

California Comprehensive School Safety Plan Implementation Plan For Sky Mountain Charter School

Prepared on March 1, 2019

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Last Reviewed/Updated: February 2021

**California Comprehensive School Safety Plan (CSSP)
Draft Implementation Plan
Sky Mountain Charter School**

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**PART 1: California Charter School Comprehensive School Safety Plan
Program Overview**

What is the California Charter School Safety Plan Compliance Requirement?

Source: http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB1747

According to the staff analysis:

Need for the Bill:

According to the author, "The California Constitution guarantees California children the right to attend public schools which are safe, secure and peaceful. The educational institutions of California, such as the CDE, public school districts, county offices of education, and the schools themselves are responsible for creating safe and secure learning environments.

According to a 2017 audit report conducted by the California State Auditor (CSA), schools face challenges in preparing and responding to incidents of school violence, including active shootings. Results from a statewide survey of districts and county offices conducted as part of the audit suggested that the frequency of active shooter threats and incidents in and around California schools is increasing.

"Comprehensive school safety plans are a collection of procedures for schools to utilize in the event of an emergency, and a policy guideline that promotes a safe learning space. Although the Department of Homeland Security and federal and state agencies recommend having procedures for responding to active shooter incidents, state law does not require that California schools include these procedures in their safety plans. Consequently, the CSA's audit revealed that many districts and county offices do not independently require their schools to include these safety procedures, which results in schools being inadequately prepared to respond to violent incidents."

Existing law specifies that school districts and county offices of education are responsible for the overall development of school safety plans. Each school is required to develop a school safety plan that includes procedures, and policies to ensure student and staff safety at a school site. The components of the plan range from procedures for safe ingress and egress of pupils, parents and school employees; to disaster and emergency procedures such as those during and after earthquakes; to behavioral policies such as discrimination and harassment policies.

State law does not currently require charter schools to have safety plans, but charter petitions must include procedures the school will follow to ensure the safety of pupils and staff. This bill requires charter schools to develop a school safety plan, including procedures for conducting tactical responses to criminal incidents; requires comprehensive school safety plans to include procedures for conducting tactical responses to criminal incidents; increases the California Department of Education's (CDE's) responsibilities relating to school safety plans; and requires schoolsite councils to also consult with the fire department and other first responder entities in the writing and development of the comprehensive school safety plan.

Specifically, this bill:

- 1) Adds classified employees to the language stating that is the intent of the Legislature that comprehensive school safety plans be developed in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence.
- 2) States that it is the intent of the Legislature that all school staff be trained on the comprehensive school safety plan.
- 3) Requires the schoolsite council to also consult with a representative from a fire department and other first responder entities in the writing and development of the comprehensive school safety plan.
- 4) Requires the comprehensive school safety plan and any updates to the plan shall be shared with the law enforcement agency, the fire department, and the other first responder entities.
- 5) Requires the comprehensive school safety plan to include procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions.
- 6) Requires the procedures to prepare for active shooters or other armed assailants to be based on the specific needs and context of each school and community.
- 7) Requires the CDE to:
 - a) Provide general direction to school districts, county offices of education, and charter schools on what to include in the school building disaster plan.
 - b) Maintain and conspicuously post on its Internet Web site a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.
 - c) Develop and post on its Internet Web site best practices for reviewing and approving school safety plans.
- 8) Requires charter schools to develop a school safety plan, based on many of the components of a comprehensive school safety plan, and procedures for conducting tactical responses to criminal incidents.

This Comprehensive Safety Plan has been developed in accordance with the intent of AB 1747 (Rodriguez), passed by the California State Legislature and signed into law in 2017-18, and in full compliance with the corresponding language required in AB 1747 as referenced in California Education Code Sections 47605.(b) (5) (F), 44237, and 32282.

PART 2: What charter schools are required to include in their school safety plan

AB1747 specifically states the following:

The Charter Schools Act of 1992 provides for the establishment and operation of charter schools, including countywide charter schools, and requires a petition for the establishment of a charter school to contain comprehensive descriptions of various matters and procedures, including procedures that the charter school will follow to ensure the health and safety of pupils and staff.

This bill would require these procedures to also require the development of a school safety plan, as provided, and that the school safety plan be reviewed and updated by March 1 of every year by the charter school. To the extent the bill would impose additional duties on county boards of education, the bill would impose a state-mandated local program.

Specifically, the following sections of charter school law were amended as follows:

(Amended language is italicized in blue)

SEC. 5. (Establishment of a charter school within a school district)

Section 47605 of the Education Code is amended to read:

(6) Commencing January 1, 2003, a petition to establish a charter school **may shall** not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall **include the requirement that each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237. require all of the following:**

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

SEC. 6. (Establishment of a charter school with a County Board of Education)

Section 47605.6 of the Education Code is amended to read:

(G) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall **include the requirement that each employee of the charter school**

furnish the charter school with a criminal record summary as described in Section 44237. *require all of the following:*

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(I) The manner in which annual, **independent**, *independent* financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.

(O) The rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the **employ employment** of the charter school.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued **enrollment enrollment**.

(k) If a county board of education denies a petition, the petitioner **may shall** not elect to submit the petition for the establishment of the charter school to the state board.

SEC. 7.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Summary

In accordance with the amended language cited above, a Charter School Comprehensive School Safety Plan must therefore comply specifically with education code sections 44237, and subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282. In addition, the plan must include procedures for conducting tactical responses to criminal incidents.

PART 3: Charter School Employee Criminal Record Summary Policy (EC 47605.6.F.i; EC 44237)

The original content for this policy is in our employee handbook.

Sky Mountain Charter School recognizes the importance of maintaining a safe workplace with employees who are honest, trustworthy, qualified, reliable, and nonviolent, and do not present a risk of harm to students, coworkers or others. Sky Mountain Charter School will perform applicant background checks and employee investigations as required by Education Code section 47605 [b][f], which requires that “each employee of the school furnish the school with a criminal record summary”.

All employees must have Live Scan fingerprint results on file with Sky Mountain Charter School. Proof of Live Scan fingerprinting is a requirement of employment and the results must be provided to Sky Mountain Charter School prior to the first day of work. Live Scan fingerprinting will be required of all job applicants, employees, and volunteers as required by California and federal law. Background checks may also be required of employees whose job duties involve care of students, handling of money, valuables or confidential information, or as otherwise deemed prudent by the school. These background checks are performed through a fingerprinting service coordinated by the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Any and all information obtained by Sky Mountain Charter School may be taken into consideration in evaluating one’s suitability for employment, promotion, reassignment, or retention as an Employee.

Sky Mountain Charter School shall also request subsequent arrest notification from the Department of Justice and take all necessary action based upon such further notification.

Sky Mountain Charter School may occasionally find it necessary to investigate current employees, where behavior or other relevant circumstances raise questions concerning work performance, reliability, honesty, trustworthiness, or potential threat to the safety of coworkers, students or others. Employee investigations may, where appropriate, include credit reports and investigations of criminal records, including appropriate inquiries about any arrest for which the employee is out on bail. In the event that a background check is conducted, Sky Mountain Charter School will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the employee with any required notices and forms. Employees subject to an investigation are required to cooperate with Sky Mountain Charter School’s lawful efforts to obtain relevant information, and may be disciplined up to and including suspension without pay and/or termination for failure to do so.

