

# Parent / Student Handbook

## 2025-2026

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**Accredited by the Western Association of Schools and Colleges (WASC)**

**A-G Approved Courses**

# TABLE OF CONTENTS

|                                         |    |
|-----------------------------------------|----|
| ABOUT BEST ACADEMY                      | 5  |
| MISSION STATEMENT/P.R.I.D.E/CORE VALUES | 5  |
| DESCRIPTION OF PROGRAM                  | 5  |
| BENEFITS OF Homeschool                  | 6  |
| ENROLLMENT REQUIREMENTS                 | 7  |
| MASTER AGREEMENT                        | 8  |
| DESCRIPTION OF ROLES                    | 9  |
| STUDENT EXPECTATIONS                    | 9  |
| THE ROLE OF THE PARENT/LEGAL GUARDIAN   | 10 |
| PROGRAM POLICIES AND PROCEDURES         | 10 |
| STATE STANDARDIZED TESTING              | 10 |
| INTERNET AND COMPUTERS                  | 11 |
| INTERNET SAFETY POLICY                  | 11 |
| FIRST MEETING AND ORIENTATION           | 11 |
| NEW STUDENT ORIENTATION                 | 11 |
| COMMUNICATION REQUIREMENTS              | 12 |
| THE HOMESCHOOL INSTRUCTIONAL PROCESS    | 12 |
| MONTHLY TEACHER MEETINGS                | 12 |
| ASSIGNING WORK                          | 13 |
| REVIEWING WORK                          | 13 |
| CORRECTING/GRADING WORK                 | 13 |
| WORK SAMPLES                            | 13 |
| LEARNING CALENDARS                      | 13 |
| ATTENDANCE ACCOUNTING                   | 14 |
| RESCHEDULING MEETINGS                   | 14 |
| MISSED ASSIGNMENTS                      | 14 |
| WITHDRAW FROM BEST ACADEMY              | 15 |
| GRADING POLICIES                        | 16 |
| GRADING POLICY/SCALE GRADES TK-5        | 16 |

|                                                 |    |
|-------------------------------------------------|----|
| GRADING POLICY/SCALE GRADES 6-12                | 17 |
| MATERIALS AND SERVICES                          | 18 |
| EDUCATIONAL RESOURCE MATERIALS & FUNDS          | 18 |
| SELECTING APPROPRIATE CURRICULUM                | 18 |
| INSTRUCTION PROVIDED BY VENDORS                 | 18 |
| CONSUMABLES & NON-CONSUMABLES                   | 19 |
| RECEIVING MATERIALS                             | 19 |
| DAMAGED/LOST/NON-RETURNED MATERIALS             | 20 |
| ASSESSMENT AND ACCOUNTABILITY                   | 20 |
| TESTING & ASSESSMENT                            | 20 |
| STATE STANDARDIZED TESTS - CAASPP               | 21 |
| NWEA                                            | 23 |
| TESTING FOR ENGLISH LANGUAGE LEARNERS           | 23 |
| SCHOOL CALENDAR- HOMESCHOOL/PRIMARY             | 25 |
| SCHOOL CALENDAR- ALTERNATE TRACK                | 27 |
| TK- 8TH GRADE CURRICULUM                        | 28 |
| HIGH SCHOOL                                     | 28 |
| A-G REQUIREMENTS                                | 28 |
| GENERAL EDUCATION TRACK                         | 29 |
| REPEAT POLICY/CREDIT RECOVERY                   | 29 |
| CREDITS                                         | 29 |
| INCOMPLETE COURSE                               | 30 |
| HIGH SCHOOL GRADUATION REQUIREMENTS             | 30 |
| STUDENT WORK PERMITS                            | 31 |
| COLLEGE/UNIVERSITY CONCURRENT INFORMATION       | 31 |
| FINANCIAL AID                                   | 32 |
| TRANSCRIPT AND STUDENT RECORDS REQUESTS         | 32 |
| TRANSCRIPT AND RECORDS FROM PREVIOUS SCHOOL     | 32 |
| COLLEGE TRANSCRIPT SUBMISSION                   | 32 |
| COMPLAINTS                                      | 33 |
| CONDUCT, GRIEVANCE, DUE PROCESS & COMMUNICATION | 33 |
| FREEDOM OF SPEECH                               | 33 |
| BULLYING & PROHIBITED BEHAVIORS                 | 33 |

|                                                |    |
|------------------------------------------------|----|
| DISCIPLINE AND DUE PROCESS FOR STUDENTS        | 34 |
| SUSPENSION                                     | 34 |
| MULTI-TIERED ACADEMIC SUPPORT AND INTERVENTION | 34 |
| MISCELLANEOUS INFORMATION                      | 35 |
| APPENDIX A: TECHNOLOGY USE & CHECKOUT FORM     | 38 |
| APPENDIX B: DIABETES INFORMATION SHEET         | 42 |
| B.E.S.T ACADEMY HANDBOOK CONFIRMATION PAGE     | 46 |

