time for students to transition to school and prepare themselves for a day of rigorous and joyful learning.

Meal Service

Breakfast and lunch are offered to all students free of charge at Invictus. All meals served comply with USDA guidelines for child nutrition. Students who have dietary restrictions can collect a meal accommodation form in the main office for their medical professional to fill out and return to the main office.

Students may also choose to bring lunch to school. Students will not have access to a refrigerator or microwave, so should be sure to bring a lunch that does not need the use of these appliances. If you are sending lunch to school with your child, we ask that you send in only nutritious foods. Candy, gum, chips, and sugary drinks should not be consumed at school, as they are shown to have a negative effect on student self-control and energy



levels, directly and negatively impacting students' learning. The packed lunch must also be in one bag or container that has the student's name on it.

We encourage the consumption of healthy snacks during passing periods because research has shown nutrition is a major factor in student development and greatly impacts student learning and behavior.

If the student forgets their lunch at home, please leave it in the main office with their name on it before 10:45 a.m. if they are in high school or 11:30 a.m. if they are in middle school.

Students or family members are not permitted to order any food to the school. Only drop offs from a family member will be accepted at the main office. If food is delivered to the school, it will only be given to the student at the end of the school day

Dismissal

On all regular days, dismissal begins at 3:50 p.m. On Wednesdays and Thursdays, and any other minimum day, student dismissal begins at 2:30 p.m. Minimum days provide additional time for student intervention, staff professional development, and stakeholder engagement, such as family conferences.

The purpose of dismissal procedures is to ensure a safe, calm exit from school for all students. Outside of directions provided by teachers and other staff, dismissal is conducted quietly. Students may read or complete homework while waiting to be dismissed.

High school students will be released first. These students will all be dismissed at 3:50 p.m. on a regular day or 2:30 p.m. on a minimum day. After the Intercom announcements, students will exit out the main gate.

Middle school students will be released after all high school students have exited, beginning at 3:55 p.m. on regular days and 2:35 p.m. on minimum days.

Students must depart with their ride immediately and are not permitted to loiter about campus once released. Adult supervision will not be available after 4:15 p.m. on regular days and 2:45 p.m. on minimum days.

Early Pickup

Families submit information about which individuals are authorized to pick-up their student early with the enrollment or re-enrollment packet on SchoolMint. No student will be allowed to leave early either by themselves or with an adult who is not on the list unless the guardian has submitted written verification that is also confirmed orally with a member of the operations team.

Late Pickup

Students must depart with their ride immediately and are not permitted to loiter about campus once released during the dismissal process. Please pick-up your child on time or arrange for an alternate person to pick them up in case of weather, traffic, personal or work-related events, or other emergencies. Late pick-ups will not be tolerated for any reason. The School does not have staff allocated after 4:15 p.m. on regular days and 2:45 p.m. on minimum days to care for your child. Staff time is valuable, and you may be subject to consequences for failing to timely pick up your child. These consequences may include verbal or written reminders, a parent conference, or contacting the Department of Social Science/Child Protective Services.

Key Policies

The policies contained in this section are those that we have identified that students and families tend to reference the most and thus have included them towards the beginning of the handbook for student and family ease. Please be aware that there are additional policies in the appendix for review.

Attendance Policy

Regular attendance is the first step in ensuring academic achievement and social and emotional development for students. Our curriculum is rigorous to prepare students for college and career; every day is essential for students to keep pace and thrive. **Regular attendance is required.**

Parents and guardians are required to ensure that their students are in school. Failure to comply with this obligation may cause you to be referred to the District Attorney's Office, and subject to prosecution pursuant to Penal Code Section 272 and/or Education Code, Section 48293. Your student may also be subject to loss of driving privileges (Education Code 48264.5) and/or their work permit (Education Code 49164).

In compliance with Education Code Section 48260 (a), A pupil subject to compulsory full-time education or compulsory continuation education who is absent from school without a valid excuse three full days or tardy or absent more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is truant and shall be reported to the attendance team for attendance intervention.

Attendance on field trips is required for any field trip that the parent or guardian has given consent for their student to attend. Failure to attend such a field trip without proper verification or documentation of an excused absence will result in an unexcused absence and the additional consequences that come with an unexcused absence.

Excused Absences: A student may be excused from school **with verification or documentation** that the absence is due to:

- Personal illness or injury (including absence for the purpose of the student's mental or behavioral health)
- Quarantine under the direction of a county or city health officer
- Medical, dental, optometric, or chiropractic services
- Attendance at funeral services for a member of the immediate family (1 day in state, 3 days out of state). "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household.
- Jury duty (for students 18 years or older)
- Illness or medical appointment of a child of which the student is a custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excusal).
- For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Principal or Executive Director of the Charter School.
- For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

- For the purpose of participating in a cultural ceremony or event. "Cultural" for these purposes means relating to the habits, practices, beliefs, and traditions of a certain group of people.
- Participation in religious instruction or exercises as follows: The student shall be excused for this purpose on no more than four (4) school days per month.
- Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.
- Authorized at the discretion of the Executive Director or designee, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.
- A student who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five (5) absences per school year subject to the requirements of Education Code section 48225.5.
- In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5) days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
- For the purpose of participating in a cultural ceremony or event. "Cultural" for these purposes means relating to the habits, practices, beliefs, and traditions of a certain group of people.
- For the purpose of a middle or high school pupil engaging in a civic or political event as indicated below, provided that the pupil notifies the school ahead of the absence. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 - A middle school or high school pupil who is absent pursuant to this provision is required to be excused for only one school day-long absence per school year.

- A middle school or high school pupil who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.

- Upon written request of the parent or guardian and approval of the Principal or Executive Director and pursuant to board policy, a student’s personal justifiable absence may be excused for a maximum of five (5) school days. Reasons include, but are not limited to:
 - Appearance in court
 - Observation of a holiday or ceremony of his/her religion
 - Attendance at religious retreats not to exceed four (4) days per semester
 - Attendance at an employment conference
 - Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

Verifying and Excusing Absences: The School will keep records of all student absences. **Parents are required to contact the school to verify their student’s absence.** Please drop-off written documentation of absence in the main office or provide email documentation to attendance@invictusofrichmond.org to excuse your student’s absence.

The chart below explains the type of notification and/or documentation required to “excuse” a child’s absence for different reasons.

Reason	Documentation Needed for Excusal
Personal Illness or injury	Parent notification is required. <u>A doctor’s office note is required when a student has 3 or more consecutive sick days.</u> If a student is absent <u>10 days</u> in the school year due

	to illness a doctor's office signed note is required for any additional sick days.
Quarantine	Verification to align with the County, CDPH, or CDC policies; for COVID-19, a copy of the positive test result should be emailed to attendance@invictusofrichmond.org
Health related medical appointments	Doctor's office signed note is required
Court Appearances and/or Jury Duty	Written notice from court is required
Attendance at a funeral of immediate family	Parent notification is required
Religious Holiday/Ceremony/Retreat	Parent notification is required
Exclusion from school because student is the carrier of a contagious disease or lack of immunization against a contagious disease	Doctor's office or medical agency note is required
Other Personal/Family Emergencies	Parent notification is required and approval is at the discretion of the school leader (Principal or Executive Director)

If the School does not receive notification from the parent, the School's staff will make reasonable efforts to contact the student's parent(s) or guardian(s) by telephone, text, email, letter, or in person.

Any absence not verified as excused within two school days of the student returning to school will be considered unexcused until alternative documentation is submitted.

Unexcused Absences: Unexcused absences are recorded for those absences not meeting the criteria for an "excused" absence as listed above including, but not limited to, personal family vacations, an unjustifiable and/or unverified student absence, or any other absence deemed "unexcused" by the principal. In a given school year, if a student

has 3 unexcused absences, the student will be considered truant. Students identified as truant will be subject to the steps outlined below in the truancy process. Teachers are not required to allow students to make up work missed on days where they have an unexcused absence, so additional academic consequences may result from an unexcused absence.

Number of Unexcused Absences	Staff Response
3	Families will receive a phone call home to notify that their student is now considered truant and to offer support with improving their student's attendance.
5	Families will receive their first written truancy notice requesting a meeting, offering additional support, and a reminder of the consequences of their student's attendance not improving.
8	<p>Families will receive a second truancy letter with a notice for their Student Attendance Review Team (SART) meeting with the academic counselor, or other designated staff member, to collaborate on solutions to improve attendance and execute a SART contract.</p> <p>In addition, students will also be required to attend Wednesday Work Time on 8 assigned days to make up for the 8 unexcused absences.¹</p> <p>They will be required to attend an additional time for each unexcused absence that they have. A home visit may be conducted if the school cannot get in contact with the family or if the family fails to attend their required meeting.</p>
10	<p>If there continues to be no change in student attendance the school will send a third truancy letter and file the appropriate reports with the Contra Costa County School Attendance Review Board (SARB).</p> <p>This next step will happen even if the SART meeting has not been able to be held due to parent/guardian absence.</p>
11+	The School and County will work to support families to improve attendance but excessively absent students may be subject to

¹ Unexcused absences are tracked according to second period attendance to align with reporting submitted to the CDE.

	<p>consequences from the Contra Costa County District Attorney and the School. These school based consequences as deemed appropriate by the attendance team may include: exclusion from special events or activities (such as homecoming or prom), Wednesday Work Time, or Saturday School assignment, or disenrollment from the School pursuant to the involuntary removal process outlined below.</p>
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Excessive Excused Absences: Parents/guardians of students who amass 10 excused absences will receive a letter informing them of their student’s excessive absences and of a required SART meeting. Interventions such as Wednesday Work Time, Saturday School, or home visits may be assigned. If there is no improvement in student attendance the School may file the appropriate reports with the Contra Costa County School Attendance Review Board (SARB). The School and County will work to support families to improve attendance but excessively absent students may be subject to additional consequences from the Contra Costa County District Attorney and the School.

Late Arrivals: All students will earn a (-2) deduction for unexcused arrivals after 8:30 a.m. In a given school year, if a student has excessive unexcused late arrivals, he or she will be subject to consequences, including exclusion from special events and activities such as prom or homecoming, as deemed appropriate by the attendance team. Students who have 5 unexcused tardies to school in a month will receive a phone call home to better understand why the student is tardy and determine additional support. Students who accrue 10 unexcused tardies in a month will be required to attend a SART meeting. Students who continue to have unexcused tardies will accrue additional consequences such as Wednesday Work Time, Saturday School, etc.

Early Pickup: Students are expected to stay in school until the very end of the day. Medical appointments should be made after school hours whenever possible. The best times are after 4:00 p.m. on regular days (Mondays, Tuesdays, and Fridays) and after 2:30 p.m. on minimum days (Wednesdays and Thursdays). If a student has a medical appointment during the school day, they should not miss the entire day. Due to staff responsibilities in preparation for dismissal, we are unable to accommodate early pick-ups after 3:20 p.m. on regular school days and 2:00 p.m. on minimum days.

Early pickups are disruptive to the learning environment and impact a student’s success just as much as any other absence. Early pick-ups without verified excuse as delineated above are strongly discouraged and will count as an unexcused absence for the

remaining periods of the day. Students who have five unexcused early releases in a month will be required to stay for Wednesday Work Time to make up the missed class time. Students who continue to be picked up early may be required to attend a meeting with the Student Attendance Review Team (SART). Continued unexcused early pickups will result in a referral to SARB and additional days of Wednesday Work Time.

The School will enforce these policies uniformly, fairly, and consistently among all students.

School Uniform Policy

All students must wear the School's uniform every day. Parents/guardians may work with the school if the cost of additional school uniform items poses a challenge. If a student arrives at school out of uniform, the student will be assigned a consequence for being out of uniform and will be required to wear a loaner item until the end of the school day. The student will also earn a lunchtime reflection for the following school day. The school has made reasonable efforts to include loaner items that fit typical student sizes, but cannot guarantee the fit of loaner items. Loaner items should be returned the same day of issuance. If loaner items are not returned within one week of issuance, students will be charged the cost of the uniform items not returned.

Students may not rely on loaner items, and must, for example, come to school wearing the appropriate level of layering. The school will not provide additional jackets or layers to students without assigning a uniform consequence.

Students may not change out of their uniform at any point during the school day. Students must wear uniforms on all school field trips. If a student is seen wearing a non-uniform item, including hats, during the school day, the student will be required to change and the item will be confiscated and held in the DOS Office until the end of the day. The student will also receive a uniform deduction.

Invictus Academy Uniform Overview

- **Shirt:** Blue/gray polo shirt with Invictus logo, or Invictus t-shirt
- **Bottoms:** Tan, gray, navy blue, dark green, or black khaki pants (otherwise known as chinos or slacks), shorts, or skirts no shorter than 3 inches above the knees (students may not wear: cargo pants; jeans; sweatpants; athleticwear including leggings; overalls; pants with extra zippers, embellishments, textures, color gradient, or rips).
- **Belt:** Solid brown or black belt, if the student chooses to wear one

- **Footwear:** Comfortable, closed toe, flat shoes (no wheels, heels, wedges, or open-toed shoes including but not limited to slides and Crocs).
- **Optional:** Invictus Academy quarter/half zip, Invictus sweatshirt, or Invictus rain jacket (students may not wear hoodies, including under Invictus shirts).