Employees with adverse background information (such as certain specific criminal conviction) may be ineligible for employment with Sky Mountain Charter School.

PART 4: Charter School Safety Procedures—Child Abuse Reporting [EC 47605(6)(F)(ii); EC 32282.(2)(A)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

The original content for this policy is in our employee handbook

What Does the Child Abuse and Neglect Reporting Law Require?

The Child Abuse Law (Pen. Code § 11166) requires: ... any child care custodian, health practitioner, employee of a child protective agency, child visitation monitor, firefighter, animal control officer or humane society officer who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse, shall report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and send a written report thereof within 36 hours of receiving the information concerning the incident... For the purpose of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse. Child care custodian includes a teacher, an instructional aide, a teacher's aide or a teacher's assistant employed by any public or private school, who has been trained in the duties imposed by this article, if the school district has so warranted to the State Department of Education...(Pen. Code, § 11166.5, subd. (a).)

What are the educator's responsibilities?

By law, a mandated reporter must make a verbal report to the 24-Hour Child Abuse Hotline and is then required to complete a Suspected Child Abuse Form SS8572 (SCAR) within 36 hours. If you have not yet called the 24-Hour Child Abuse Hotline, please do so before attempting to complete the Suspected Child Abuse Report Form. For more information see link DHSS website. [Suspected Child Abuse Report Form. Directions on filling out the form can be accessed here.](#)

Mandated Reporter training is required annually. See the [state required annual mandated reporter training](#). Sky Mountain Charter school employees are responsible for keeping a copy of the certificate of completion in their files and making note on their professional development plan so that their supervisors may verify completion.

Sky Mountain Charter School teachers, nurses, counselors principals, supervisors of child welfare and attendance, and other designated school personnel who are mandated to report known or suspected child abuse cases, play a critical role in the early detection of child abuse and neglect. Symptoms or signs of abuse and neglect are often first seen by school personnel. Because immediate investigation by child protective agencies may save a child from repeated abuse, school personnel should not hesitate to report suspicious injuries or behavior. Their duty is to report, not investigate. California Penal Code states that a mandated reporter who fails to make a report of known or suspected child abuse may lose their credential. Under California State law, educators are mandated to report suspected child abuse. Knowledge or reasonable suspicion of child abuse is not privileged information and must be reported.

The mandated reporter must give his or her name when reporting known or suspected child abuse to a child protective agency. The reporter's name is confidential, however, and it may be disclosed only in certain very limited situations, as provided by law. The following information is also required when making the telephone report of suspected child abuse to the child protective agency: name of child, name of family, address, ethnicity and language, other siblings, school location, what is being reported, present circumstances or nature and extent of injury, location of the child, others in the home and mandated reporter's name.

Upon completion of the investigation or after there has been a final disposition in the matter, the investigating agency shall inform the person required to report on the results of the investigation and of any action the agency is taking with regard to the child or family. In cases of an immediate emergency always call 911 for law enforcement intervention. Where the situation is not an emergency needing the police, reports should be made to CPS.

PART 5: Charter School Safety Procedures—Routine and Emergency Disaster Procedures [EC 47605(6)(F)(ii); EC 32282.(2)(B)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

Safety Rules

Each Sky Mountain Charter School employee is expected to follow all safety rules, safe operating procedures and practices designed to promote a safe and healthful workplace.

- Employees shall not engage in horseplay, running, fighting or any activity that may result in injury.
- No employee shall report to work while under the influence of drugs or intoxicating substances.

- All unsafe conditions must be reported to a supervisor immediately.
- Never operate any office machine with which you are unfamiliar or have not been trained.
- Never block or obstruct exits.
- Always observe proper lifting techniques and ask for help if required.
- Do not perform any task you feel is unsafe. Inform a supervisor and request help.
- Always observe proper posture and ergonomic guidelines when typing.
- Immediately report any work-related injuries to your supervisor and the Director.

First Aid Kit & Fire Extinguishers

First Aid kits are available at the administrative office and at each site where students and staff are required to gather, i.e. testing sites. The first aid kit contains medical supplies needed in case of minor accidents. Please report to your supervisor if the kit needs more supplies.

Fire extinguishers are accessible at the administrative office. Please report to your supervisor if you need a new fire extinguisher or need to charge your existing one. Fire extinguishers are inspected annually by an outside company that provides this service.

Driving a Vehicle as Part of One's Job

Some positions require that an employee drives to or between various sites, including students' homes during working hours. All drivers must, at all times, have a valid California driver's license and possess at least the minimum of automobile insurance as required by Sky Mountain Charter School. If, at any time, an employee's license or insurance is terminated, revoked, cancelled or suspended, s/he must notify the school immediately and refrain from driving a motor vehicle until his or her license and/or insurance is reinstated.

Unless approval has been granted by Administration no employee shall transport a student or student's parent during working hours.

All drivers are expected to follow California's laws while driving on school business, including obeying speed limits and observing rules of the road. Moving violations, parking tickets, and accidents are an employee's responsibility and Sky Mountain Charter School will not reimburse for fines, tickets, or traffic school that are imposed as consequences of driving behaviors.

EARTHQUAKES AND FIRE SAFETY

Earthquake Procedure

In a major quake, you may experience gentle shaking at first and then more violent shaking within a few seconds. You may find it difficult to maintain your balance or it may even knock you off your feet. Or, you may be shaken by a sudden and violent jolt. It may be difficult or impossible to move from one room to the next. Within seconds, you'll feel the shaking stop.

Don't Panic:

- Remain calm and reassure students or staff.
- Act decisively; your action will set the tone for others around you.

If you are indoors when shaking starts:

- “DROP, COVER AND HOLD ON.” If you are not near a strong table or desk, drop to the floor against an interior wall and cover your head and neck with your arms or stand in a doorway and direct students to do the same.
- Stay away from windows, bookcases, cabinets, outside walls and other heavy objects until the shaking stops.
- Do not try to run out of the structure during strong shaking.
- Stay away from buildings. Glass from tall buildings does not always fall straight down; it can catch a wind current and travel great distances.
- Do not use elevators.
- If you use a wheelchair, lock the wheels and cover your head.
- Protect your head and eyes from falling debris.
- Stay in the building.
- Don't be surprised if the electricity goes out or the fire alarms sound.

If you are outdoors when shaking starts:

- Move to a clear area if you can safely walk. Avoid power lines, buildings and trees.

The Shaking Has Stopped. Now What?

Immediately after the quake, the greatest danger is from falling objects, followed by fire.