## ABOUT BEST ACADEMY

### *Mission*

Brookfield Engineering Science Technology Academy (BEST) will harness the power of a flexible learning environment and modern educational technology to serve learners with diverse backgrounds and goals, who seek an education alternative that stimulates and supports independent learning, provides a robust social-emotional approach, and supports STEM college and career readiness.

### *Vision*

With a standards-based curriculum combined with superior individualized support, BEST will create a learning environment that empowers all students to rise to the challenge of independent, self-directed learning through the following School-Wide Expectations and Core Values.

### *School-wide Learner Expectations P.R.I.D.E.*

**P**roductive and self-directed learners

**R**esponsible and ethical citizens

**I**ndependent thinkers

**D**ecision-makers and problem solvers

**E**ffective communicators

### *CORE VALUES*

Innovation

Opportunity

Achievement

Collaboration

Flexibility

### *Description of Program:*

Brookfield Engineering Science Technology Academy (“BEST” or “School” was established in 2019. BEST is a homeschool program non-classroom-based charter school for grades TK through 12 under the auspices of the Julian Union School District. We are accredited by the Western Association of Schools and Colleges (WASC).

As a homeschool, we value the parent as the first and ongoing educational partner with BEST Academy. Academic instruction occurs for Math, English, Science, History, and English Language Development (ELD) virtually once a week. Students also complete their coursework independently in a homeschool environment. Students are also provided opportunities for tutoring and clubs.

## ***Who Benefits from Homeschool?***

All students can benefit from Homeschool through BEST Academy through our universal policies and adaptive curriculum. For example:

### **Specialized Students**

The specialized student—extraordinarily creative, talented, or gifted in a particular field— may seek Homeschool assistance as they develop or practice an outstanding skill.

Performers in areas of physical or artistic expertise may find the flexibility and adaptability of Homeschool to meet their unique needs.

### **Students Who Travel**

Students who travel during the school year need a kind of correspondence-based study which substitutes various communications for face-to-face communications. The traveling student's program is not interrupted when enrolled in a school-based Homeschool, decreasing the student's risk of falling behind.

Note: a student's primary residence must be within the county or adjacent county where BEST is chartered. (San Diego, Orange, Riverside, or Imperial).

### **Student Who is Interested in Industry Certifications**

BEST Academy offers students the opportunity of obtaining an industry certification in medical and Information Technology ("IT") career pathways.

### **Students Who are Interested in a College Experience While in High School**

Students who demonstrate academic success will be permitted to concurrently enroll in college courses to gain college credits from a university or a community college while attending high school.

### **Students Who Might Otherwise Drop Out**

Many young people find that the traditional high school program prevents them from entering "real life" fast enough. They want to combine working and specialized study with their education. Many students drop out because they feel unsupported or disconnected in a regular school setting. Moreover, they may lack the skills or self-discipline needed to succeed. BEST Academy can, in many cases, offer these students the opportunity to study independently at home, at their own pace, and at a convenient time.

### **Students Who Need Additional Support**

BEST Academy offers multiple resources to increase student's English Language proficiency through

differentiated instruction and specially designed curriculum apps. BEST Academy reinforces continued growth through benchmark testing and data analysis. All core curriculum is presented to students using Specially Designed Academic Instruction in English (“SDAIE”).

## ***Enrollment Requirements***

- A student must have completed the BEST enrollment process, submitted all required compliance documents, and signed an Independent Study Master Agreement before starting courses.
- According to Ed. Code 51747.3 A student must reside within the county in which BEST is authorized or a contiguous county to the county in which BEST is authorized (San Diego, Imperial, Orange, and Riverside counties).
- Update Proof of Residency (POR) as defined by the state of California
- A student may only be enrolled at BEST and NOT concurrently in another school, public or private unless permission is given to attend a community college.

## ***Proof of Residency (POR)***

The best POR document is your current utility bill (phones, trash, cable gas, water, electric bills, and property tax). You can also use your most current mortgage statement or lease agreement.