Invictus Academy Uniform Policy Additional Information

- During colder months, students may wear **solid** white, black, navy blue, or gray undershirts and/or tights under their uniforms. **Students will be required to remove under-shirts that fall outside of these colors, or that are non-Invictus attire, including hoods worn underneath Invictus shirts.**

**** At least one (1) of each required uniform item bearing the school logo, shall be available to each student, regardless of economic status. Please contact the main office to receive your uniform item.**

- Clothing must fit appropriately. Excessively baggy/tight pants, shirts, etc. are not allowed.
- Students must remove all hats, head-wraps, bandanas, kerchiefs, and other head-coverings upon entering the building unless it is worn in accordance with a religious observation. Small clips or headbands for hair are permitted.
- Students may choose to wear any **fully waterproof outerwear jackets** to school. Invictus now sells a branded rain jacket which is available for purchase from the front office, as an optional addition to the uniform. Students may not wear outerwear jackets (including the Invictus rain jacket) inside classrooms, and must remove these jackets and hang them on the back of their seat along with their backpacks. If you are worried about your student being cold inside the building, he or she should wear a uniform jacket or an approved undershirt.
- We would prefer it if students did not wear jewelry. Large earrings, multiple chains or rings, and lots of bracelets distract from the uniform and the educational environment. In addition, such items can get lost, broken, or stolen. Students may wear only one chain or necklace, and it must be tucked neatly under their uniform shirt. If a student wears jewelry that may become a distraction to his or herself or to others, as determined by an Invictus staff member, then the student will be asked to remove it.
- On game days, student athletes may wear jerseys over or instead of their Invictus uniform. They may wear **solid** white, black, navy blue, or gray undershirts (without a hood) under their jerseys.

- Students may not wear gloves inside the classroom, except for medical exceptions expressly provided in writing by parents and verified by a doctor's note.
- Students may not wear or bring blankets to school. These will be confiscated and held in the DOS Office until the end of the day.
- Students must maintain a neat and clean appearance at all times. The school is required to report any instances of possible child neglect to Child Protective Services.
- Combs, hair picks, makeup, perfume, and other grooming items must be put away during the school day.
- Headphones may not be worn outside of times during class when teachers have expressly directed students to use them.
- Minor exceptions to the uniform policy will be made for children with medical conditions. If your child needs a temporary exception due to illness or other medical condition, please call or send a note to the main office explaining the accommodation needed and the reason. The school may request a medical note from a doctor in these instances.

Whenever any element of physical appearance or grooming—even if it is allowable under the school's current rules—becomes a distraction to one's self or to others, it may be considered outside of dress code and steps will be taken to remove the distraction.

Free Dress Policy

Each week, students may earn free dress through two mechanisms, specified below. If staff find it necessary to adjust the thresholds specified below, they will communicate the change to students. The change will also be reflected in students' weekly reports.

1. Students who earn eight (-8) deductions or fewer during the weekly cycle (Friday to Thursday afternoon) or fewer automatically qualify for free dress. Students who earn nine (-9) deductions or higher can only earn free dress through mechanism #2 below:
2. Students who earn a positive balance of a predetermined point balance for the weekly cycle (Friday to Thursday) earn free dress (for example, +90 points). Invictus staff will monitor these thresholds and adjust them to ensure the threshold is ambitious but reasonable for students to achieve.

If a student has not earned free dress, they must come to school in full Invictus uniform.

Students who earn free dress are subject to free dress guidelines, described below.

Free dress rules include:

- 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 or rips above the knees
- 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. No straps smaller than two inches in width
- No pajamas, except on designated Spirit Days
- No hats, except on designated Spirit Days (headwear worn for religious observance will be permitted)
- Hoods must be worn down during the course of the school day
- Clothing must fit appropriately; excessively baggy/tight pants, shirts, etc. are not allowed
- 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.

If a student's attire violates the free dress policy above, they will be offered loaner items to correct the violation (e.g. loaner pants for ripped pants or short skirts, a loaner shirt to replace a shirt that shows a bare midriff, inappropriate reference, or straps too thin) from the school's available inventory **and** assigned a consequence for being out-of-uniform. If a student wears a hood anywhere on campus (other than to protect themselves from exposure to rain while outside), they will be asked to remove the hood and assigned a consequence for being out of uniform. If the student is found to be wearing the hood again during the school day, the item will be confiscated and held in the Dean's office until

the end of the school day. The student will also be assigned a second uniform consequence, resulting in them earning Lunch Reflection for the following school day. Hoods being worn down enables Invictus staff to properly identify and supervise students inside and outside of class, and minimizes distractions and disruptions during class.

Free Dress Exceptions:

At Invictus, we strive to demonstrate strong teamwork and a sense of community. Though we aim to avoid penalizing the full community for the actions of a few, we must balance this desire with holding ourselves accountable to being a community that upholds our core values. Therefore, in cases of serious, public breaches of school expectations and values, no students in the corresponding school level (middle or high) will be allowed to earn free dress that week. Such breaches that may result in a “No Free Dress” Day include but are not limited to: fighting, damage to school property, severe bullying or cyber-bullying, widespread academic dishonesty, or acts of egregious disrespect to a peer or staff member, as determined by the Principal and/or members of the School Leadership Team. Free dress is our way of celebrating our achievements each week, and it would be inappropriate to celebrate on a week during which such a major breach of our community values occurs. In these rare cases, students and parents will be informed that, for that Friday, regular uniform attire will be required of all students, and this will be reflected on students’ weekly reports. Students can help one another avoid this consequence by proactively reaching out to staff members if they become preemptively aware of potential serious breaches of school expectations. This will help staff members ensure that our community remains safe and productive, and that conflicts are resolved appropriately.

Parents should always check for students’ weekly reports on Thursdays, which will include a clear indication of whether the student earned free dress for that week. Parents should carefully read weekly reports and read any texts/alerts from the school to ensure they do not mistakenly send their child to school in free dress. Please do not send your child in free dress unless you have verified by viewing their weekly report that they have earned free dress. Weekly reports will also contain information on the students’ academic and behavioral progress for the week, as well as an indication of whether the student earned free dress for that week. Parents must sign and return their weekly report with their student the following school day. Returning a signed weekly report is part of students’ homework each Thursday evening.

Electronics Policy

As a college prep school, we strive to create a focused, academic school environment that is free of distractions. As such, students are not allowed to use cell phones during school hours. Cell phones should be powered off and placed in a student's backpack for the duration of the school day. If a cell phone is used during school, rings during school, or is seen by a staff member (including seeing the cell phone in a student's pocket), it will be confiscated from the student and the student will be issued an electronics deduction (-4), resulting in Lunchtime Reflection (LR) the following school day. The first time this occurs, the student will be allowed to retrieve the device at the end of the school day from supervising staff at the school entrance/exit. If the issue persists, a student may incur additional consequences such as: parent conference; electronic contract; parents required to pick up the device on site and in person.

Please note that Smart Watches (e.g. Apple Watches, etc.) will be treated the same as cell phones with respect to school policy. Smart Watches may not be worn during the school day, including if they are powered off. Students also may not use any electronic portable gaming devices during the school day. In addition, students are advised to keep other electronics, such as personal click-mouses, keyboards, Airpods, etc. at home. The School reserves the right to regulate and prohibit the use of other electronic devices as it deems necessary to support a productive learning environment.

Only when directed by teachers, students will be permitted to utilize wired headphones/earbuds for educational purposes. Headphones/earbuds are not permitted to be worn or visible outside of these instances and will be confiscated in the same manner as cell phones if they are visible at times when they are not to be in use. Students may not use wireless headphones/earbuds (e.g. Airpods) at any point during the school day.

Private devices may be used:

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

- When the possession or use of a private device is required in a student's individualized education program ("IEP").

The school reserves the right to regulate and confiscate other items which it deems to be distracting or disruptive to the educational environment and learning process. Examples include, but are not limited to, Rubik's cubes, toys, playing cards, etc.

Tech Use Agreement & Loaner Chromebook Policy

The primary purpose of the Invictus Academy of Richmond electronic communications network and provided devices is to facilitate learning and is an investment in students' lifelong success. Teaching students how to responsibly and effectively use the school technology resources will enable students to be successful in the Information Age. Invictus network and its devices allow students to access our higher quality digital curriculum and provide opportunities to analyze sources, collaborate with others, and present their learning. All students and their families acknowledge their agreement to this policy during registration. The information is contained here for your reference.

Technology Resources: The Schools' computer systems and networks include a wide variety of computer hardware including Chromebooks, charging carts, operating system software, application software, stored text/ data, etc. This also includes email, local information available on computers, externally accessed information (such as the Internet), optical media, clipart, digital images, cloud, digital information, communication technologies and any new technologies as they become available. The Schools reserve the right to monitor and control all technology resource activity provided to Students by the Schools.

Students must use the Invictus network and devices in a responsible, efficient, ethical, and legal manner in accordance with our mission. Using the Invictus technology resources is a privilege, not a right, which can be revoked at any time for inappropriate use. Students and their families must acknowledge their understanding of this policy and guidelines as a condition of using the Invictus technology resources. Any questions about this policy should be directed to the school before signing this policy. Use of the technology resources inconsistent with this policy may result in loss of access, as well as other disciplinary or legal actions. Parents/guardians and students understand that students are individually responsible for their behavior when using schools' technology

and are strictly liable for any use of the technology resources and for damage or liability resulting from such use, including, but not limited to:

- Use of technological resources without appropriate permission or access rights
- Copying someone else's work and without properly citing the source
- Intentionally damaging, degrading, vandalizing, or wasting any technology resource
- Using technological resources to harass, insult, or attack others
- Sharing another student's work without their consent
- Using the account, password, files, etc. from another user without express permission of the other user
- Creating, searching viewing, downloading, or sharing offensive or obscene language or images, child pornography or any other visual representation that is harmful to minors
- Accessing or participating in real-time chat or messages without the express consent of Invictus staff
- Knowingly participating in the transmission of computer viruses or the spread of other harmful or illegal programs
- Eating or drinking near technology

Students shall not impair the security of Charter School technology resources. Students are expected to: a. Safeguard all personal passwords. Students should not share passwords with others and should change passwords frequently. Students are expected to notify an administrator immediately if they believe their student account has been compromised.

Invictus utilizes commercial firewall web blocking technology in combination with a block list subscription that is managed by the school's technology team to block access to Internet websites deemed inappropriate for minors. Families should know that it is not possible to guarantee that all inappropriate sites on the Internet will be blocked, but that this policy and tools are in place to limit this to the extent possible.

Users and their families should know that anything on the Invictus network that is accessed, created, sent, received, or stored is not private and subject to review by the network system administrators. For example, system administrators will investigate complaints related to emails that may contain inappropriate or illegal material. Student Google accounts are the property of Invictus and thus may be subject to inspection at any time.

Every student will receive a Chromebook. Students must bring their Chromebook charged and ready to use daily to school. If students do not come prepared, they will be able to utilize a loaner device. Students are responsible for any damage or liability resulting from use of these devices.

Examples of Estimated Costs for Chromebook/Device Damage:

Type of Damage	Amount
Removing Keys / Key Replacement	\$5 each (\$50 max)
Screen Damage / Screen Replacement	\$60
Graffiti / Vandalism	\$50
Charger	\$40
Lost Chromebook / Laptop Replacement	\$250
Hotspot Device	\$140
Trackpad Replacement	\$24
Hinge(s) & Bottom Cover Replacement	\$55

When used off of school grounds, Invictus’s technology will not be enabled with the same level of content filtering, privacy, or security protocols as are in place when utilized on Invictus’s network. Families should be aware and regularly monitor student’s use of these devices at home.

Bathroom Policy

As a college prep school, we seek to maximize instructional time for every child. As a result, whenever possible, we discourage students from leaving class to use the restroom or get water at a time when they would miss out on academic content. Students have passing periods between each of their classes and should utilize this time to tend to personal needs, including using the restroom. All students should attempt to use the restroom during these scheduled breaks and try to minimize requests happening during class time. If a student needs to use the restroom during class, they should request the teacher’s permission. The teacher will use their discretion to determine whether or not it is an appropriate moment to use the restroom, taking into account that it may be an emergency. Students should not leave class for any reason during the first and last 15 minutes of a given period, as this is often when crucial content is covered.

Students will be given a set number of emergency bathroom passes each quarter, which they must provide to teachers if they must use the restroom during class. Once emergency passes have been exhausted, or if the passes are lost, students will still be allowed to use the restroom, but they will receive a -4 (Lunchtime Reflection). Unused emergency restroom passes may be redeemed for a reward on designated days. Restroom passes may not be transferred from one student to another, and unused restroom passes do not carry over to the following quarter.

Exceptions to this policy will be made for children with medical conditions, or pursuant to an individual education plan (“IEP”) or Section 504 accommodation plan. If your child needs a temporary or permanent exception due to illness or other medical condition, please contact the main office explaining the accommodation needed and the reason. The school may request a medical note from a doctor in these instances.

Homework Policy

Homework is an essential part of the School’s educational program: it is designed to reinforce skills taught in the classroom, to help students develop a deeper understanding of concepts, and to promote good study habits. Homework will be assigned by teachers at their discretion as appropriate. This means that families must help students with their homework in ways that include creating routines at home for students to follow each day and providing a quiet, organized place to work.

If a student’s homework is late, missing, incomplete, or of poor quality, then the student will receive a -4 deduction and the student’s family will be messaged to inform them. In addition, high school students may be asked to attend the school’s Homework Center – a weekly, after school tutoring program where students work with a staff member to complete missing and/or upcoming assignment(s). We expect and need family support to make sure all the homework gets done according to top quality standards.