- Make sure you are safe and not injured.
 - Remain calm.
 - Check those around you, looking for those trapped or injured; administer first aid. Do not move seriously injured persons unless they are in immediate danger.
 - Check around you for dangerous conditions, such as fires or possible fire hazards, downed power lines and structure damage.
 - If you have fire extinguishers and are trained to use them, put out small fires immediately.
 - If you suspect danger, evacuate.
 - Don't use the elevator. Use the stairs.
- If at a testing site, calmly walk students to the evacuation meeting site, bringing student list.
 - Take attendance to verify ALL students who were with you are accounted for in the line.
 - Wait for instructions.
 - Turn on battery powered radios or a car radio.
 - Check the building for damage.
 - Assemble emergency supplies, water, food, and first aid supplies.

- Telephone for emergencies only.
- Be prepared for aftershocks; they are usually not as strong as the initial earthquakes.
- Cooperate with public safety officials.
- If faculty and students are released back to the building, return and verify attendance once more (if students are present).

If you are trapped in debris:

- Move as little as possible so that you don't kick up dust. Cover your nose and mouth with a handkerchief or clothing.
- Tap on a pipe or wall so that rescuers can hear where you are. Use a whistle if one is available. Shout only as a last resort.

Prepare Now Before the Shaking Starts

- Become familiar with evacuation routes.
- Discuss plans and know what to do.
- Check areas for earthquake hazards and recommend measures to correct them.
- Brace or anchor high shelves, cabinets, or other things that could fall.
- Be trained in CPR and first aid.
- Plan alternate routes of evacuation.
- Plan for disabled employees and/or students.
- You may not be able to leave the premises for 72 hours, so keep a battery-powered radio, extra batteries, flashlights, sturdy shoes, and first aid supplies on hand.

Fire Emergency Procedure

In case of fire, the individual who discovers the fire shall assume these responsibilities:

- Call the Fire Department by dialing 911 and pulling the nearest fire alarm switch.
- If police or paramedics are needed, tell the 911 operator.
- If there isn't an alarm, be sure to tell everyone in the office.
- Clear employees and students from the immediate area.
- Attempt to put out the fire with an extinguisher if possible, but do not jeopardize your safety.
- Close, but do not lock all doors leading to the fire areas to contain the fire.
- Have employees and students exit the building; check restrooms etc.
- Assist disabled or injured employees and students while exiting.

Employees shall follow these safety guidelines:

- Do not panic; listen for instructions.
- Exit quietly and quickly.

- Touch doors before opening. Do not open hot doors. Do not break windows. If you cannot exit an area, stuff a jacket or coat under the door and cover air vents to prevent the entry of smoke. **STAY LOW TO THE FLOOR.**
- Do not assist fire-fighting personnel unless asked to do so.
- Do not attempt to salvage items or retrieve purses, coats, or other personal belongings.

Evacuation plans shall be posted in conspicuous locations throughout each building.

GUIDELINES FOR PEOPLE WITH DISABILITIES IN EMERGENCIES

Evacuation of people with disabilities will be given high priority in all emergencies. In an emergency situation, it is important that staff are familiar with the needs of people with disabilities. Whenever possible, people with disabilities will be positioned near a doorway for an easier exit.

The following guidelines are important to follow:

- Establish a buddy system. People with disabilities should prepare for an emergency ahead of time by instructing a co-worker or supervisor on how to assist in the event of any emergency.
- If assistance is not immediately available, disabled people should remain near the stairwell landing or in the elevator lobby. Rescue personnel will first check all exit corridors and stairwells for those trapped. She/he should continue to call for help until rescued.
- Individuals, who cannot speak loudly, or with voice / speech impairments, should carry a whistle or have other means of attracting attention of others.
- Be familiar with alarm signals.
- Leave school materials in the room to avoid wasting time.
 - Wait for rescue and remain calm.
 - DO NOT re-enter a building until permitted by emergency personnel.

If you suspect a fire is behind a door; cover your hand to provide protection, first and then test the door by touching it. If it is hot then do NOT use the door as an exit. Try to find an alternate route for an exit. A cautionary note on elevators: Do NOT use elevators unless authorized to do so by police or fire personnel. Elevators could fail during a fire, earthquake or flood.

Evacuation Policy for People with Disabilities

School personnel shall familiarize themselves with these procedures in order to assist in planning for the evacuation of people with physical and sensory disabilities.

In All Emergencies, After an Evacuation has Been Ordered:

- Evacuation of people with disabilities will be given high priority in all emergencies and will be evacuated if possible. Evacuating a disabled or injured person by only one person with no assistance is a last resort.

- Attempt a rescue evacuation ONLY if you have had rescue training.
- Check on people with special needs during an evacuation, determine if they have established a “buddy system,” and ensure their safe evacuation.
- Always ASK someone with a disability how you can help BEFORE attempting any rescue technique or giving assistance. Ask how he or she can best be assisted or moved, and whether there are any special considerations or items that need to come with the person.
- If the situation is life threatening, call 911.
- Do NOT use elevators, unless authorized to do so by police or fire personnel. Elevators could fail during a fire, earthquake or flood.

POWER OUTAGES

If an outage occurs during the day and people with disabilities choose to wait in the building for electricity to be restored, they can move near a window where there is natural light and access to a working telephone. During regular building hours, the office staff will notify the building owner. Power cuts can occur due to rolling blackouts, extreme weather conditions, or can accompany other disasters such as earthquakes. If there is no power at a Sky Mountain Charter School building, turn off and unplug appliances and computers. Leave one light on to indicate when power has been restored.

LOCKDOWN/SHELTER IN PLACE

Active Shooter

In the event of an active shooter or gunman on or near Sky Mountain Charter School premises, move to a safe room inside the building. Call 911. Lockdown and barricade inside until Police informs you it is now safe to exit this location. In general, how you respond to an active shooter will be dictated by the specific circumstances of the encounter, bearing in mind there could be more than one shooter involved in the same situation. If you are near an area where a shooting or shooter is identified, take whatever actions necessary to protect yourself. Situational Awareness is key; if the shooter is in your area, get away from it. Use any means necessary to get out or away from the incident. If you are not hearing gun fire or seeing an assailant, lockdown and shelter in place immediately.

- Lockdown/Shelter in Place – Move quickly to the identified safe room or a room that is easily lockable. Stay in that location until Police inform you that it is safe to exit your location.
- Lock all entrances to your location.
- Barricade all entrances with furniture, desks, or anything available.
- Close blinds and turn off the lights.
- Silence cell phones.
- Stay low to the ground and hide until the situation has ended.
- Work in groups and develop a plan in case the shooter is able to make it into your area.

One of the instructions you may be given in an emergency is to shelter-in-place. This means you should stay indoors until authorities tell you it is safe or you are told to evacuate.

In case of a biological event:

- Select a small, interior room, with no or few windows.
- Close and lock all windows and exterior doors.
- Turn off all fans, heating and air conditioning systems.
- Use duct tape and plastic sheeting (heavier than food wrap) to seal all cracks around the door and any vents into the room.
- Listen to your radio or television for further instructions or updates.
- If you are in your car, close windows and turn off vents and air conditioning.

TERRORIST ATTACKS

Terrorism may involve devastating acts using weapons of mass destruction. These weapons range from chemical agents, biological hazards, a radiological or nuclear device, and other explosives. The primary objective of a terrorist is to create widespread fear. If there is a terrorist Attack:

- Stay calm.
- Be vigilant. Look out for secondary hazards such as falling debris or additional attacks.
- Follow the instructions of emergency service personnel.