High school transcripts are necessary to determine proper class placement and create Individualized Graduation Plans. Transcripts should be submitted during the enrollment process and can be submitted by hand, faxed, or emailed to the Enrollment Department at [enrollment@bestacademycs.com](mailto:enrollment@bestacademycs.com). All information on the application must be accurate and correct. If misrepresentations are made or incorrect information is provided, the application may be considered as failing to meet the School's requirements and may result in the revocation or halting of enrollment until accurate information is provided.

BEST requires students to establish proof residency in order to be enrolled in its nonclassroom-based program. California law requires that a student not only be a California resident, but also that the student is a resident of the county in which funding for attendance (“apportionment claim”) is reported or of a county immediately adjacent to the county in which the apportionment claim is reported. Accordingly, the School desires to ensure that its student/parent residency information is accurate and verified on an annual basis. This policy is consistent with the relevant portions of the Education Code.

## **Residency Verification**

In order for a student to be eligible to attend the School, that student's parent and/or guardian shall provide the following documentation to the School as verification of the student's residency:

- 1) A completed copy of the School's Residency Verification Form, signed by the parent and/or legal guardian; and
- 2) Unless the parent and/or legal guardian does not maintain their own residence (then see below), one document showing the name and address of the parent and/or legal guardian within the prescribed service area, including, but not limited to:
  - a. Property tax payment receipt
  - b. Rental property contract, lease, or payment receipt
  - c. Utility service contract, statement, or payment receipt
  - d. Pay stub
  - e. Voter registration
  - f. Correspondence from a government agency
  - g. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency must be executed by the student
  - h. If the student is residing in the home of a caregiving adult within service boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552, along with one of the foregoing items a. through f. as it relates to the caregiver

For parents or legal guardians who do not maintain their own residence, the parent or legal guardian must provide an affidavit of shared residency and submit a signed, affidavit for the person who maintains the residence where the student lives attesting to the fact that the student resides at that address, along with a document from the above list bearing the name and address of the person who maintains the residence.

### **Frequency of Residency Verifications**

The required documentation shall be provided to the School each time a student enrolls in the School and during the School's annual registration process via the School's annual registration forms. The documentation supporting residency shall be maintained according to the School's records retention schedule. Payment amounts and other confidential information may be redacted.

Nothing in this policy shall be construed as limiting access to pupil enrollment if the student is a homeless child or youth, as defined in Section 11434a(2) of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2) et seq.)

### ***Master Agreement***

To attend BEST, the Master Agreement ("MA") must be signed by the pupil, the pupil's parent/guardian, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the



certificated employee designated as having responsibility for the special education programming of the pupil, before the commencement of independent study This legal document must be signed, dated, and returned to BEST. No student can access the curriculum and isn't enrolled until the MA is signed and returned.

The signed MA is the agreement that the student ("scholar") and parent/guardian sign to demonstrate their intention to enroll in BEST. All scholars enrolled in BEST must sign a new MA each school year.

An addendum, updated MA, must be submitted if changes are made in courses, supervising teachers, or grade level during the school year. This document must be signed by the same signatories as stated above, thus approving the changes.

Please see the Independent Study Policy [www.bestacademy.com](http://www.bestacademy.com) and the Master Agreement which will be sent to you by your advisory teacher.

### **Orientation**

Parents/guardians of students enrolling or re-enrolling are encouraged to attend an orientation meeting as part of the enrollment or re-enrollment process to become familiar with the program and the parent/guardian responsibilities within the MA to ensure their child is successful within this alternative educational environment. Parents/guardians of students entering high school are also encouraged to attend a separate High School Orientation as part of the enrollment or re-enrollment process and before signing the MA, which will focus on the unique aspects of the high school program.

## **DESCRIPTION OF ROLES**

### **Student Expectations**

- Takes ownership of their learning
- Satisfy or exceed minimum individual course expectations per all class syllabi while adhering to the School's grading policy.
- Put forth their best faith effort and participates in state assessments and the School's mandatory benchmark testing.
- Communicates with their subject teachers via email and phone.
- Informs their teacher of any issue that interferes with learning promptly.
- Attends live synchronous classes as scheduled, prepared, and on time.
- Attends office hours and tutoring as requested by the teacher.
- *An Evaluation of Continued Enrollment* will occur if the MA is not adhered to. This is a

state-mandated multi-tiered intervention and re-engagement process to determine if non-classroom-based instruction is the correct placement for academic success, please see the Independent Study Policy located at [www.bestacademycs.com](http://www.bestacademycs.com), for more information.