Makeup Work

Because students are preparing for high school and college, it is crucial that they develop personal responsibility when absent for any reason. Therefore, students (not parents, other family members, or friends) are responsible for requesting makeup work. Students may request makeup work from teachers during their passing periods, within the first 15 minutes following the end of the school day, or through email. For missed work due to excused absences, students will be given the opportunity to earn up to 100% of total points. Students who are sent to the Dean’s Office during class time will be allowed to earn up to 100% of total points as well, and must retrieve and turn-in any

work missed by the end of the following school day. For work missed due to unexcused absences, which includes failing to complete the work while in class, teachers will determine whether students will have the opportunity to make up the work that was missed.

In the event of a planned absence (one that you know about in advance), parents/guardians should notify the school and students should notify their teachers several days in advance. In most cases, materials will not be provided in advance, as teachers adapt lesson materials on a daily basis to respond to student data. Students will be required to make up the work following their absence. Again, any absences from school directly hurt a child's academic progress.

Teachers have discretion about how many days to allow for students to make up work missed for both excused and unexcused absences. For excused absences, students should expect to have approximately the number of days they missed to complete missing assignments, unless otherwise stated.

Medication Policy

The primary responsibility for the administration of medication rests with the parent/guardian, student and medical professional. Authorized Charter School personnel may assist with administration of medication (including non-prescription medication) during the regular school day if the Charter School receives:

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

For students who need to take prescribed medication during the regular school day, parents/guardians must bring the medication to the office in the original containers, with the name of the prescribing healthcare provider, the name of the student, and dispensing instructions. Designated staff shall keep records of medication administered at the School. All medication will be kept in a secure and appropriate storage location and administered per physician's instructions by appropriately designated staff.

In cases where medications are long-term prescriptions, designated staff will provide parents/guardians with one week's notice to alert them that the prescription needs to be refilled.

For students who must take medicines at specific times, every effort will be made to minimize the amount of time the student misses from class.

Family Involvement

The School works diligently to ensure parents and guardians are partners in the work of educating their children. The important task of educating a child calls for the School, the student, and the family to all work together to ensure success. We encourage families to participate actively in their children's education. We strive to cultivate positive and productive relationships with all of our families.

Family Volunteer Hours

The School recommends and encourages, but does not require, 10 volunteer hours from each family, although parental participation in any form is important to the School community, and so we encourage participation in any form. Families may participate in volunteer hours by:

- Participate in family engagement structures, such as School Site Council or Family Advisory Council
- Attending parent trainings or events hosted by the school
- Attending parent/teacher conferences
- Participating in school event set-up, execution, and clean-up
- Assisting teachers with classroom setup/cleanup or project preparation
- Ensuring students have perfect attendance in a given semester
- Ensuring students have perfect Homework completion in a given semester
- Reading at home with students and/or asking students about their daily reading
- Donating school supplies or snacks to the classroom
- Volunteering at school events
- Volunteering in the classroom (background check required)

Family volunteer hours are not required for admission or continued enrollment.

Communication

Our partnership with families is dependent on frequent, detailed communication about student achievement and behavior. We will communicate with parents and guardians frequently in a number of methods, including phone calls, emails, and meetings. Families are encouraged to contact the school if they have questions, needs, and/or concerns. To schedule a meeting with a staff member, please see the procedures outlined in the Classroom and School Visitation section of this handbook. All communication between the school and families is to be mutually professional and respectful.

Weekly Reports

Your child will bring home a weekly progress report which will contain both a behavioral report as well as an academic report. A parent/guardian must sign their child's progress report to let us know that you have received this important information. These progress reports will be sent home every Thursday and turned in every Friday, with the exceptions of holidays.

Messages

During the school day, students and teachers may not receive incoming phone calls or messages unless it is an emergency that requires immediate attention.

Please ensure that all messages regarding how, when, with whom your student will be going home are communicated prior to the start of the school day. Sending messages through the office to teachers to share with students interrupts instructional time.

As a reminder, students are generally not allowed to utilize their phones during the school day. Communicating with them in this manner will result in additional consequences for them. If your student is feeling unwell or needs to get in contact with a parent or guardian urgently, they should notify their teacher who will contact the main office to promptly initiate communication with the family.

If you need to get a message to your child's teacher, make sure to email, text, and/or leave a message on their voicemail. Our teachers check their messages regularly and will get back to you as soon as they are able to. Contact information for staff can be found on the website.

Invictus Academy values communication between staff and parents about student progress, as well as staff wellness and sustainability. In accordance with these values,

staff members can be expected to respond to emails, texts, or calls within two business days. To support staff sustainability, staff are encouraged to wait until the next day to respond to parent calls or emails that are received after business hours.

Classroom and School Visitation, Volunteer, and Removal Policy

To ensure the safety of students and staff, and 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.

1. Visits during school hours should first be arranged with the teacher and with the approval of the Executive Director, Principal, or Director of Operations 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 approval of the classroom teacher and the Executive Director, the Principal, or the Director of Operations. Except for unusual circumstances, approved by the Executive Director or Principal, classroom visits should not exceed approximately 30 minutes in length and may not occur more than once per week.
2. 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.
3. All visitors, including parents or guardians of currently enrolled students, shall register with the front office immediately upon entering any school building or grounds during regular school hours. When registering, the visitor may be required to provide his/her name, address, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, visitors may be provided a visible means of identification, such as a badge, for visitors while on school premises.
4. 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 Charter School Board of Directors and Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, will be timely informed regarding 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 Executive Director, or their designees (Principal, Director of Operations, main office staff), may refuse access 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.

5. School staff 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 disrupting the school, its students, its teachers, or its other employees. Visitors are expected to respect the requests and instructions of staff members while on campus.
6. The Executive Director 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 Executive Director or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be committing a misdemeanor.
7. The classroom teacher, with approval of the Principal or designee, has discretion as to their use of volunteers and the time and duration of in-class volunteer participation.
8. 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.
9. 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.

10. Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Executive Director. 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 Executive Director within five (5) days after the denial or revocation. The Executive Director 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 Executive Director shall be held within seven business days after the Executive Director receives the request. The Executive Director shall respond within seven work days.
11. The Executive Director or designee may seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.
12. At each entrance to the School grounds, signs shall be posted specifying that registration is required, where they can register, and the penalties for violation of this policy.
13. No electronic listening or recording device may be used by students or visitors in a classroom without the teacher's and Executive Director's written permission.

Penalties

1. 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 committing a crime as specified which is punishable by a fine of up to \$500.00 and/or imprisonment in the County jail for a period of up to six (6) months.
2. Further conduct of this nature by the visitor may lead to the School's pursuit of a restraining order against such visitors.

Instructional Program

Students at Invictus complete a rigorous college preparatory program that is designed to prepare 100% of students in grades 7-12 to thrive in the colleges of their choice, solve relevant problems, and communicate with confidence. Instructional policies and practices are aligned to support this mission.

Grading Policy

The purpose of Invictus Academy of Richmond's grading policy is to:

1. Clearly, accurately, consistently, and fairly communicate learning progress and achievement to students, families, postsecondary institutions, and prospective

employers.

2. Give students, families, teachers, counselors, advisors, and support specialists the detailed information they need to make important decisions about a student's education.
3. Measure, report, and document student progress and proficiency against a set of clearly defined cross-curricular and content-area standards and learning objectives collaboratively developed by the administration, faculty, and staff.
4. Measure, report, and document academic progress and achievement separately from work habits, character traits, and behaviors, so that educators, counselors, advisors, and support specialists can accurately determine the difference between learning needs and behavioral or work-habit needs.

Family Communication

Formal grades will be issued at the end of each academic semester. Conferences to discuss student progress will be held mid-way through each semester. Interim progress reports will be sent home regularly to keep families informed and involved in their children's academic progress. Students and families will also have access to Powerschool where they can check grades and attendance at their convenience.

Mastery Grading

Academic grades will be based on mastery of the Common Core Standards. Grading policies will be generally consistent across classes, with some variations based on course content and pedagogy.

Grading Scale					
Letter Grade	Percentage	Unweighted GPA	Weighted (AP) GPA	UC/CSU GPA (10th & 11th gr only)	Implications
A+	97.5-100%	4.0	5.0	4.0	Consistently demonstrates advanced levels of mastery with content standards.
A	92-97.4%	4.0	5.0		
A-	89.5-91.9	4.0	5.0		
B+	87.5-89.4%	3.0	4.0	3.0	Consistently demonstrate proficiency with content standards.
B	82-87.4%	3.0	4.0		

B-	79.5-81.9	3.0	4.0		
C+	77.5-79.4%	2.0	3.0	2.0	Consistently demonstrates basic competency with content standards.
C	72-77.4%	2.0	3.0		
C-	69.5-71.9%	2.0	3.0		
D+	67.5-69.4%	1.0	1.0	1.0	Does not yet consistently demonstrate basic competency with content standards. Does not earn course credit.
D	62-67.4%	1.0	1.0		
D-	59.5 - 61.9%	1.0	1.0		
F	Below 59.5%	0.0	0.0	0.0	Does not demonstrate basic competency with content standards. Does not earn course credit.

Minimum Grade

During the school year an assignment for a student may be marked as incomplete or missing. The minimum score that a student can earn for any individual assignment is 51.5%. The purpose of a minimum grade is to indicate to students, families, and staff that the student has not yet reached mastery on a skill or assignment without disproportionately impacting the student's overall class average grade.

Pass/Fail Grades

There are courses that have been deemed Pass/Fail. Students receive a Pass or Fail grade instead of an A-F grade. Students who receive a Pass grade shall acquire the appropriate semester units of credit for the course. The grade shall not be counted in determining class rank, honors list, or calculated into the students' GPA. Students who receive a Fail grade shall not receive credit for taking the course.

High School Remediation

Because Invictus Academy of Richmond's courses are designed as year-long classes and the grading policy is based on mastery of the state standards over the course of the year, there are several opportunities for high school students to remediate a failing grade.

1. If a student fails semester 1 and passes semester 2, this indicates that they mastered semester 1 content during semester 2. They will receive a "C-" for semester 1.

2. If a student passes semester 1, but fails semester 2, this indicates that they mastered part of the course content but not all of the content. The student will need to do one of the following:
 - a. take the course in summer school at Invictus Academy of Richmond (if the course is offered.)
 - b. take an equivalent course at a community college
 - c. repeat the course the following year
3. If a student fails both semesters of a course needed to fulfill their graduation requirements, they will need to repeat the course at Invictus or take an equivalent course at a community college. Both grades received shall be entered on the student's transcript, and the newer/higher/passing grade shall be included in the calculation of the students' grade point average.

High School Graduation

Students must earn a grade of C- or higher in the following course work to earn an Invictus Academy of Richmond A-G High School Diploma:

Subject	Number of credits needed (1 semester = 5 credits)
A. History	30 Credits
B. English	40 Credits
C. Math	40 Credits
D. Science	30 Credits
E. Language (other than English)	30 Credits
F. Visual and Performing Arts	10 Credits
G. College Prep Elective	20 Credits
Physical Education and Health	10 Credits
College and Career Readiness	10 Credits

Promotion to the Next Grade/Retention

Students must earn promotion by demonstrating mastery of the essential knowledge and skills. Students may not be promoted if they are performing significantly below grade-level standards in the majority of their core content classes. Promotion decisions will be based on a student’s grades, standardized test scores, attendance, homework completion record, and other measures with input from the classroom teachers, parents, and administration. The school will make reasonable efforts to inform parents/guardians if their child is at risk of being retained (not promoted to the next grade level) as early as possible.

Standardized Testing

The School shall administer the NWEA MAP reading and math assessment three times per year to all students to monitor student growth and make individual and programmatic adjustments to better support student learning. The School shall also administer required state testing, such as the California Assessment of Student Performance and Progress (CAASPP), to the applicable grades. Notwithstanding any other provision of law, a parent’s or guardian’s written request to the Principal to excuse his or her child from any or all parts of state assessments shall be granted.

Advanced Placement (AP) Policies

In addition to our college preparatory course offerings, we offer Advanced Placement (AP) courses in the high school. AP courses are designed to match the rigor of college classes. They culminate in a standardized AP Exam for that course that takes place in the spring. Grades in AP courses earn one additional point toward a student’s GPA (see highlighted column below). Note that students must earn a C- or higher to receive a passing grade and the additional point.

Grading Scale					
Letter Grade	Percentage	Unweighted GPA	Weighted (AP) GPA	UC/CSU GPA (10th & 11th gr only)	Implications
A+	97.5-100%	4.0	5.0	4.0	Consistently demonstrates advanced levels of mastery with content standards.
A	92-97.4%	4.0	5.0		
A-	89.5-91.9	4.0	5.0		

B+	87.5-89.4%	3.0	4.0	3.0	Consistently demonstrate proficiency with content standards.
B	82-87.4%	3.0	4.0		
B-	79.5-81.9	3.0	4.0		
C+	77.5-79.4%	2.0	3.0	2.0	Consistently demonstrates basic competency with content standards.
C	72-77.4%	2.0	3.0		
C-	69.5-71.9%	2.0	3.0		
D+	67.5-69.4%	1.0	1.0	1.0	Does not yet consistently demonstrate basic competency with content standards. Does not earn course credit.
D	62-67.4%	1.0	1.0		
D-	59.5 - 61.9%	1.0	1.0		
F	Below 59.5%	0.0	0.0	0.0	Does not demonstrate basic competency with content standards. Does not earn course credit.