If you receive a Bomb Threat:

- Ask the caller the following questions:
 1. When is the bomb going to explode?
 2. Where is the bomb right now?
 3. What kind of bomb is it?
 4. What does the bomb look like?
 5. Why did you place the bomb?
 6. Where are you calling from?
- Record the exact time and length of the call.
- Write down the exact words of the caller.
- Listen carefully to the caller's voice and background noise.
- After you hang up, call 911 immediately from a hard-wired telephone – do not use cell phones to report a bomb threat.
- The decision to evacuate the location should be made by the senior most staff at the location
- The decision to search the building will be made by local law enforcement

TSUNAMI PROCEDURES

A local earthquake may generate tsunami waves that can reach shore in minutes. immediately evacuate by walking to higher ground if:

- Officials issue a tsunami warning and order evacuations.
- You hear the Outdoor Warning System.

- The earth shakes so much that you can't stand.
- Shaking lasts longer than 20 seconds; and/or
- You notice water receding from the shoreline.

STORM & FLOODING PROCEDURES

Winter rains can cause floods, landslides, uprooted trees, and downed or broken utility lines in almost any neighborhood. During the Storm:

- If water has entered the premises, do not walk through it – it may contain hazardous materials.
- If you are asked to leave your property, disconnect all electrical appliances.
- Avoid downed power lines and broken gas lines.

PROCEDURE FOR DOCUMENTING AND REPORTING INJURIES

In the event of an accident or injury, the employee will send an email to their supervisor documenting what happened and resulting actions.

PANDEMIC

A new virus, like a non-seasonal flu, that affects a broad swath of the population, can be defined as a pandemic. All stakeholders are encouraged to take the following preventative measures:

- Stay Home when you are sick and do not return to a school site until you have been fever free for at least 24 hours
- Cover your coughs and sneezes with a tissue
- Wash your hands often with soap and water for at least 20 seconds
- Disinfect frequently touched surfaces and objects
- Maintain social distancing of at least 6 feet
- Avoid large events or other places large groups of people may gather

The school will closely monitor reputable sources of information such as the Center for Disease Control (CDC), California Department of Education (CDE) and County Public Health Offices. The school will regularly communicate with stakeholders on the steps it will take to help prevent the spread of the virus. Steps may include but are not limited to canceling group educational activities, moving to virtual meeting platforms, etc.

PART 6: Charter School Safety Procedures—Suspension/Expulsion Policies and Procedures [EC 47605(6)(F)(ii); EC 32282.(2)(C)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

The original content for this policy is in the school policy section of our website.

This Pupil Suspension and Expulsion Policy has been established to promote learning and protect the safety and wellbeing of all students in an Sky Mountain Charter School. Although many of the students of the school will work from home, this policy is written broadly to apply as needed to students at school-sponsored activities or at school facilities.

A student identified as an individual with disabilities or for whom the school has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The school's Special Education Director shall be consulted in all cases of potential suspension or expulsion relating to Special Education students to ensure compliance with all applicable statutes.

Enumerated Offenses

Students may be suspended or expelled from Sky Mountain Charter School for any act specified in Education Code 48900, non-compliance with the terms of the written student agreement, or any material violation of any of the conditions, standards or procedures set forth in the charter, the school handbook, the student agreement, or the school's policies and procedures. Education Code 48915 lists the non-discretionary and discretionary offenses for suspension and expulsion that Sky Mountain Charter School will follow.

Suspension/Expulsion Procedures

Based on information regarding student behavior or performance as specified above, at Sky Mountain Charter School will send a suspension or expulsion notice to the student's parent(s) or guardian(s). The notice will include an explanation of the charges against the student and the student's basic rights. For suspensions of fewer than ten (10) days, if the pupil denies the charges, the school will provide an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

For suspensions of ten (10) days or more, or an expulsion, the parent(s) or guardian(s) of a student may request a hearing where the parent and the student shall be given an opportunity to participate and present facts relevant to the issues set forth in the notice.

At the hearing, the student will be provided a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and the student will have the right to bring legal counsel or an advocate. In the event of any such request, an assigned school administrator shall appoint a Hearing Committee composed of no more than five (5) members consisting of one ES, one Advisor, two (2) members of the Governing Board/Parent Council, and the Board/Council President or designee (a neutral officer), which shall conduct a hearing regarding the notice. After the hearing, the Hearing Committee shall send its decision to the assigned school administrator. An expelled student shall have no right to appeal and the Hearing Committees decision is final.

In the event of a student's expulsion, Sky Mountain Charter School will notify the Superintendent of the school district of the student's last known address within thirty (30) days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil. Expelled students who are subject to compulsory full-timed education pursuant to Education Code 48200 have a duty to attend the school district in which the parent or guardian resides.

No student shall be involuntarily removed by the school for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall inform him or her of the right to initiate the procedures specified above for suspension/expulsion before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified above, the student shall remain enrolled and shall not be removed until the school issues a final decision.

Policy Adopted: March 7, 2018

PART 7: Charter School Safety Procedures—Procedures to Notify Teachers of Dangerous Pupils [EC 47605(6)(F)(ii); EC 32282.(2)(D)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

The original content for this policy is in the ES Manual.

At times, dangerous students may be part of the Sky Mountain Charter School student body. Dangerous students are defined per Education Codes 48900. When a student that has a history of displaying dangerous behavior or is developing patterns of dangerous behavior, the staff member who becomes aware of the student shall notify the school administration. Sky Mountain Charter School administration shall then notify all staff that may have contact with the student of the history of the student, dangers posed by the student, and discuss appropriate response strategies. If a student that has not had a history of dangerous behavior acts in a dangerous manner toward anyone in the school community, the matter shall be investigated by school staff, as time permits. If the behavior is determined by Sky Mountain Charter School staff to need intervention by law enforcement, law enforcement shall be contacted by the school in an expeditious manner. If appropriate, an expulsion hearing may be conducted.

PART 8: Charter School Safety Procedures—Discrimination and Harassment Policy [EC 47605(6)(F)(ii); EC 32282.(2)(E)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

The original content for this policy is in the school policy section of our website.

Bullying Policy

Sky Mountain Charter School is committed to providing all students with a safe educational environment in which all members of the school community are treated with dignity and respect and are free from harassment, intimidation or bullying. Bullying and harassment of students by students, school employees, volunteers and visitors will not be tolerated at Sky Mountain Charter School. Sky Mountain Charter School will not tolerate bullying or any behavior that infringes on the safety or well-being of students, staff or any other persons within the school's jurisdiction whether directed at an individual or group. Sky Mountain Charter School prohibits harassment, bullying, hazing, or any other victimization based on but not limited to any of the following actual or perceived traits or characteristics: age, color, creed, actual or perceived national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, immigration status, or familial status.

Sky Mountain Charter School expects students and/or staff to immediately report incidents to an administrator. A staff member who witnesses such acts will take immediate steps to intervene when safe to do so. Each complaint of bullying or harassment shall be promptly investigated. This policy applies to students at the school office, learning center, testing sites, and during a school-sponsored activity. Sky Mountain Charter School and its students, parent/guardians and community have an obligation to promote mutual respect and safe, harmonious relations that support dignity and equality. To that end, Sky Mountain Charter School has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to address incidents of bullying and harassment when they occur. These policies and procedures must be disseminated annually to staff, students, and parents/guardians.

Parent-teachers should discuss this policy with their students in age-appropriate ways and assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

The Student Code of Conduct includes, but is not limited to:

- Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying to an administrator.
- Students can rely on staff to promptly investigate each case of bullying in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Director. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students, and their parents will receive a summary of this policy prohibiting intimidation and bullying: at the beginning of the school year, as part of the Parent/Student Handbook and/or information packet, as part of new school orientation, and as part of the school system's notification to parents.
- Sky Mountain Charter School will make reasonable efforts to keep a report of bullying and the results of investigation confidential.
- Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way

In addition to the grounds specified in Education Code sections 48900, sections 48900.2, 48900.3, and 48900.4 provide additional authority to discipline a student in any of grades 4 to 12, inclusive for conduct that amounts to bullying. (Education Code 48900, 48900.2, 48900.3 and 48900.4)

Reporting Violations of this Policy

An administrator at Sky Mountain Charter School shall be responsible for receiving complaints alleging violations of this policy. All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of bullying or harassing behavior, to immediately intervene, call for assistance, and report such incidents. The Parent Council requires that staff follow school procedures for reporting alleged acts of bullying and take all necessary action to protect the victim of bullying.

All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report, in writing, any act that may be a violation of this policy. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Prompt and reasonable investigation of alleged acts of bullying is expected. Students and staff are expected to report all incidents of bullying, teasing, or other verbal or physical abuse. Any students' who feel she/he is a victim of such behavior should immediately contact a teacher, counselor, administrator, or staff person. If the student who was bullied believes the situation has not been remedied, he/she may file a complaint in accordance with Sky Mountain Charter School procedures. Students are to be informed annually of the process by which they may make a report of bullying or harassment.

Students who are victims of hate crimes have a right to report such crimes to the proper authorities.

Retaliation is Prohibited

Retaliation against a student because the student has filed a bullying complaint or assisted or participated in a bullying or harassment investigation or proceeding is also prohibited. Students who knowingly file false bullying or harassment complaints or give false statements in an investigation shall be subject to discipline by measures up to and including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this policy.

Confidentiality

An allegation of bullying that involves sexual harassment, and the results of an investigation, shall be kept confidential to the extent reasonably possible. Immigration status of those involved in an incident shall also remain confidential except as required by law.

Explanation of Terms

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, as defined, including but not limited to sexual harassment, hate violence or harassment, threats or intimidation, that has the effect or can reasonably be predicted to have the effect of placing a reasonable pupil, as defined, in fear of harm to that pupil's or those pupil's person or property, causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health, causing a reasonable pupil to experience substantial interference with his or her academic performance, or causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities or privileges provided by a school.

Reasonable student means a pupil including, but not limited to, an exceptional needs student, who exercises average care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Examples of bullying may include but are not necessarily limited to the following:

Verbal: Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors.

Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, insulting or threatening notes, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.

Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, "pantsing", pinching, slapping, biting, spitting, or destroying property.

Emotional (Psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.

Cyber Bullying is defined as: Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Website, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager.

The following is intended to provide guidance to assist staff and students in identifying bias-based behavior:

1. Citizenship/Immigration Status: actual or perceived immigration status or status as a citizen of a country other than the United States of America.
2. Disability: actual or perceived disability, or history of disability. The term "disability" applies to a person who (1) has a physical, emotional or mental impairment that substantially limits one or more major life activities, (2) has a record of such impairment, (3) is regarded as having such impairment. Major life activities include caring for one's self, walking, seeing, hearing,

speaking, breathing, working, performing manual tasks, and learning. Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addiction, heart disease, and mental illness.

3. Ethnicity/National Origin: actual or perceived national origin or ethnic identity. National origin is distinct from race/color or religion/creed because people of several races and religions or their forbears may come from one nation. The term "national origin" includes members of all national groups and groups of persons of common ancestry, heritage or background; it also includes individuals who are married to or associated with a person or persons of a particular national origin.
4. Gender: actual or perceived gender, pregnancy, or conditions related to pregnancy or childbirth. The prohibition against gender discrimination includes sexual harassment.
Race/Color: actual or perceived race or color.
5. Religion/Creed: actual or perceived religion or creed (set of fundamental beliefs, whether or not they constitute a religion)
6. Sexual Orientation: actual or perceived sexual orientation. The term sexual orientation means heterosexuality, homosexuality, bisexuality or transgender identity.

(cf. 3515.4—Recovery for Property Loss or Damage)

(cf. 5137—Positive School Climate)

(cf. 5131.5—Vandalism, Theft, and Graffiti)

(cf. 5144.1—Suspension and Expulsion/Due Process)

(cf. 5144.2—Suspension and Expulsion/Due Process Students with Disabilities)

(cf. 5145.3—Nondiscrimination/Harassment)

(cf. 5145.7—Sexual Harassment)

(cf. 5145.9—Hate Motivated Behavior)

Legal Reference

EDUCATION CODE

22262.4 Prohibition of discrimination on the basis of sex

48900(r) Engaged in an act of bullying

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48900.3 Additional grounds for suspension or expulsion; hate violence

48900.4 Additional grounds for suspension or expulsion; harassment, threats or intimidation

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

Policy Adopted: May 2018

Uniform Complaint Procedures Policy

This Uniform Complaint Procedures Policy (“UCP”) contains rules and instructions about UCP complaints regarding any alleged violation of federal or state laws or regulations governing certain educational programs and activities offered by IEM Charter Schools (“School”). The School developed this UCP in accordance with Title 5, California Code of Regulations, §§ 4600-4687. The School has primary responsibility to ensure School’s compliance with applicable state and federal laws and regulations, and School will investigate and seek to resolve UCP complaints in accordance with this UCP. This UCP has been approved by the School’s Governing Board.

UCP COMPLAINTS

Not all complaints fall under the scope of the UCP. Complaints arising from the employment relationship are separately addressed by the School’s employment policies. Many concerns, including educational assignments, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, student advancement and retention, student discipline, student records, the Brown Act, and other general education requirements, are not UCP complaints. The School, however, may use these complaint procedures to address complaints not covered by the UCP in its sole discretion. Only allegations within the subject matters falling within the UCP can be appealed to the California Department of Education (CDE).

A UCP complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include: complaints regarding certain programs and activities (list below); complaints alleging the charging of pupil fees for participation in an educational activity; complaints regarding non-compliance with the requirements of the School’s Local Control and Accountability Plans (“LCAP”); or an allegation of unlawful discrimination, harassment, intimidation, or bullying in certain programs or activities.