Some courses in the high school will only be offered as AP courses and are considered “AP For All”. In the case of “AP For All” courses, students and families will have the opportunity to opt out of taking the AP Exam in the spring.

For optional AP courses, students will have the opportunity to apply for the AP version of a course. Applications will be announced and released the prior spring. Acceptance into AP courses will be based on the quality of the student’s application, grades in prerequisite courses, NWEA MAP Reading and/or Math Scores, and teacher recommendations. Students who are not accepted into an AP course may join the waitlist for that course. Students will be accepted off the waitlist for the first 6 weeks of the school year if space becomes available. Transfer students entering directly into an AP course from another school must also meet the prerequisites for the prospective course. In the case of AP courses based on application, all students are expected to take the AP Exam in the spring.

Some AP courses may require the completion of a summer assignment to prepare students for success in the course. Teachers may grade the assignment for completion and/or administer a mastery assessment at the start of the school year.

Students may drop an AP course for an equivalent non-AP version, if that course is offered, within the first 6 weeks of the school year.

Teacher Qualifications

All parents may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals.

Independent Study

Independent study provides students who are temporarily unable to attend school in-person an option to complete their coursework. Independent study requires approval from the Executive Director in writing. In an extenuating circumstance (e.g. a serious illness, injury or family emergency) the Executive Director may approve additional IS days following conference with the parents and teacher. The Executive Director reserves the right to deny Independent Study for any reason.

Independent Study is conducted solely for the educational benefit of the students attending the School as a means to encourage daily engagement in school work even during times of extended absence. No student is required to request or participate in an independent study program during an extended absence. Parents are to give advance notice when possible of a request for independent study. In an extenuating circumstance (e.g. a serious illness, injury or family emergency), with Executive Director approval, a certificated staff member/teacher will work with the parent to implement an independent study program in an expedited manner.

A copy of the school's complete Independent Study Policy is available for review on our website.

Extracurricular & Co-Curricular Opportunities

Students at Invictus will have a variety of opportunities to engage in extracurricular and co-curricular activities, such as electives, clubs, sports, student leadership, and field trips. In addition, staff will support students in identifying other opportunities to continue to explore their passions off campus, such as through workshops, summer programs, or job or internship opportunities. Extracurricular and co-curricular activities provide students with opportunities to explore their passions and interests, fostering a well-rounded and holistic development. Participation in such activities helps students develop essential life skills like teamwork, leadership, time management, and

communication, which are crucial for success in their personal and professional lives. These activities offer a platform for students to build self-confidence and self-esteem as they achieve milestones and excel in areas outside of traditional classroom settings. Engaging in extracurricular and co-curricular pursuits can enhance a student's resume or college application, as it demonstrates their commitment to personal growth and dedication to pursuing diverse interests.

Athletic Participation Policy

High School students have the opportunity to participate on sports teams as part of the Bay Area Charter School Athletic Conference (BACSAC). The School offers the following sports that compete within the league:

- Co-Ed Cross-Country
- Girls Volleyball
- Boys Soccer
- Girls Soccer
- Co-Ed Cheerleading
- Boys Basketball

In order to participate on an athletic team in the High School, all student athletes will sign a waiver outlining the following policies.

Medical Eligibility

All students participating in interscholastic sports are required to have a physical examination each year by a physician licensed to practice. The physical examination must be completed before a student may try out, practice, or participate in interscholastic athletic competition. All forms must be signed by the physician using a physician stamp and dated June 1, 2023, or after, for the 2023-24 school year. Copies of the physical forms can be obtained in the Main Office.

Scholastic Eligibility

A student is scholastically eligible if the student has maintained a minimum unweighted 2.0 GPA ("C average") during the previous grading period. Eligibility will be determined each marking period. Once the date of determination has passed, no grade changes can be honored for the current season. If a student athlete has a GPA below a 2.0 during the athletic season, they will not be permitted to play or practice until they maintain a 2.0.

Athletic Code of Conduct

Student athletes represent The School in the community. They are expected to adhere to all student culture expectations as described in our Student and Family Handbook. If a student is suspended from school for breaching a school culture expectation, they may be suspended from participating in sports games or may no longer be eligible to participate on the team for the remainder of the season (depending on the seriousness of the infraction). Consequences will be determined by the Athletic Director and Dean of Students.

Attendance Expectations

Student athletics must be present and on time during the school day. If a student is absent at school, they may not participate in practice or attend a game after school. This includes both excused and unexcused absences. Student athletes may not be identified as truant to school and if they become truant during the season, they may no longer be eligible to participate on the team.

Work Permits

The School will issue work permits to students ages 14-17. Students can obtain a work permit from the Main Office and will keep a copy on file. Sixteen and 17-year-olds may work four hours on school days and eight hours on non-school days or days preceding a non-school day. Fourteen and 15-year-olds may work 3 hours per day, not to exceed 18 hours per week. Students may work 8 hours per day when school is not in session, not to exceed 40 hours per week.

Work permits are renewed annually at the start of the school year or when a student gets a new job. The School will not issue a work permit to a student if they do not have at least a C- in all of their classes. Additionally, students will not be issued a work permit if they are considered truant due to excessive absences. The School will revoke a student's work permit if they become a truant student during the school year.

Student Culture & Discipline

Our teachers and administrators implement a schoolwide positive behavior interventions and supports (PBIS) system, which uses a wide array of strategies to promote positive behavior and to correct problem behaviors to unleash students' intellectual potential. This occurs through a combination of rewards, consequences, and interventions. When a student breaches community values, norms, and/or expectations, staff will work to support the student to correct the behavior in the future. This includes the use of restorative practices and techniques to get students back on track as quickly as possible.

Students are given introductory lessons at the beginning of the school year to ensure that they are clear on all Invictus expectations. Students consistently receive recognition and positive reinforcement for meeting and exceeding these expectations. When students do not meet these expectations, they are given opportunities to reflect on and correct their unproductive behavior and make better choices. Should students continue to breach expectations, they may lose privileges or face disciplinary action.

Dean's office staff use their best judgment based on knowledge of students, details of the breach of school expectations, and input from students and families, as appropriate, to support students to repair harm caused, learn from mistakes, and make good choices in the future. Restorative interventions include, but are not limited to:

- Simulated classroom practice
- Self-control exercises
- Mindfulness exercises
- Restorative chats
- Restorative conferences
- Restorative assignments
- Research reports
- Reflection and commitments
- Interviewing relevant stakeholders
- Short or long apology notes
- Service projects
- Behavior contracts
- Behavior trackers

Students who earn in-school or out-of-school suspensions will typically be required to complete restorative work as part of their suspensions schedule. Whenever possible, options and choices will be provided to students and parents regarding restorative actions, but this may not be the case in all situations.

Approach to Student Culture

At Invictus Academy, we believe students thrive in a joyful, structured environment. To ensure that our school culture remains structured and joyful, we use a tiered model of Restorative Justice approach to school discipline. We believe that a system of **prevention, intervention, reentry**, and **repair** is the key to both holding students to high expectations and supporting them to learn from their mistakes. The Center for Justice

and Reconciliation notes one of the major components of restorative justice is repairing the harm that has been caused.² We understand that everyone makes mistakes, and in alignment with our core values of growth and self-control, we must teach students to take ownership over their mistakes, identify those who may have been affected based on their decisions and actions, and make amends where necessary.

All staff members are trained on setting clear expectations, giving clear instructions, consistently utilizing positive recognition, and administering ‘least invasive interventions’ to prevent non-learning behaviors. When corrective action is needed, teachers are trained to administer the correction (1) calmly and unemotionally and (2) with the use of an established consequence ladder. Each consequence results in a one point deduction. Each consequence results in a one point deduction. Teachers assign consequences from the consequence ladder below, which is communicated to students at the outset of the school year:

Invictus Academy In-Class Consequence Ladder

Step in Consequence Ladder	Consequence
1 st Consequence	Verbal Warning
2 nd Consequence	Check-in with the teacher, in-class reflection, and/or seat change
3 rd Consequence	Phone call home
4 th Consequence*	Sent Out of Class for Restorative Conversation with Dean of Students + Possible Restorative Conversation with Teacher at Lunch + Lunchtime Reflection Phone call home

*Triggers restorative justice protocol

The system above is rooted in restorative justice practices. After two behavioral infractions, the student’s teacher will make an effort to get the student back on track through a short conversation. This conversation can happen during class, if the teacher can find a moment in the midst of instruction, or after class. For serious or egregious offenses, the teacher may elect to skip down the consequence ladder in service of student safety and maintaining a healthy educational environment.

² <http://restorativejustice.org/>

For students who significantly disrupt class by earning a fourth consequence, a more intensive restorative process is triggered. Dean's Office staff will responsively support the student to get back on track, which may include written exercises and/or reflections, restorative action, or conversations with relevant parties. The student will then owe Lunchtime Reflection, during which students have the opportunity to demonstrate readiness to meet classroom expectations in a structured setting. If a student refuses to engage in the process and/or continues to fail to meet expectations after repeated redirection in the Dean's Office/Lunchtime Reflection, the student may be placed on In School and/or Out of School Suspension (see below) or may be subject to expulsion. Each stage in the process is framed and designed to support students towards demonstrating self-control and self-regulation, in which they manage their thoughts, emotions, and behaviors to be their best selves.

Our 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 staff and the school's Leadership Team retain final decision-making authority on disciplinary matters.

Strong Moves and Deductions

Invictus Academy believes that strong habits are integral to students' future success and opportunities. As such, we have in place a rewards and consequences system to support students to make positive and productive choices. Students may earn positive rewards through a variety of positive behaviors, resulting in praise, earning free dress, Student of the Week nominations, and more.

We believe in addressing unproductive and/or negative behaviors consistently and purposefully. As a result, students may earn 'deductions' for choices or behaviors that detract from their learning, that of their peers, or the educational environment. Strong moves and deductions are tallied in an online platform called DeansList, which parents may request access to so that they can access daily updates on their student's progress on both strong and deductions. Strong moves and deductions are tracked each week to inform rewards and consequences (see Lunchtime and Afterschool Reflection below), as well as earning free dress.

Positive Rewards

Our team is highly dedicated to recognizing and reinforcing positive student behaviors. Staff members assign 'strong moves' to students, which are tied to our core values of

growth, self-control, productivity, positivity, kindness, and purpose, in increments of two (+2). Students can earn strong moves, which translate into a variety of rewards (free dress, positive calls home, in-school privileges, etc.) for the following behaviors (note: this is a partial list, as there are many other positive behaviors that students can be recognized for):

- Exceptional demonstration of Invictus core values
- Support for a peer
- Providing an exceptional answer
- Using every second of class time productively
- Voracious reading
- Unprompted acts of kindness
- Showing growth in academics and/or behavioral conduct
- Offering help to a fellow community member
- Thoughtfully seeking extra help during lunch or after school
- Asking an excellent question
- Acts of selfless community service

Consequences

Invictus Academy strives to create a safe, productive, and positive educational environment. When student behavior detracts from the student's learning, that of their peers, and/or the educational environment, consequences will be administered to redirect the student towards more positive, productive conduct. We aim to create clear, consistent expectations to support students to make good choices in service of their learning.

As described above, we operate a 'strong moves' and 'deductions' system to support positive student behaviors. Should a student earn -4 (deductions) or -8 (deductions) in a single school day, the student will be assigned a lunchtime and after-school reflection, respectively. Lunchtime and after-school reflections accumulate thereafter (e.g. if a student earns -12 in a single school day, they will serve lunchtime reflection for two school days and afterschool reflection for one school day). The Dean's office staff will monitor student progress closely to support students who are off track to help them get back on track as quickly as possible.

Tiered Consequences

As described above, Invictus Academy utilizes a points system of 'strong moves' and

‘deductions’ to monitor behavior and support positive school culture. From time to time, school leadership may make adjustments or edits to the consequence system to ensure it is responsive to student needs, effective in supporting positive behaviors, and implemented effectively. While we must emphasize that context plays an important role in all discipline decisions, in the interest of supporting clarity of expectations, the following represent an inexhaustive list of examples of typical responses from staff to common unproductive and/or disruptive behaviors with respect to ‘deductions’:

Behavior	Typical Response
Typical classroom disruptions*	-1 from consequence ladder (teacher may skip for serious and/or egregious behaviors**)
Language/profanity (not directed at another person)	-2
Public displays of affection	-2
Supply check	-2
Professionalism (including horseplay, play-fighting)	-2
Wrong place, wrong time	-4
Missing homework or weekly report	-4
Out of uniform	-4
Hat/hood/outerwear	-2
Tardy to class (for P1)	-2
Tardy to class (after P1)	-4
Technology misuse	-4 (see technology policy)

*Examples include, but are not limited to:

- Talking out of turn
- Not following staff members’ directions
- Moving about the class without permission
- Having food out during class
- Body language (e.g. head down on desk, slouching, eyes wandering, turning around in seat, etc.)