Complaints Regarding Programs and Activities

According to state and federal codes & regulations, the programs and activities subject to UCP are:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education; Career Technical and Technical Training
- Childcare and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs

- Education and Graduation requirements of Pupils in Foster Care, Homeless Pupils, former Juvenile Court Pupils, and Pupils of Military Families
- Regional Occupational Centers and Programs
- Reasonable Accommodation to a Lactating Pupil
- Schoolsite Councils
- School Plan for Student Achievement
- School Safety Plans
- Pupil Fees, which includes a purchase that a pupil is required to make to obtain materials, supplies, equipment or clothes associated with an educational activity
- Complaints Regarding the School's LCAP
- Every Student Succeeds Act
- Migrant Education
- Physical Education Instructional Minutes
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing
- Course Periods without Educational Content (grades nine through twelve)
- Complaints of Discrimination, Harassment, Intimidation and/or Bullying any protected group as identified in Education Code §§ 200 and 220 and Government Code § 11135, including any actual or perceived characteristics set forth in Penal Code § 422.55, based on sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, immigration status, 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 program or activity conducted by the School which is funded directly by, or that received or benefits from, any state financial assistance
- Any other state or federal educational program the State Superintendent of Public Instruction or the California Department of Education or designee deems appropriate

THE UCP ANNUAL NOTICE

The School provides notice of this UCP on an annual basis. The notice addresses all students, employees, parents or guardians, school advisory committee members, appropriate private school officials or representatives (if applicable), and other interested parties. The notice includes information regarding allegations about discrimination, harassment, intimidation, or bullying. It lists all federal and state programs within the scope of the UCP. It lists the position at School who is responsible for and knowledgeable about processing UCP complaints. The School's annual UCP notice is in English. If 15% or more of students enrolled at the School speak a single primary language other than English, the annual notice will be provided in that language as well pursuant to Education Code § 48985.

DESIGNATION OF RESPONSIBLE EMPLOYEE

The School's Executive Director of Academics is the employee responsible for receiving, investigating and responding to UCP complaints (the "Responsible Employee"):

Executive Director of Academics
 4535 Missouri Flat Rd #1A Placerville, CA 95667
 800-979-4436
skyparents@ieminc.org

In no instance will the Responsible Employee be assigned to investigate a complaint in which he or she has a bias that would prohibit him or her from fairly investigating or responding to the complaint. Any complaint against Responsible Employee or that raises a concern about Responsible Employee's ability to investigate the complaint fairly and without bias should be referred to the School's Chief Executive Officer or other appropriate School official, who will determine how the complaint will be investigated.

The School will ensure that the Responsible Employee (or designee) investigating the complaint is knowledgeable about the laws and programs at issue in the complaints. The School may consult with legal counsel appropriate.

CONFIDENTIALITY AND NON-RETALIATION

The School will ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation or bullying remains confidential as appropriate.

COMPLAINT PROCEDURES

Step 1: Filing a UCP Complaint

A UCP complaint must be filed according to the procedures set forth herein.

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization, may file a UCP complaint. However, a complaint filed on behalf of a student may only be filed by that student or that student's duly authorized representative.

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed by a person who alleges that he or she personally suffered unlawful discrimination, harassment, intimidation, or bullying, or by a person who believes that an individual or any specific class of individuals has been subjected to the same.

A UCP complaint is written and signed. If a complainant is unable to put his/her complaint in writing due to a disability or illiteracy, the School will assist the complainant in the filing of the complaint. A signature on a UCP complaint may be handwritten, typed (including in an email), or electronically-generated. Complaints related to pupil fees and/or LCAPs may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Complainants are encouraged, but not required, to use the appropriate complaint form(s), attached.

Complaints shall be filed with the Responsible Employee at the address provided herein. The Responsible Employee will maintain a log of complaints and subsequent related actions to the extent required by oversight agencies.

Upon receipt of a complaint, the Responsible Employee (or designee) will evaluate the complaint to determine whether it is subject to this UCP and will notify the complainant within five (5) workdays if the complaint is outside the jurisdiction of this UCP.

The Responsible Employee (or designee) may also determine if interim measures are necessary pending the result of an investigation. If interim measures are determined to be necessary, Responsible Employee (or designee) will consult with the Chief Executive Officer or designee, prior to implementing any such measures. The interim measures shall remain in place until the Responsible Employee (or designee) determines that they are no longer necessary or until the School issues its final written Investigation Report, whichever occurs first.

Timing of Complaints and Investigation

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be filed no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred or the complainant first obtained knowledge of it. The time for filing may be extended by the Responsible Employee (or designee) for good cause upon written request from the complainant. Such extension shall be in writing and may not exceed ninety (90) days following the expiration of the six-month period.

All other complaints shall be filed no later than one (1) year from the date the alleged violation occurred. For complaints regarding LCAP, the date of the alleged violation is the date when the School's governing board approves the LCAP or annual update.

Unless a UCP complaint is resolved through mediation as set forth below, School will investigate the UCP complaint and issue a written Investigation Report to the complainant within 60 calendar days from the date of receipt of the complaint, unless the complainant agrees in writing to an extension of time.

Step 2: Mediation (Optional)

The Responsible Employee (or designee) and complainant may mutually agree to mediation. Any School employee or member of the School's governing board who has not been involved with the allegations in the complaint may be assigned by the Responsible Employee (or designee) to serve as mediator. The mediator will arrange for both the complainant and School to present relevant evidence. The Responsible Employee (or designee) will inform the complainant that the mediation process may be terminated at any time by either the School or complainant, in which case the complaint will proceed directly to an investigation. If mediation resolves the complaint to the satisfaction of both parties, the School will implement any remedial measures and the complainant may choose to withdraw the complaint. If mediation does not resolve the complaint to the satisfaction of both parties or within the parameters of law, the Responsible Employee (or designee) shall proceed with his/her investigation of the complaint.

The use of mediation does not extend the School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

In order to investigate the complaint, the Responsible Employee (or designee) shall have access to applicable School records and/or information related to the complaint allegations. As part of his/her investigation, the Responsible Employee (or designee) will do all of the following, in any order:

- Provide an opportunity for the complainant or complainant's representative and the School's representative to present information relevant to the complaint or investigative process.
- Obtain statements from individuals/witnesses who can provide relevant information concerning the alleged violation.
- Review documents that may provide information relevant to the allegation.
- When necessary, seek clarification on specific complaint issues.

Refusal by the complainant or his/her representatives to provide the Responsible Employee (or designee) with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate or obstruction of the investigation, may result in dismissal of complaint because of a lack of evidence to support the allegation.

Refusal by the School to provide the Responsible Employee (or designee) with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate or obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Step 4: Chief Executive Officer Review

The Chief Executive Officer has discretion to evaluate the complaint and/or the Responsible Employee's (or designee's) proposed decision before a final written decision is issued. If the Chief Executive Officer elects to do so, then based on all the evidence obtained during the investigation, the Chief Executive Officer may approve, modify or reject the Responsible Employee's (or designee's) proposed decision and issue a final decision that meets the requirements set forth herein. The Chief Executive Officer may also decide not to review the complaint, in which case the Responsible Employee's (or designee's) decision shall be final.

Step 5: Final Written Decision (Investigation Report)

The Responsible Employee (or designee) shall prepare and send to the complainant a written report of the investigation and final decision (the "Investigation Report") within sixty (60) calendar days of receipt of the complaint, unless complainant agrees to extend this date. The School's Investigation Report shall be written in English and, when required by law, in the complainant's primary language.

The Investigation Report shall include:

1. The finding(s) of fact based on the evidence gathered;
2. Conclusion providing a clear determination as to each allegation as to whether the School is in compliance with the relevant law;

3. If the School finds merit in the complaint, the corrective actions required by law;
4. Notice of the complainant's right to appeal the School's Investigation Report to the CDE, except when the School has used its UCP to address a non-UCP complaint; and
5. Procedures to be followed for initiating an appeal to the CDE.

In addition, any Investigation Report on a complaint of discrimination, harassment, intimidation or bullying based on state law shall include a notice that the complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

An Investigation Report shall not include student information protected under the Family Educational Rights and Privacy Act (FERPA) or any private employee personnel information, including but not limited to the nature of the disciplinary action taken against a student or employee. If a student or employee is disciplined as a result of the complaint, the Investigation Report shall simply state that effective action was taken and that the student or employee was informed of the School's expectations.

If the School finds merit in a complaint regarding pupil fees, physical education instructional minutes, or LCAP, the remedy will go to all affected pupils and parents/guardians. The School, in good faith will engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid any unlawful pupil fee within one year prior to the filing of the complaint.

APPEAL PROCESS

A complainant may appeal the School's Investigation Report by filing a written appeal within thirty (30) calendar days of the date of the Investigation Report to the California Department of Education ("CDE"). This appeal to the CDE must specify and explain the basis for the appeal, including at least one of the following:

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

The appeal must be sent to CDE with: (1) a copy of the locally filed complaint; and (2) a copy of the School's Investigation Report.

Appeals of decisions regarding discrimination, harassment, intimidation, and/or bullying, and regarding provision of accommodations to lactating students should be sent to:

California Department of Education
Education Equity UCP Appeals Office
1430 N Street
Sacramento, CA 95814
916-319-8239

Appeals of decisions regarding LCAP should be sent to:
California Department of Education
Local Agency Systems Support Office
1430 N Street
Sacramento, CA 95814
916-319-0809

Appeals of decisions regarding pupil fees or all other educational program complaints should be sent to:
California Department of Education
Categorical Programs Complaints Management Office
1430 N Street
Sacramento, CA 95814
916-319-0929

The CDE may directly intervene in the complaint without waiting for action by the School when one of the conditions listed in Title 5, California Code of Regulations, § 4650 exists, including cases in which the School has not taken action within sixty (60) days of the date the complaint was filed with the School. A direct complaint to CDE must identify the basis for direct filing of the complaint, which must include evidence that supports such a basis.

CIVIL LAW REMEDIES

A complainant may pursue available civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. 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.

Policy Adopted: February 25, 2021

9: Charter School Safety Procedures—Schoolwide Dress Code (if it exists), Including Prohibition of Gang-Related Apparel [EC 47605(6)(F)(ii); EC 32282.(2)(F)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this paragraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

As an independent study school, we recognize that most student learning takes place in the home. As such, Sky Mountain Charter School does not regulate student dress in the home. When at a school event clothing, jewelry, and personal items (backpacks, fanny packs, gym bags, water bottles, hats, etc.) shall be free of writing, pictures, or any other insignia which are crude, vulgar, profane, or sexually suggestive, which bear drug, alcohol, or tobacco company advertising, promotions and likenesses, or which advocate racial, gender, sexual orientation, ethnic, religious prejudice, or gang related activity.

PART 10: Charter School Safety Procedures—Procedures for Safe Ingress and Egress of Pupils, Parents, and School Employees to and from School Site [EC 47605(6)(F)(ii); EC 32282.(2)(G)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

Sky Mountain Charter School shall maintain safe and secure methods of ingress and egress for pupils, parents, and staff to and from the school property which are ADA compliant. Facilities shall be inspected regularly by school staff and any necessary modifications shall be made in a timely fashion. For temporary facilities such as testing sites, ingress and egress information will be provided as necessary. Drivers are expected to follow all motor vehicle laws and speed limits and be cautious when children are present. In the event of an injury, Sky Mountain Charter School staff should be notified as well as appropriate medial personal as necessary.

PART 11: Charter School Safety Procedures—A Safe and Orderly Environment Conducive to Learning at the School [EC 47605(6)(F)(ii); EC 32282.(2)(H)]

According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(H) A safe and orderly environment conducive to learning at the school.

The Mission of Innovative Education Management, which operates Sky Mountain Charter School, says “We believe in honoring individual education choices. We commit to providing an innovative public education for students, their parents, and teachers by empowering them to create learning opportunities which develops responsible and contributing members of society.”

It is a priority of the administration and staff at Sky Mountain Charter School that every student who attends our school will be provided, in so much as our independent study modality allows, with an environment in which the students feel safe and that there is also a positive school climate.

Our administration and staff desire to provide an orderly, caring, and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements. Sky Mountain Charter School develops policies and procedures to support a conducive learning environment when our students gather together. Sky Mountain Charter School administration encourages staff to employ individualized learning strategies that foster student growth.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their education. Staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

Sky Mountain Charter School remains in compliance with existing laws related to school safety.

Appendix I: Background Information

Education Code (EC § 32282) Relevant Sections Summary

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition

shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this paragraph, “gang-related apparel” shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

Sky Mountain Emergency Contact Numbers

(Utilities, Responders and Communication Resources)

Type Services	Vendor	Number
Emergency Services		911
Poison Control	California Poison Control System	(800) 222-1222
School District	Lucerne Valley Unified School District	(760) 248-6108
School District	San Bernardino County Office of Education	(909) 386-2704
School District	Sky Mountain School Office (Placerville, CA)	(800) 979-4436
Inyo County		
Public Utilities	Southern California Edison (Bishop Creek Administration)	(800) 655-4555
County Homeless Liaison	Karen Kong kkong@icsos.us	(760) 873-3324
County Services	Inyo County Water Department	(760) 878-0001

Local Hospitals	Northern Inyo Hospital (Bishop)	(760) 873-5811
Local Hospitals	Southern Inyo Hospital (Lone Pine)	(760) 876-5501
Law/Fire/Paramedic	Inyo County Sheriff's Department (Independence)	(760) 878-0383
Law/Fire/Paramedic	Inyo County Sheriff's Department (Bishop)	(760) 873-7887
Law/Fire/Paramedic	Bishop Police Department	(760) 873-5866
Law/Fire/Paramedic	Independence Fire Department	(760) 878-2113
Law/Fire/Paramedic	Bishop Fire Department	(760) 873-5485
Mental Health	Inyo County - Health & Human Services (Bishop)	(760) 872-1727
Mental Health	Inyo County - Health & Human Services (Independence)	(760) 878-0237
Other	Inyo County Animal Shelter	(760) 873-7852
Kern County		
Public Utilities	PG&E	(800) 743-5000
Public Utilities	So Calif Edison Co (Bakersfield)	(661) 366-9264
Public Utilities	Southern California Gas (SoCal/Gas)	(800) 427-2200
County Homeless Liaison	Rolando Hernandez rhernandez@kern.org	(661) 636-4992