- Inappropriate response to a consequence (rolling eyes, smacking lips, verbal protest, gesturing, reacting to another student's consequence, etc.)
- Making noises
- Other behaviors determined to be disruptive to the learning environment by the classroom teacher/staff member

**For more serious unsafe, unproductive, and/or negative behaviors, students may be sent immediately to the DOS office and/or Principal for appropriate follow up. Some of these include, but are not limited to:

- Repeated and/or major classroom disruptions
- Repeated disruptions in Dean's office
- Possessed or used tobacco
- Cheating or academic dishonesty (see Academic Dishonesty)
- Major disrespect to an adult
- Derogatory language
- Intentional destruction of school property (including graffiti or tagging)
- Possession of firecrackers
- False activation of fire alarm
- Bullying Level 1 (teasing, name calling, excluding, giving dirty looks, gossiping)
- Sexual Harassment Level 1 (verbal, written, or electronic comments that are sexually offensive or degrading)
- Threat of or actual fighting (see Fighting Level 1)
- Fighting Level 1 (mutual combat resulting in minor injuries such as cuts, scrapes) or instigating/attempting to instigate a physical altercation

***While Invictus strives to implement its restorative/progressive consequence model whenever possible, there may be instances where a student will be suspended or recommended for expulsion on the first incident, pursuant to the school's Suspension & Expulsion Policy.**

Academic Dishonesty

Because we are a college prep school, students are regularly expected to independently complete high-quality classwork, homework, assessments, and more. If a teacher suspects that a student has engaged in academic dishonesty (e.g. plagiarism, copying another student's work, sharing work with another student, utilizing unapproved resources to complete work, etc.), an investigation will take place. If the student(s) is

found to have been involved in academic dishonesty, they will be subject to consequences including, but not limited to: receiving a failing grade on the assignment, having to retake the assignment, parent conference, LR, AR, restorative assignment on the impact of academic dishonesty, etc. Parents will be notified at the conclusion of the investigation.

Lunchtime/Afterschool Reflection System

Each day, students can earn 'strong moves' for a variety of positive and productive behaviors. For unprofessional and/or unproductive behaviors, students will earn 'deductions.' Deductions are assigned in class and out of class for behaviors which detract from a student's learning, that of their peers, and/or that of the educational environment. Any time a student earns four (-4) deductions in a single school day, they will be assigned a Lunchtime Reflection (LR) for the following school day. If a student earns eight (-8) deductions in a single school day, they will be assigned a Lunchtime Reflection (LR) and an Afterschool Reflection (AR) for the following school day. Students will receive a daily report in their homeroom class or first period class each morning informing them of whether they have been assigned LR and/or AR for the day. If a student is tardy to homeroom/first period and does not receive his/her daily report, they will still be required to attend Lunchtime Reflection (LR) and/or Afterschool Reflection (AR) as assigned, as LR and AR lists are announced by teachers before lunch and at the start of dismissal, respectively. Parents will receive notification from the school if their child has earned AR no later than 12pm on the day of the AR, and the school will make an effort to provide notice the evening before whenever possible. Notifications of AR will be delivered via text, and notice will include the appropriate time to pick the child up (4:15pm on non-minimum days; 2:30pm on minimum days).

Should a student accumulate more than eight (-8) deductions in a single school day, the student may accrue LR and/or AR assignments for future days. DOS office staff will closely monitor strong move and deduction balances, and work to provide interventions to support student growth. Some of these interventions include, but are not limited to: parent communication and/or conferences, restorative conversations, restorative assignments, LR, AR, behavior contracts, In-School Suspension (during which, the student may be assigned restorative assignments which may relate to their conduct).

LR and AR include an assignment selected by DOS office staff. Assignments will be simple and accessible to all students, regardless of academic ability, and provide students the opportunity to practice meeting all classroom expectations in the DOS

office setting. Students will be assigned ‘strong moves’ as they demonstrate progress, and may be dismissed from LR/AR early if they fully and completely meet all expectations. DOS office staff will provide in-the-moment feedback to students to indicate whether they are meeting expectations. Students who earn consequences during LR/AR or disrupt the space may be subject to additional consequences, including but not limited to: parent contact, an additional assignment of LR or AR, In-School Suspension, or Out of School Suspension.

Factors Considered in Disciplinary Cases: It is important that all stakeholders recognize and understand that each disciplinary case is unique, and as such, the school will always consider a variety of factors in making disciplinary decisions. Disciplinary decisions weigh what is best for each individual student and what is best for the school community. The following are primary factors school leadership consider in disciplinary decisions:

1. Severity of impact on self, others, and educational environment
2. Setting (for example, public versus private)
3. Response to interventions in-the-moment
4. Response to previous interventions
5. Demonstration of remorse and acceptance of responsibility
6. Other context-specific mitigating or aggravating factors

When incidents occur, school leadership will make reasonable efforts to investigate and determine the facts of the issue at hand before arriving at disciplinary decisions. This may include speaking with witnesses and/or taking written statements (incident reports), as well as weighing the credibility of conflicting accounts. School leadership will communicate relevant findings with appropriate stakeholders.

Health & Safety

School Safety Plan Overview

Instructions for a variety of emergencies are provided in all classrooms and will be fully explained by the teacher. Students are to follow these instructions carefully. Safety drills will be held throughout the school year to allow students an opportunity to practice these directions. Each classroom is also equipped with safety supplies, such as a fire extinguisher and first aid kit. Please ensure you have at least one working phone number on file with the front office, so that we are able to contact you in the event of a

true emergency. You may request a complete copy of the comprehensive safety plan in the front office for further review if desired.

Communicable, Contagious, or Infectious Disease Prevention Policy

The School recognizes its shared responsibility with the home and the community to promote appropriate disease prevention procedures in the handling and the cleaning up of blood and bodily fluids. The School desires to protect the entire school community without segregation, discrimination or stigma. Accordingly, infectious disease prevention shall be taught regardless of whether a student or adult is known to have an identified infectious disease.

All students and employees shall be provided appropriate periodic instruction in basic procedures recommended by the State Department of Education and other public health agencies and associations.

Incidence and transmission of communicable diseases will be further limited through a rigorous enforcement of immunization to all laws related to legally required immunizations for entering school pursuant to Health and Safety Code Sections 120325-120380, and Title 17, California Code of Regulations Sections 6000-607.

Students with communicable diseases will be included in all activities deemed by a physician to present no hazard of infection to other students.

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures. (See "Exposure Control Plan for Blood Borne Pathogens" Policy.)

First Aid, CPR, and Health Screening

The School recognizes the importance of taking appropriate preventive or remedial measures to minimize accidents or illness at the School or during school-sponsored activities. To this end, the School expects parents/guardians to provide emergency information and to keep such information current in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

Within the School's facilities, a First Aid Kit containing appropriate supplies will be present. First aid will be administered whenever necessary by trained staff members. When necessary, the appropriate emergency personnel will be called to assist.

All teachers are to be certified in adult and pediatric CPR and First Aid and are to be recertified prior to expiration of certificates. Opportunities for adult and pediatric CPR and First Aid training will be offered to all support staff and volunteers.

The School and its officers and employees shall not be held liable for the reasonable treatment of a child without the consent of a parent or guardian when the child is ill or injured during regular school hours or at a school-related activity, requires reasonable medical treatment, and the parent or guardian cannot be reached, unless the parent or guardian has previously filed with the School a written objection to any medical treatment other than first aid.

The School shall screen for vision, hearing and scoliosis as required by Education Code Section 49450, *et seq.*, per appropriate grade levels.

To prevent the spread of head lice infestations, School employees shall report all suspected cases of head lice to the administrative team as soon as possible. If nits or lice are found, the student shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

The Executive Director, or designee, shall send home the notification required by law for excluded students. If there are two or more students affected in any classroom, an exposure notice with information about head lice shall be sent home to all parents/guardians of those students.

Staff shall maintain the privacy of students identified as having head lice and excluded from attendance.

Excluded students may return to school when reexamination by a nurse, or designee, shows that all nits and lice have been removed and written verification is provided to the school.

Fingerprinting and Background Checks

The Executive Director or designee shall review Department of Justice reports on prospective employees, contractors, and volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237 and 45125.1, except with respect to her or himself, in which case the Chair of the Board of Directors will review. The Executive Director or designee shall monitor compliance with this policy and report to the School's Board of Directors on a regular basis as appropriate.

In addition, the School shall fingerprint and background check school volunteers who volunteer with students outside of the direct supervision of a School employee, prior to volunteering at the School.

Lost & Found

The school keeps a lost and found box in the office. Students may get permission during homeroom to check the lost and found or to stop by the main office as they are exiting the school during dismissal. Parents/guardians may come in after dismissal to search the lost and found. At the end of each month, items left in the box will be given away or disposed of.

APPENDIX A: Annual Notices

Animal Dissections

Students at the Charter School may perform animal dissections as part of the science curriculum. Any student who provides their teacher with a written statement, signed by their parent/guardian, specifying the student's moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, may be excused from such activities if the teacher believes that an adequate alternative education project is possible. The alternative education project shall require a comparable time and effort investment by the student. It shall not, as a means of penalizing the student, be more arduous than the original education project. The student shall not be discriminated against based upon their moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof.

Availability of Prospectus

Upon request, the Charter School will make available to any parent or legal guardian, a school prospectus, which shall include the curriculum, including titles, descriptions, and

instructional aims of every course offered. Please note that, pursuant to law, the Charter School may charge for the prospectus in an amount not to exceed the cost of duplication.

Cal Grant Program Notice

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

California Healthy Kids Survey

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

Campus Search and Seizure

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

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

Student lockers, including P.E. lockers, are school property and remain at all times under the control of the Charter School. Students shall assume full responsibility for the

security of their lockers. Student lockers may not be used to store illegal, unauthorized, or contraband materials. The acceptance and use of locker facilities on school campus by any student shall constitute consent by the student to the search of such locker facilities by authorized school personnel and/or law enforcement. Inspections of lockers may be conducted by school personnel and/or law enforcement through the use of trained dogs.

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

The Charter School is not prohibited from seizing/confiscating a student's personal electronic device, without searching its contents, if the student's use or possession of the private electronic device is in violation of Charter School rules or regulations. The complete Policy is available for review at the main office.

Concussion / Head Injury Annual Notice

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

competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Diabetes

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

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

A copy of the information sheet regarding type 2 diabetes is available at: <https://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>.

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

The Charter School will provide an information sheet regarding type 1 diabetes to the parent or guardian of a student when the student is first enrolled in elementary school, pursuant to Education Code Section 49452.6. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 1 diabetes.
2. A description of the risk factors and warning signs associated with type 1 diabetes.
3. A recommendation that parents or guardians of students displaying warning signs associated with type 1 diabetes should immediately consult with the student's primary care provider to determine if immediate screening for type 1 diabetes is appropriate.
4. A description of the screening process for type 1 diabetes and the implications of test results.
5. A recommendation that, following a type 1 diagnosis, parents or guardians should consult with the pupil's primary care provider to develop an appropriate treatment plan, which may include consultation with and examination by a

specialty care provider, including, but not limited to, a properly qualified endocrinologist.

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

Education of Foster and Mobile Youth

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

- *“Foster youth”* means any of the following:
 1. A child who is the subject of a petition filed pursuant to California Welfare and Institutions Code (“WIC”) section 309 (whether or not the child has been removed from the child’s home by juvenile court).
 2. A child who is the subject of a petition filed pursuant WIC section 602, has been removed from the child’s home by the juvenile court, and is in foster care.
 3. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
 - a. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
 - b. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
 - c. The nonminor is participating in a transitional independent living case plan.
 4. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court.³
 5. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.

³ The Charter School shall not require an Indian tribe or tribal court representative to certify that any student is a dependent of an Indian tribe, consortium of tribes, or tribal organization.

- *“Former juvenile court school student”* means a student who, upon completion of the student’s second year of high school, transfers from a juvenile court school to the Charter School.
- *“Child of a military family”* refers to a student who resides in the household of an active duty military member.
- *“Currently Migratory Child”* refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency (“LEA”), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. This includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
- *“Student participating in a newcomer program”* means a student who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant students that has as a primary objective the development of English language proficiency.

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

Foster and Mobile Youth Liaison:

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

Jenny Del Checcolo
Director of Student Support
(510) 994-0888
jdell@invictusofrichmond.org

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

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

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

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

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

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

2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

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

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

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

The Charter School shall notify and consult with students who are exempted from the Charter School's additional graduation requirements and the student's parent/guardian/educational rights holder. The consultation shall include all of the following:

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

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

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

An eligible student's exemption from the Charter School's additional graduation requirements will continue to apply while the student is enrolled in the Charter School or if the student transfers to another school even after the court's jurisdiction terminates or the student no longer meets the definition of a child of a military family, a currently migratory child or a pupil participating in a newcomer program.

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

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

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

1. Consult with the student of the student's option to remain at the Charter School for a fifth year to complete the Charter School's graduation requirements.
2. Consult with the student, and the educational rights holder for the student, about how remaining in school for a fifth year to complete the Charter School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at the Charter School for a fifth year to complete the Charter School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the educational rights holder for the student.

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

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

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

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

Charter School shall provide notification of the availability of these options. The pupil (if not a minor) or the educational rights holder shall have sole discretion whether to accept the exemption, based on the pupil's best educational interests.

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

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

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

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

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

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

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

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

Reporting Requirements

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

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

Education of Homeless Children and Youth

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

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

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

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

Jenny Del Checcolo
Director of Student Support
(510) 994-0888
jdell@invictusofrichmond.org

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

1. Homeless students are identified by school personnel and through outreach and coordination activities with other entities and agencies, and through the annual housing questionnaire administered by the Charter School
2. Homeless students enroll in and have a full and equal opportunity to succeed at the Charter School.
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services

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

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

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

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

To determine whether a homeless student is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student's school enrollment may be used, whichever will qualify the student for the exemption.

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

The Charter School shall notify students who are exempted from the Charter School's additional graduation requirements and the student's educational rights holder of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and provide information about transfer opportunities available through the California Community Colleges.

The Charter School shall not require any student who would otherwise be entitled to remain in attendance at the Charter School to accept the exemption from the Charter School's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The Charter School shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption. An eligible student's exemption from the Charter School's additional graduation requirements will continue to apply while the student is enrolled in the Charter School or if the student transfers to another school even after the student no longer meets the definition of a homeless child.

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

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

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

1. Inform the student of the student's option to remain at the Charter School for a fifth year to complete the Charter School's graduation requirements.
2. Inform the student, and the educational rights holder for the student, about how remaining in school for a fifth year to complete the Charter

School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.

3. Provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at the Charter School for a fifth year to complete the Charter School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the educational rights holder for the student.

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

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

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

English Learners

The Charter School is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for English language learning. The Charter School will meet all applicable legal requirements for English Learners as they pertain to annual notification

to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

Information Regarding Financial Aid

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

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

Human Trafficking Prevention

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

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

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

Immunizations

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

These required immunizations include:

Child's Grade	List of shots required to attend school
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TK/K-12 Admission	<p>Diphtheria, Tetanus and Pertussis (DTaP) - Five (5) doses Polio - Four (4) doses Measles, Mumps, and Rubella (MMR) - Two (2) doses Hepatitis B (Hep B) - Three (3) doses Varicella (chickenpox) – Two (2) doses</p> <p>NOTE: Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement for DTaP. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after the first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.</p>
Entering 7th Grade	<p>Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose Varicella (chickenpox) - Two (2) doses</p> <p>NOTE: In order to begin 7th grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet the requirements listed for grades K-12 as well as requirements for 7th grade advancement (i.e., polio, MMR, varicella and primary series for diphtheria, tetanus, and pertussis). At least one dose of pertussis-containing vaccine is required on or after the 7th birthday.</p>

Involuntary Removal Process

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) schooldays before the effective date of the action (“Involuntary Removal Notice”). The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student’s basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with the Charter School’s expulsion procedures. If the student’s parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the 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 Charter School’s suspension and expulsion policy.

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

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

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

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

Lost or Damaged School Property

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

Mental Health Services

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

Available on Campus:

- School-based counseling services – your child is encouraged to directly let a staff member know if they would like additional counseling support. The staff member will help the student complete the counseling drop-in form. You or your student can also independently complete this [form](#). Our School Supports team will determine next steps for support based on form results. This may include individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by our Charter School or by an outside provider listed herein, are voluntary.

- Special education services – if you believe your child may have a disability, you are encouraged to directly contact Ms. Checcolo to request an evaluation. Ms. Checcolo’s email is jdel@invictusofrichmond.org
- Prescription medication while on campus – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this medication to your child, please contact Abby Pacheco at (510)-994-0888 or apacheco@invictusofrichmond.org

Additional Resources:

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

Nondiscrimination Statement

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

The Charter 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 (“IDEA”).

The Charter School does not discourage students from enrolling or seeking to enroll in the Charter School for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a

foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. The Charter School shall not encourage a student currently attending Charter School to disenroll or transfer to another school based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with the Charter School's charter and relevant policies.

The Charter School does not request nor require student records prior to a student's enrollment.

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

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

Shawn Benjamin
Executive Director
(510) 994-0888

sbenjamin@invictusofrichmond.org

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

Opioid Information Sheet

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

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

Parent and Family Engagement Policy

The Charter School aims to provide all students in our school significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act ("ESEA"). The Charter School staff recognizes a partnership with families is essential to meet this goal. Our Parent and Family Engagement Policy leverages and promotes active involvement of all families as partners with schools to ensure student success. A copy of the Charter School's complete Policy is available upon request in the main office.

Physical Examinations and Right to Refuse

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

Pregnant and Parenting Students

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

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

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

Shawn Benjamin
Executive Director
(510) 994-0888
sbenjamin@invictusofrichmond.org

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

Safe Storage of Firearms

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

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

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

- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

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

School Bus and Passenger Safety

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

School Safety Plan

The Charter School has established a Comprehensive School Safety Plan. The Plan is available upon request at the main office.

Section 504

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise subjected to discrimination under any program of the Charter School. Any student who has an objectively identified disability which substantially limits a major life activity, including, but not limited to learning, is eligible for accommodations by the Charter School. The parent of any student suspected of needing or qualifying for accommodations under Section 504 may make a referral for an evaluation to the Executive Director. A copy of the Charter School's Section 504 policies and procedures is available upon request at the main office.

Sexual Education Annual Notice

The purpose of the School's sexual health education and/or HIV/AIDS prevention education is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

The School will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

- Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education.
- Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education.
- Request a copy of Education Codes 51930 through 51939.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by School personnel or outside consultants.
- When the School chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
 - The date of the instruction
 - The name of the organization or affiliation of each guest speaker.

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

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

Universal Meals Program

The Charter School shall provide two (2) nutritionally adequate meals to each student who requests a meal without consideration of the student's eligibility for a federally funded free or reduced-price meal, with a maximum of one (1) free meal per meal service (breakfast and lunch) each school day.

Special Education /Students with Disabilities

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

Pursuant to the IDEA and relevant state law, the Charter School is responsible for identifying, locating, and evaluating children enrolled at the Charter School with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or foster youth. The Charter School shall not deny nor discourage any student from enrollment solely due to a disability. If you believe your child may be eligible for special education services, please contact:

Jenny Del Checcolo
Director of Student Supports
(510) 994-0888
idel@invictusofrichmond.org

State Testing

The Charter School shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress

["CAASPP"].) Notwithstanding any other provision of law, a parent's or guardian's written request to Charter School officials to excuse their child from any or all parts of the CAASPP shall be granted. Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

Student Records, including Records Challenges and Directory Information

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

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

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

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

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

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

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

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

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

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

FERPA permits the disclosure of PII from a student's education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to Charter School officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the Charter School to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A Charter School may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student to the following parties:

1. Charter School officials who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, the Charter School will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. The Charter School will make a reasonable attempt to notify the parent or eligible student of the request for records at the parent's or eligible student's last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, the Charter School will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for a hearing;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for the Charter School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section [152 of the Internal Revenue Code](#) of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. § 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the

- order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
9. Persons who need to know in cases of health and safety emergencies;
 10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
 11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by the Charter School for students and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by the Charter School; and/or
 12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceedings conducted by the Charter School with respect to that alleged crime or offense. The Charter School discloses the final results of the disciplinary proceeding regardless of whether the Charter School concluded a violation was committed.

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

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

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

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

Please notify the Executive Director at: (510) 994-0888. A copy of the complete Policy is available upon request at the main office.

Sudden Cardiac Arrest Prevention and Automated External Defibrillators

The Charter School is invested in the health of its athletes, especially their heart health. Sudden cardiac arrest ("SCA") is when the heart stops beating, suddenly and unexpectedly. Those wishing to participate in athletics at the Charter School must review the information sheet on sudden cardiac arrest via the following link: <https://www.cdc.gov/dhdsp/docs/cardiac-arrest-infographic.pdf>

Surveys About Personal Beliefs

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

Teacher Qualification Information

As the Charter School receives Title I federal funds through the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA"), all parents/guardians of students attending the Charter School

may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals, including at a minimum:

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

Upon request, the Charter School will provide the information to the parents/guardians in a timely manner. Parents/guardians may contact the Executive Director at (510) 994-0888 or sbenjamin@invictusofrichmond.org to obtain this information.

Tobacco-Free Schools

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

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

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

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

Uniform Complaint Procedure ("UCP")

The Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. The Charter School shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure ("UCP") adopted by our Governing Board for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - Accommodations for Pregnant, Parenting or Lactating Students;
 - Adult Education;
 - Career Technical and Technical Education;
 - Career Technical and Technical Training;
 - Child Care and Development Programs;
 - Consolidated Categorical Aid;
 - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;

- Every Student Succeeds Act;
- Migrant Education Programs;
- Regional Occupational Centers and Programs;
- School Safety Plans; and/or
- State Preschool Programs.

3. Complaints alleging noncompliance with laws relating to pupil fees. A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:

- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

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

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

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



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

Complaints regarding state preschool health and safety issues in local educational agencies exempt from licensing are governed by 5 C.C.R. sections 4690-4694, except as otherwise indicated.

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

Shawn Benjamin
Executive Director
(510) 994-0888
sbenjamin@invictusofrichmond.org

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

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

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

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

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

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

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

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

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

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

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

Use of Student Information Learned from Social Media

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

APPENDIX B: Complete Policies

Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy

Adopted: December 7, 2022

Revised: August 2, 2023

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

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

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

Moreover, the Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom Invictus does business, or any other individual, student, or volunteer. This Policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. Invictus will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. Invictus complies with all

applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator

("Coordinator"):

Maren Kato

Head of People

(510) 994-0888

mkato@invictusofrichmond.org

Definitions

Prohibited Unlawful Harassment

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

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 *et seq.*; 34 C.F.R. § 106.1 *et seq.*) and California state law prohibit discrimination and harassment on the basis of sex. Under Title IX, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient 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 the recipient's education program or activity; or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

In accordance with Title IX and California law, discrimination and harassment on the basis of sex in education institutions, including in the education institution's admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded

equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by Invictus.

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

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

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

Sexual harassment may include, but is not limited to:

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

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

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

Prohibited Bullying

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

1. Placing a reasonable student⁴ 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 the student's physical or mental health.
3. Causing a reasonable student to experience substantial interference with the student's academic performance.
4. Causing a reasonable student to experience substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by Invictus.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless

⁴ "Reasonable student" is defined as a student, including, but not limited to, an exceptional needs student, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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 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:
 1. 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.
 2. 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.
 3. 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.
3. An act of "Cyber sexual bullying" including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a 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.
 - b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

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

Bullying and Cyberbullying Prevention Procedures

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

1. Cyberbullying Prevention Procedures

Invictus advises students:

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

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

2. Education

Invictus employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. Invictus advises students that hateful and/or demeaning behavior is

inappropriate and unacceptable in our society and at Invictus 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.

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

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

3. Professional Development

Invictus 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 Invictus employees who have regular interaction with students. Invictus 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 Invictus, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

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

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

Grievance Procedures

1. Scope of Grievance Procedures

Invictus 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:

1. Are written and signed;
2. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying 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
3. Submitted to the Invictus UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

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

2. Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy,

to intervene when safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this Policy.

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

Maren Kato
Head of People
(510) 994-0888
mkato@invictusofrichmond.org

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

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

Invictus acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis. Invictus prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the

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

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

3. Supportive Measures

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

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

4. Investigation and Response

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of Invictus, the Coordinator (or

administrative designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

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

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

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

- Emergency Removal
 - Invictus may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with Invictus's policies.
 - Invictus may remove a respondent from Invictus's education program or activity on an emergency basis, in accordance with Invictus's policies, provided that Invictus undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the

allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

o This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

- Informal Resolution

o If a formal complaint of sexual harassment is filed, Invictus may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If Invictus offers such a process, it will do the following:

- Provide the parties with advance written notice of:

- The allegations;

- The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;

- The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and

- Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and

- Obtain the parties' advance voluntary, written consent to the informal resolution process.

o Invictus will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

- Investigation Process

o The decision-maker will not be the same person(s) as the Coordinator or the investigator. Invictus shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.

o In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

o 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.

- o The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- o 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.
- o Prior to completion of the investigative report, Invictus will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- o The investigator will complete an investigation report that fairly summarizes all relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.

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

- Determination of Responsibility
 - o The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
 - o Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
 - o Invictus will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
 - The allegations in the formal complaint of sexual harassment;

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

5. Consequences

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

6. Right of Appeal

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

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

- The complainant and the respondent shall have the same appeal rights and Invictus will implement appeal procedures equally for both parties.
- Invictus will notify the other party in writing when an appeal is filed.
- Within five (5) business days of Invictus' written decision or dismissal of the complaint, the complainant or respondent may submit a written appeal to the Coordinator.
- The decision-maker(s) for the appeal will not be the same person(s) as the Coordinator, the investigator or the initial decision-maker(s).
- The complainant and respondent may appeal from a determination regarding responsibility, and from Invictus' dismissal of a formal complaint or any allegations therein, on the following bases:
 - Procedural irregularity that affected the outcome of the matter;

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

7. Recordkeeping

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

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

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

Suspension & Expulsion Policy

Board approval: August 2, 2023

Grounds for Suspension and Expulsion

Behavior matters that are persistent and/or outside of the bounds of lunchtime reflection and after-school reflection will typically be handled by the Dean of Students, often in consultation and with the approval of the Principal. If a student is persistently

disruptive to the learning environment of other students, the Dean of Students and/or their designee (e.g. an Associate Dean) will intervene by conferencing with the disruptive student so that the student may return to class as soon as possible, as a productive and contributing community member. Any breaches of community that are so egregious that they might warrant suspension or expulsion will be handled by both the Principal and Dean of Students. No student will be recommended for suspension or expulsion from school without the approval of the Executive Director or designee, which shall occur after a conference with the student and Executive Director or designee.

A suspension means that a student is not allowed to attend regular classes on campus or participate in school-sponsored events for a given number of days. The length of suspensions ranges from one to five days for a given incident, unless being recommended for expulsion. A student who is suspended will be required to complete any assignments missed when out of school as makeup work.

An expulsion means that a student is no longer allowed to attend the school for a period not to exceed one calendar year. A student has the right to due process before being expelled. The Executive Director, Principal(s), and Dean(s) of Students will complete any necessary fact-finding and communicate with parents throughout the expulsion determination process.