County Services	Kern County Water Agency	(661) 634-1400
Local Hospitals	Mercy Hospital Southwest (Bakersfield)	(661) 663-6000
Local Hospitals	Memorial Hospital (Bakersfield)	(661) 327-4647
Local Hospitals	Kaiser Permanente: Kern County Medical Facilities (Bakersfield)	(877) 524-7373
Local Hospitals	Kern Valley Healthcare District Hospital (Mountain Mesa)	(760) 379-2681
Local Hospitals	Adventist Health Tehachapi Valley	(661) 823-3000
Law/Fire/Paramedic	Kern County Sheriff's Department	(800) 861-3110
Law/Fire/Paramedic	Bakersfield Police Department	(661) 852-7850
Law/Fire/Paramedic	Kern County Fire Department	(661) 391-7000
Mental Health	Kern County Mental Health (Bakersfield)	(661) 868-8080
Other	Kern County Animal Services (Bakersfield)	(661) 868-7100
Los Angeles County		
Public Utilities	Southern California Edison	(800) 655-4555
Public Utilities	SoCalGas	(800) 427-2200
County Homeless Liaison	Melissa Schoonmaker schoonmaker_melissa@laco.e.edu	(562) 401-5397

County Services	Los Angeles Department of Water & Power	(800) 342-5397
Local Hospitals	LAC + USC Medical Center (LA)	(800) 409-1000
Local Hospitals	Los Angeles Community Hospital	(323) 267-0477
Local Hospitals	Harbor-UCLA Medical Center (Torrence)	(310) 222-2345
Local Hospitals	La Palma Intercommunity Hospital (La Palma)	(714) 670-7400
Law/Fire/Paramedic	Los Angeles County Sheriff's Department (LA)	(213) 893-5875
Law/Fire/Paramedic	Los Angeles County Sheriff's Department (Calabasas)	(818) 878-1808
Law/Fire/Paramedic	Los Angeles County Sheriff's Department (San Fernando)	(818) 898-2773
Law/Fire/Paramedic	Los Angeles County Sheriff's Department (Pasadena)	(626) 356-5266
Law/Fire/Paramedic	Los Angeles County Sheriff's Department (Norwalk)	(562) 345-4441
Law/Fire/Paramedic	Los Angeles Police Department Headquarters	(213) 486-1000
Law/Fire/Paramedic	LA Fire Command Control	(323) 262-2111
Mental Health	LA County Department of Mental Health	(800) 854-7771
Other	LA Animal Services	(888) 452-7381
Orange County		
Public Utilities	Southern California Edison	(800) 655-4555

Public Utilities	SoCalGas	(800) 427-2200
County Homeless Liaison	Jeanne Awrey jawrey@ocde.us	(714) 966-4093
County Services	Orange County Water District (Anaheim)	(714) 378-3320
County Services	Orange County Water District (Fountain Valley)	(714) 378-3200
Local Hospitals	Orange County Global Medical Center (Santa Ana)	(714) 953-3500
Local Hospitals	St. Joseph Hospital (Orange)	(714) 633-9111
Local Hospitals	Huntington Beach Hospital	(714) 843-5000
Local Hospitals	Mission Hospital Mission Viejo	(949) 364-1400
Law/Fire/Paramedic	Orange County Sheriff's Department (Headquarters)	(714) 647-7000
Law/Fire/Paramedic	Orange Police Department	(714) 744-7444
Law/Fire/Paramedic	Santa Ana Police Department	(714) 245-8665
Law/Fire/Paramedic	Mission Viejo Police Services	(949) 770-6011
Law/Fire/Paramedic	Orange County Fire Authority (Santa Ana)	(714) 573-6000
Law/Fire/Paramedic	Orange County Fire Authority (Irvine)	(714) 573-6200
Law/Fire/Paramedic	OCFA Headquarters	(714) 573-6000

Mental Health	Behavioral Health Services	(714) 480-6767
Other	Orange County Animal Services	(407) 836-3111
Riverside County		
Public Utilities	Southern California Edison Co	(800) 655-4555
Public Utilities	Southern California Gas (SoCal/Gas)	(800) 427-2200
County Homeless Liaison	Stephan McPeace smcpeace@rcoe.k12.ca.us	(951) 826-6248
County Services	Metropolitan Water District	(909) 780-1511
Local Hospitals	Riverside Community Hospital	(951) 788-3000
Local Hospitals	Kaiser Permanente Riverside Medical Center	(951) 353-2000
Local Hospitals	Temecula Valley Hospital	(951) 331-2200
Law/Fire/Paramedic	Riverside County Sheriff's Department (Riverside)	(951) 955-2400
Law/Fire/Paramedic	Riverside County Sheriff's Department (Cabazon)	(951) 922-7100
Law/Fire/Paramedic	Riverside County Sheriff's Department (Palm Desert))	(760)836-1 600
Law/Fire/Paramedic	Riverside Police Department	(951) 826-5700
Law/Fire/Paramedic	Riverside County Fire Department Headquarters Station (Peris)	(951) 940-6970

Mental Health	Riverside County Behavioral Health	(800) 706-75000
Other	Riverside County Animal Control	(951) 358-7387
San Bernardino County		
Public Utilities	Southern California Edison	(800)655-4 555
Public Utilities	Southern California Gas (SoCal/Gas)	(800) 427-2200
County Homeless Liaison	Brenda Dowdy brenda_dowdy@sbcss.k12.ca.us	(909) 386-2634
County Services	San Bernardino Municipal Water Department	(909) 384-5141
Local Hospitals	Dignity Health (Community Hospital of San Bernardino)	(909) 887-6333
Local Hospitals	Mountains Community Hospital (Lake Arrowhead)	(909) 336-3651
Local Hospitals	Bear Valley Community Hospital	(909) 866-6501
Local Hospitals	Redlands Community Hospital	(909) 335-5500
Law/Fire/Paramedic	San Bernardino County Sheriff's Department (San Bernardino)	(909) 387-3545
Law/Fire/Paramedic	San Bernardino County Sheriff's Department (Baker)	(760) 256-1796
Law/Fire/Paramedic	San Bernardino County Sheriff's Department (Rancho Cucamonga)	(909) 477-2800
Law/Fire/Paramedic	San Bernardino County Sheriff's Department (Fontana)	(909) 829-7311

Law/Fire/Paramedic	San Bernardino County Sheriff's Department (Joshua Tree)	(760) 366-4175
Law/Fire/Paramedic	San Bernardino Police Department	(909) 384-5742
Law/Fire/Paramedic	Highland Police Department	(909) 387-8313
Law/Fire/Paramedic	Hesperia Police Department	(760) 947-1500
Law/Fire/Paramedic	San Bernardino Fire Department	(760) 665-2303
Mental Health	San Bernardino County Department of Behavioral Health	(909) 386-8256
Other	San Bernardino Animal Control	(909) 384-1304