The Charter School administration shall ensure that students and their parents/guardians⁵ are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures.

The Invictus Academy discipline policy, including policy related to suspension and expulsion, may be applied to student actions that disrupt the learning environment, including, but not limited to, those which occur:

- on school grounds
- going to or coming from school
- during lunch or break periods (whether on or off school grounds)

⁵ The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term "parent/guardian" shall include these parties.

- during, going to, or returning from school-sponsored activities

Discretionary Suspendable and/or Expellable Offenses

A student may be recommended for suspension or expulsion if it is determined by the Executive Director or the Executive Director's designee that the student committed one or more of the acts listed below. In most instances, suspension may only be imposed for a first offense when other means of discipline fail to bring about proper conduct. However, in certain circumstances, students may be suspended for a first offense. This recommendation for expulsion will be made by the Executive Director or designee upon either of the following: 1) the student's presence will be disruptive to the education process; or 2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be extended pending the results of an expulsion hearing.

- 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 in self-defense.
- c) Possessed, sold, or otherwise furnished a knife or other dangerous object of no reasonable use to the student, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Executive Director or the designee of the Executive Director.
- d) Unlawfully possessed, used or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- e) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- f) Committed or attempted to commit robbery or extortion. (subject to first offense suspension)
- g) Caused or attempted to cause damage to school property or private property.

- h) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- i) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- j) Committed an obscene act or engaged in habitual profanity or vulgarity.
- k) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- l) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (no student may be expelled for this offenses; only students in grades 9-12 may be suspended for this offense)
- m) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- n) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in, hazing. For 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, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- r) Committed sexual harassment as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's

academic performance or to create an intimidating, hostile, or offensive educational environment.

- s) Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in Education Code Section 233(e)
- t) Intentionally engaged in harassment, threats, or intimidation, directed against school personnel or volunteers, or a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel, volunteers, or students by creating an intimidating or hostile educational environment
- u) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- v) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- w) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or

harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.

- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- iii. An act of cyber sexual bullying.
- (a) For purposes of this policy, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- (b) For purposes of this policy, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

The Charter School will use the following definitions:

- The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a

folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.

- The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
- The term “destructive device” means any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

Non-Discretionary Suspendable and Expellable Offenses

A student shall be immediately suspended and thereafter recommended for expulsion, upon a finding by the Executive Director or the Executive Director’s designee that such student has committed any of the following acts:

- Possessing, selling, or otherwise furnishing a firearm, explosive, or other destructive device
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code

Committing or attempting to commit a sexual assault as defined in as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4.

Suspension Procedures

In order to provide adequate notice and consultation with parents, suspension determinations will proceed under the following three step protocol.

1. **Parent Conference:** In the event of a suspension, the Executive Director, Principal, Dean of Students, or designee shall confer with the student’s parents to discuss the student behavior leading to suspension. Conferences may occur in-person or over the phone as soon as practicable. The Leadership Team may

suspend students prior to a parent conference if such student poses a clear and present danger to the lives, safety or health of themselves, other students, or school personnel. In such cases, parents shall be notified as soon as possible and a conference will be held as soon as practicable.

2. **Determination of Suspension Length and Placement:** The Executive Director or the Executive Director's designee shall have the discretion to determine the length and placement of suspensions based on the circumstances surrounding the student act triggering suspension consideration. Severity of the offense, impact on school community, and student behavioral history will be considered when determining the length and location of suspension. In order to support student learning and maintain the student's connection to the school community, every effort will be made to provide for in-school suspension rather than at-home suspension. In-school suspension may be served in a separate space with constant supervision and support from a staff member.
3. **Notice of Suspension:** Whenever a student is suspended, the student's parent/guardian shall be notified of the suspension decision and its terms either in-person or via telephone, with translation to home language if needed. Formal written notice of the suspension will follow initial in-person or telephone notice. Formal notice will include the reason for suspension, length of suspension, and the date and time at which student may return to school.

Except in the case of a suspension that is extended pending an expulsion, a student shall not be suspended for more than twenty (20) school days in a school year. In the case of an extended suspension due to expulsion recommendation, Invictus Academy will be responsible for student's interim school placement pending the completion of expulsion proceedings.

4. Homework Assignments During Suspension

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

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

Expulsion Procedures

A student's suspension may be extended pending expulsion hearing if the Executive Director determines that:

- 1) the student's presence will be disruptive to the education process; or
- 2) the student poses a threat or danger to others.

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

Students recommended for expulsion are entitled to a hearing within thirty school days of an expulsion recommendation. A student may be expelled by the neutral and impartial Charter School Board of Directors upon a recommendation from the Executive Director. The Board will preside over expulsion hearings. Expulsion hearings shall be conducted in closed session meetings of the Board (complying with all student confidentiality rules under the Family Educational Rights and Privacy Act "FERPA"), unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

Students and their parents will be provided written notice at least ten calendar days prior to any expulsion hearing. Such notice of expulsion hearing shall include the following:

1. Date, time and location of hearing
2. Statement of specific facts, charges and offense upon which the proposed expulsion is based
3. Copy of disciplinary rules that relate to the alleged violation;
4. Opportunity for the student and student's parents to appear in person at the hearing
5. Opportunity for the student to be represented by legal counsel

6. Right of the student to examine and acquire documents to be used by the Board at the hearing
7. Opportunity to cross-examine all witnesses that testify at the hearing
8. Opportunity to present evidence and witnesses on student's behalf.

Upon determination of expulsion by the Board, within five business days, written notice will be provided to the parents of an expelled student. Such notice will include:

- Statement of specific offense committed by the student
- Reinstatement eligibility review date
- notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.
- Notice of appeal rights and procedures

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

In the event that the Board rejects the recommendation of expulsion, the student will remain enrolled in and return to regular classes at Invictus Academy.

The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

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 decision by the Board 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 determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

Appeal of Suspension or Expulsion

Parents, guardians, and students 18 years of age or older have the right to appeal suspension and expulsion decisions made by the school.

Parents will be notified prior to the enactment of a suspension, per the previously described policy language. Thereafter, within the term of suspension, parents may request an appeal to the Executive Director. The appeal shall be heard within five (5) days of the appeal request. Following due consideration, the Executive Director's decision will be considered final. Appealing party will be notified of final decisions.

Expulsion appeals must be made within fifteen (15) business days of the Board's written decision to expel. Appeals must be submitted in writing to the Executive Director and sent via the U.S. Postal Service or delivered by hand to the school. Appeal hearings will

be convened within 20 business days of the school's receipt of an appeal request, until which time students shall be considered suspended. Parents must be present at appeal hearings to present the student's appeal. The student may be represented by legal counsel or a non-attorney advisor.

Expulsion appeals will be heard by an expulsion appeal panel, consisting of three certificated members who are not employees of the School or members of the Board. Panel members shall be impartial and should not have participated in the original expulsion decision. The panel will be chosen by the Chair of the Board.

Review during appeal hearings shall be limited to a determination of whether the student was provided due process throughout the expulsion process. A student who successfully appeals an expulsion decision will be immediately reinstated as a student at Invictus Academy. Within three (3) days of an appeal decision, written notice will be sent to the parents of a student who is unsuccessful in appealing an expulsion decision, including reasons for denial.

Decisions made by the appeal panel are final.

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

Suspension and Expulsion of Students with Disabilities

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and

modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

If the Charter School, the parent/guardian, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children

with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent/guardian of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or 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, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

5. Special Circumstances

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

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to

whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

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

6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

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

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

4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter 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 their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no

alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

Expelled Students/Alternative Education

Students who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter 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 Charter 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 (1) year from the date of expulsion when the student may reapply to the Charter School for readmission.

Readmission or Admission of Previously Expelled Student

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who

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

Notice to Teachers

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

Involuntary Removal for Truancy

As charter schools are schools of choice and as a charter school student who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the 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. Students who are involuntarily removed for truancy will be given a rehabilitation plan and will be subject to the readmission procedures set forth herein.

Professional Boundaries: Staff/Student Interaction Policy

Invictus Academy recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible. Boundaries are defined as acceptable professional behavior by staff members while interacting with a student. Trespassing beyond the boundaries of a student-staff relationship is deemed an abuse of power and

a betrayal of public trust. It is all employees' responsibility to ensure students feel physically and psychologically safe at school.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property.

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

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students perform physical acts that cause pain as a form of punishment;
3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all Invictus Academy faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion or concern by parents, students, bystanders, colleagues, or school leaders.

The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as misconduct. Some activities may seem innocent from a staff member's perspective, but can be perceived as harmful, abusive, flirtatious, or sexual from a student, parent, or bystander point of view.

Student/staff interactions must adhere to boundaries surrounding potential activities, locations and intentions that would be considered or could be perceived as inappropriate. Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities.

Duty to Report Suspected Misconduct

When any employee reasonably suspects or believes that another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a school administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern where a student appears to be at risk for physical, emotional, psychological or sexual abuse by a staff member. Additional mandatory reporting may be required.

Unacceptable Staff/Student Behaviors (Violations of this policy could include the following):

- a) Giving gifts to an individual student that are of a personal and intimate nature.
- b) Kissing of any kind.
- c) Any type of unnecessary physical contact with a student.
- d) Intentionally being alone with a student away from the school.

- e) Making or participating in sexually inappropriate comments.
- f) Sexual jokes.
- g) Seeking emotional involvement with a student.
- h) Listening to or telling stories that are sexually oriented.
- i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain his/her support and understanding.
- j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- k) Tickling or piggyback rides.
- l) Furnishing alcohol, tobacco products, drugs, or weapons – or failing to report knowledge of such.
- m) “Following” or allowing students to “follow,” “friend,” or otherwise connect on personal social media accounts (Instagram, Facebook, Twitter, Snapchat, TikTok, etc.).
- n) Remarks about the physical attributes or development of anyone.
- o) Excessive attention toward a particular student.
- p) Sending emails, text messages or letters to students if the content is not about school activities or topics that directly impact students at school.
- q) Using aggressive, threatening, or foul language towards students, including curse words.
- r) Positioning one’s body in a threatening way towards a student.

Unacceptable Staff/Student Behaviors without Parent and Manager Permission

(These behaviors should only be exercised when a staff member has parent and manager permission.)

- a) Giving students a ride to/from school or school activities.
- b) Allowing students access to a non-personal social media account specifically created and exclusively used for instructional purposes.
- c) Being alone in a room with a student at school with the door closed,

except in completion of job description responsibilities (i.e. operating the Dean's Office, restorative conferences, etc.).

Acceptable and Recommended Staff/Student Behaviors

- a) Getting parents' written consent for any after-school activity, including by email or text.
- b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- c) Keeping the door open when alone with a student.
- d) Keeping reasonable space between you and your students.
- e) Stopping and correcting students if they cross your own personal boundaries.
- f) Keeping parents informed when a significant issue develops about a student.
- g) Keeping after-class discussions with a student professional and concise.
- h) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- i) Involving your manager if conflict arises with a student.
- j) Informing your manager about situations that have the potential to become more severe.
- k) Making detailed notes about an incident that could evolve into a more serious situation later.
- l) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- m) Asking another staff member to be present if you will be alone with any type of special needs student.
- n) Asking another staff member to be present when you must be alone with a student after regular school hours.
- o) Giving students praise and recognition without touching them.

- p) High fives, handshakes, fist bumps.
- q) Keeping your professional conduct a high priority.

Physical Touch

Employees are expected to use a high level of caution when interacting with students, specifically considering any physical interactions. All forms of physical touch should be minimized to the maximum extent possible. The most acceptable forms of touch are high fives, handshakes, fist bumps and elbow bumps. Employees are encouraged to use these forms of touch when giving praise or comfort to students, and to avoid any displays of support such as a hug or pat on the back. All forms of physical interaction beyond those listed as acceptable may cause feelings of discomfort for the student or bystanders, even if that is not the intention, which is not acceptable.

Suicide Prevention Policy

Revised: 8/2/2023

Invictus recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with Invictus and community stakeholders, Invictus school-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, the county mental health plan, law enforcement, and community organizations in planning, implementing, and evaluating Invictus's strategies for suicide prevention and intervention. Invictus must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, Invictus shall appoint an individual (or team) to serve as the suicide prevention point of contact for Invictus. The suicide prevention point of contact for Invictus and the Executive Director shall ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. This policy shall be

reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

Suicide Prevention Crisis Team

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, Invictus created an in-house Suicide Prevention Crisis Team (“SPCT”) consisting of administrators, mental health professionals, and relevant staff.

Invictus designates the following administrators to act as the primary and secondary suicide prevention liaisons to lead the SPCT:

1. School Psychologist
2. Director of Student Supports

The functions of the SPCT are to:

- Review mental health related school policies and procedures;
- Provide annual updates on school and district data and trends;
- Review and revise school prevention policies;
- Review and select general and specialized mental health and suicide prevention training;
- Review and oversee staff, parent/guardian, and student trainings;
- Ensuring the suicide prevention policy, protocols, and resources are posted on the district and school websites;
- Collaborate with community mental health organizations,
- Identify resources and agencies that provide evidence-based or evidence-informed treatment,
- Help inform and build skills among law enforcement and other relevant partners, and
- Collaborate to build community response.

Staff Development

Invictus, along with its partners, has carefully reviewed available staff training to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Training shall be provided for all school staff members. It may also be provided, when appropriate, for other adults on campus (such as substitutes and intermittent staff, volunteers, interns, tutors, coaches, and afterschool staff). Training shall include the following:

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
2. Charter School shall ensure that training is available for new hires during the school year.
3. At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
4. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:
 - a. Suicide risk factors, warning signs, and protective factors.
 - b. How to talk with a student about thoughts of suicide.
 - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment.
 - d. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member.
 - e. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide.
 - f. Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey

(Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.

- g. Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
 - i. Youth affected by suicide.
 - ii. Youth with a history of suicide ideation or attempts.
 - iii. Youth with disabilities, mental illness, or substance abuse disorders.
 - iv. Lesbian, gay, bisexual, transgender, or questioning youth.
 - v. Youth experiencing homelessness or in out-of-home settings, such as foster care.
 - vi. Youth who have suffered traumatic experiences.
5. In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff may include the following components:
- a. The impact of traumatic stress on emotional and mental health.
 - b. Common misconceptions about suicide.
 - c. Charter School and community suicide prevention resources.
 - d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
 - e. The factors associated with suicide (risk factors, warning signs, protective factors).
 - f. How to identify youth who may be at risk of suicide.
 - g. Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on Invictus guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on Invictus guidelines.
 - h. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
 - i. Charter School-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention).

- j. Responding after a suicide occurs (suicide postvention).
- k. Resources regarding youth suicide prevention.
- l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
- m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

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

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

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

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

Virtual Screenings for Suicide Risk

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

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

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

Employee Qualifications and Scope of Services

Employees of Invictus must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of the mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide.

Parents, Guardians, and Caregivers Participation and Education

1. Parents/guardians/caregivers may be included in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on the Invictus Web page and included in the parent handbook.
3. Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.

4. Charter School shall establish and widely disseminate a referral process to all parents/guardians/caregivers/families, so they are aware of how to respond to a crisis and are knowledgeable about protocols and school, community-based, and crisis resources.
5. Community-based organizations that provide evidence-based suicide-specific treatments shall be highlighted on the Charter School's website with treatment referral options marked accordingly.
6. Staff autoreplies during vacations or absences shall include links to resources and phone/text numbers so parents and students have information readily available.
7. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
 - a. Suicide risk factors, warning signs, and protective factors.
 - b. How to talk with a student about thoughts of suicide.
 - c. How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.
 - d. Charter School's referral processes and how they or their children can reach out for help, etc.
8. Parents/guardians/caregivers are reminded that the Family Educational Rights and Privacy Act ("FERPA") generally protects the confidentiality of student records, which may sometimes include counseling or crisis intervention records. However, FERPA's health or safety emergency provision permits the disclosure of personally identifiable information from a student's education records, to appropriate parties, in order to address a health or safety emergency when the disclosure is necessary to protect the health or safety of the student or other individuals.

Student Participation and Education

Messaging about suicide has an effect on suicidal thinking and behaviors.

Consequently, Invictus along with its partners has carefully reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide. Suicide prevention strategies may

include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with Invictus and is characterized by caring staff and harmonious interrelationships among students.

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

Invictus's instructional curriculum may include information about suicide prevention, as appropriate or needed. If suicide prevention is included in the Charter School's instructional curriculum, it shall consider the grade level and age of the students and be delivered and discussed in a manner that is sensitive to the needs of young students. Under the supervision of an appropriately trained individual acting within the scope of her/his credential or license, students shall:

1. Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress. The content of the education may include:
 - a. Coping strategies for dealing with stress and trauma.
 - b. How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others.
 - c. Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help.
 - d. Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.
2. Receive developmentally appropriate guidance regarding Invictus's suicide prevention, intervention, and referral procedures.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, orientation classes, science, and physical education). Invictus will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Week, Peer Counseling, Freshman Success, and National Alliance on Mental Illness on Campus High School Clubs).

Charter School maintains a list of current student trainings and is available upon request. Charter School has shared school-based supports and self-reporting procedures, so students are able to seek help if they are experiencing thoughts of suicide or if they recognize signs with peers. Although confidentiality and privacy are important, students should understand safety is a priority and if there is a risk of suicide, school staff are required to report. Charter-based mental health professionals are legally and ethically required to report suicide risk. **When reporting suicidal ideation or an attempt, school staff must maintain confidentiality and only share information limited to the risk or attempt.**

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

Intervention and Emergency Procedures

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison.

The suicide prevention liaison shall immediately notify the Executive Director or designee, who shall then notify the student's parent/guardian as soon as possible if appropriate and in the best interest of the student. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

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

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

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

1. Ensure the student's physical safety by one or more of the following, as appropriate:
 - a. Securing immediate medical treatment if a suicide attempt has occurred.
 - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened.
 - c. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene.
 - d. Remaining calm, keeping in mind the student is overwhelmed, confused, and emotionally distressed.
 - e. Moving all other students out of the immediate area.
 - f. Not sending the student away or leaving him/her alone, even to go to the restroom.
 - g. Providing comfort to the student, listening and allowing the student to talk and being comfortable with moments of silence.
 - h. Promising privacy and help, but not promising confidentiality.
2. Document the incident in writing as soon as feasible.
3. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed and coordinate and consult with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. **Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.**
4. After a referral is made, Invictus shall verify with the parent/guardian that the follow up treatment has been accessed. Parents/guardians will be required to provide documentation of care for the student. If parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide or in emotional distress, the suicide prevention liaisons shall meet with the parent to identify barriers to treatment (e.g., cultural stigma,

financial issues) and work to rectify the situation and build understanding of care. If follow up care is still not provided, Invictus may contact Child Protective Services.

5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at Invictus.
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

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

In the event a suicide occurs or is attempted off the Invictus campus and unrelated to school activities, the Executive Director or designee shall take the following steps to support the student:

1. Contact the parent/guardian and offer support to the family.
2. Discuss with the family how they would like Invictus to respond to the attempt while minimizing widespread rumors among teachers, staff, and students.
3. Obtain permission from the parent/guardian to share information to ensure the facts regarding the crisis are correct.
4. The suicide prevention liaisons shall handle any media requests.
5. Provide care and determine appropriate support to affected students.
6. Offer to the student and parent/guardian steps for reintegration to school. Re-integration may include obtaining a written release from the parent/guardian to speak with any health care providers; conferring with the student and parent/guardian about any specific requests on how to handle the situation; informing the student's teachers about possible days of absences; allowing

accommodations for make-up work (being understanding that missed assignments may add stress to the student); appropriate staff maintaining ongoing contact with the student to monitor the student's actions and mood; and working with the parent/guardian to involve the student in an aftercare plan; providing parents/guardians/caregivers/families local emergency numbers for after school and weekend emergency contacts.

Supporting Students during or after a Mental Health Crisis

Students shall be encouraged through the education program and in Invictus activities to notify a teacher, the Executive Director, another Invictus administrator, psychologist, Invictus counselor, suicide prevention liaisons, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions. Invictus staff should treat each report seriously, calmly, and with active listening and support. Staff should be non-judgmental to students and discuss with the student, and parent/guardian, about additional resources to support the student.

Responding After a Suicide Death (Postvention)

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

The suicide prevention liaison shall:

1. Coordinate with the Executive Director to conduct an initial meeting of the Suicide Prevention Crisis Team to:
 - a. Confirm death and cause.
 - b. Identify a staff member to contact the deceased's family (within 24 hours).
 - c. Enact the Suicide Postvention Response.
 - d. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).

2. Coordinate an all-staff meeting, to include:
 - a. Notification (if not already conducted) to staff about suicide death.
 - b. Emotional support and resources available to staff.

- c. Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
 - d. Share information that is relevant and that which you have permission to disclose.
3. Prepare staff to respond to needs of students regarding the following:
 - a. Review of protocols for referring students for support/assessment.
 - b. Talking points for staff to notify students.
 - c. Resources available to students (on and off campus).
4. Identify students significantly affected by suicide death and other students at risk of imitative behavior.
5. Identify students affected by suicide death but not at risk of imitative behavior, and refer them to a school-based mental health professional.
6. Communicate with the larger school community about the suicide death. Staff shall not share explicit, graphic, or dramatic content, including the manner of death.
7. Consider funeral arrangements for the family and school community.
8. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
9. Identify media spokesperson if needed.
10. Ensure that all communications, documents, materials related to messaging about suicide avoid discussing details about method of suicide, avoid oversimplifying (i.e. identifying singular cause of suicide), avoid sensational language, and only includes clear, respectful, people-first language that encourages an environment free of stigma. As part of safe messaging for suicide, we use specific terminology when referring to actions related to suicide or suicidal behavior:

Use	Do Not Use
"Died by suicide" or "Took their own life"	"Committed suicide" Note: Use of the word "commit" can imply crime/sin
"Attempted suicide"	"Successful" or "unsuccessful" Note: There is no success, or lack of success, when dealing with suicide

11. Include long-term suicide postvention responses:

- a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
- b. Support siblings, close friends, teachers, and/or students of the deceased.
- c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

Student Identification Cards

Charter School will include the telephone numbers on all student identification cards:

- National Suicide Prevention Lifeline/Suicide Crisis Lifeline:
 - Call or Text "988"
 - Call 1-800-273-8255
- National Domestic Violence Hotline: Call 1-800-799-7233
- Crisis Text Line: Text "HOME" to 741741
- Teen Line: Text "TEEN" to 839863
- Trevor Project: Text "START" to 678678
- Trans Lifeline: 1-877-565-8860
- Local suicide prevention hotline telephone number

Internal Complaint 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, and follow these steps:

- A. Any complaint shall be put in writing using the “Complaint Form” and addressed to the Executive Director. 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
- B. The Executive Director 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 Executive Director, which shall occur no later than ten (10) school days following the receipt of complaint.
- C. If no resolution can be agreed upon between the Executive Director and the Complainant, the Executive Director shall submit the complaint to the Board of Directors, which shall submit it to the Dispute Resolution Committee, a subset of the Board of less than a quorum (at least 3) of existing members appointed by the Board of Directors as needed.
- D. The Dispute Resolution Committee may seek additional investigation by the Executive Director as it deems necessary. This committee will be advisory only and will bring a recommendation to the full Board of Directors for consideration.
- E. The Board of Directors shall address the recommendations of the Dispute Resolution Committee at the next Regular Board meeting following the availability of those recommendations from the Committee.
- F. The Board of Directors will make the final determination regarding the dispute and shall notify the Complainant of the Board’s determination 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 Executive Director (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 Executive Director (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 Executive Director (or designee) shall abide by the following process:

1. Within 10 working days of the receipt of the complaint, the Executive Director 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 Executive Director (or designee) finds that a complaint against an employee is valid, the Executive Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's or their designee's decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the School. The decision of the Board of Directors 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, religion, us affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code, including immigration status.

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 and the Individuals with Disabilities Education Improvement Act of 2004.

The School is committed to providing a work and educational atmosphere that is free of unlawful harassment. The School prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. The School will not condone or tolerate harassment of any type, including bullying, discrimination, or intimidation, by any employee, independent contractor or other person with which the Charter School does business, or any other individual, student, or volunteer. This policy 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.

APPENDIX C: Forms

General Complaint Form

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur?

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

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

_____ Date: _____

Signature of Complainant

Print Name

To be completed by School:

Received by: _____ Date: _____

Uniform Complaint Procedure Form

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

School/Office of Alleged Violation: _____

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- | | | |
|---|---|--|
| <input type="checkbox"/> Adult Education Programs | <input type="checkbox"/> Every Student Succeeds Act | <input type="checkbox"/> School Plans for School Achievement |
|---|---|--|

- | | | |
|--|---|---|
| <input type="checkbox"/> Career Technical and Technical Education and Training | <input type="checkbox"/> Local Control Funding Formula/ Local Control and Accountability Plan | <input type="checkbox"/> School Safety Plan |
|--|---|---|

- | | | |
|--|---|-------------------------------------|
| <input type="checkbox"/> Child Care and Development Programs | <input type="checkbox"/> Migrant Child Education Programs | <input type="checkbox"/> Pupil Fees |
|--|---|-------------------------------------|

- | | | |
|--|---|---|
| <input type="checkbox"/> Consolidated Categorical Aid Programs | <input type="checkbox"/> Regional Occupational Centers and Programs | <input type="checkbox"/> Pregnant, Parenting, or Lactating Students |
| <input type="checkbox"/> Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a Public School, Migratory Children and Children of Military Families | | |

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

- | | | |
|---|---|--|
| <input type="checkbox"/> Age | <input type="checkbox"/> Genetic Information | <input type="checkbox"/> Sex (Actual or Perceived) |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Immigration Status/Citizenship | <input type="checkbox"/> Sexual Orientation (Actual or Perceived) |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital Status | <input type="checkbox"/> Based on association with a person or group with one or more of these actual or perceived characteristics |
| <input type="checkbox"/> Disability (Mental or Physical) | <input type="checkbox"/> Medical Condition | |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Nationality / National Origin | |
| <input type="checkbox"/> Gender / Gender Expression / Gender Identity | <input type="checkbox"/> Race or Ethnicity | |
| | <input type="checkbox"/> Religion | |



1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you discussed your complaint or brought your complaint to any Charter School personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

EXECUTIVE DIRECTOR
INVICTUS ACADEMY
7150 PORTOLA DRIVE
EL CERRITO, CA 94530



Harassment, Intimidation, Discrimination & Bullying Complaint Form

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against:

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

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

Signature of Complainant Date: _____

Print Name

To be completed by the Charter School:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____