- All assignments will be accepted within ten (10) school days of the date the assignment was made.
- Attends scheduled Learning Period meetings and any other necessary meetings.
- Completes Learning Log weekly for each day of the week that work was completed.

### ***Responsibilities of Parent/Legal Guardian***

- Provides student(s) with a conducive learning environment at home.
- Understands the requirement for students (s) to participate in local and state assessments. These include but are not limited to NWEA, SBAC, CAST, PFT, and ELPAC<sup>1</sup>
- Promptly and regularly communicates with the student's teacher(s) and returns emails and phone messages.
- Updates contact (phone number, address) information by logging in to reg-online at: [Best Academy.parent student portal.com](http://BestAcademy.parentstudentportal.com). This should occur the moment there is a change.
- Notifies the School via email: [info@bestacademycs.com](mailto:info@bestacademycs.com) (regarding changes to contact info (home address, phone number, email)).
- Attends progress meetings/conferences with teachers, success coaches, administration, and other staff as needed. These are designed to discuss growth, updates, and any other concerns that need to be addressed.
- Promptly completes any required forms or documents sent by staff.
- Attends scheduled Personal Learning Time (PLTs) meetings and any other necessary meetings (on the phone, via web conference, or in person) with BEST staff and student(s). PLTs by phone conferencing shall occur only under exceptional circumstances approved by the Executive Director. Student(s) and parent/guardian must be visible for virtual PLT meetings.

## **PROGRAM POLICIES AND PROCEDURES**

### ***STATE AND LOCAL STANDARDIZED TESTS***

As a public charter school, our students participate in the following state tests:

1. \*SBAC TESTING for English and MATH: Grades 3-8 and 11 (CAASPP - California Assessment of Student Performance and Progress)
2. CAST Test for Science: Grades 5,8,11 (grade 12 only if they have not previously taken it)
3. Physical Fitness Test: grades 5, 7, and 9 (PFT)

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<sup>1</sup> Northwest Evaluation Association; Smarter Balanced Assessment Consortium (the annual state assessments); California Science Test; Physical Fitness Test, and the English Language Proficiency Assessments for California.

4. English Language Learners: ELPAC Test - English language proficiency Assessment
5. Benchmark Testing (i.e., NWEA)

\*All students are expected to participate in state and local testing.

These tests provide BEST with critical data to assist students in promoting achievement. These tests also indicate to the State how effective BEST is at accomplishing its mission.

### ***Internet and Computers***

Participation in BEST Academy requires an internet connection. Basic internet service can be provided free of charge for all enrolled students who need it. An internet connection is required because our program requires that students log in to their curriculum, Clever Applications, attend Learning Period (“LP”) meetings with teachers, complete the learning log, and upload work samples.

BEST has computers available to all students to use during the school year. A parent/guardian who wishes to borrow a computer must request one from their advisory teacher. Please be advised that there is no reasonable expectation of privacy. The computer must be returned to BEST when the students disenroll or graduate. Please see the Student Technology Policy and Acceptable Use Agreement located: [www.bestacademy.com](http://www.bestacademy.com).

### ***Internet Safety Policy***

It is the policy of BEST to prevent access over its computer network to, or transmission of, inappropriate material via the internet, email, or other forms of electronic communications; prevent unauthorized access and other unlawful online activity; prevent unauthorized online disclosure, use, or dissemination of personal identifying information of minors; and to comply with the Children’s Internet Protection Act.

### ***First Meeting and Orientation***

In high school, at the beginning of each semester, the student and parent/legal guardian will be introduced to the individual Student Plan (ISP). The ISP will serve as the document by which academic progress will be monitored to ensure the student graduates on time.

### ***New Student Orientation***

New students and parents will attend/participate in an orientation session with a BEST Academy staff member after they are enrolled. Students will be provided login credentials and learn how to navigate our online curriculum platforms, access email, and learn about school procedures and the importance of the MA. Teachers send a welcome email and a calendar invite indicating the day and

time of their synchronous class(es).

### ***Communication Requirements***

It is crucial to a student's success that the parent/guardian, teacher, and student communicate regularly. Time-sensitive student progress, curriculum, and testing information must be communicated regularly. Teachers and the parent(s)/guardian(s) are part of a team working for the student's educational success.

The following are the recommendations for communication between parties:

- Parent/guardians check email once per day, Monday through Friday, and respond within 24 hours
- Students check email three (3) times per day, Monday through Friday, and respond within 24 hours if needed
- The teacher will reply by the end of the next school day
- The teacher is available Monday – Friday 8:00 am-4:00 pm except school holidays

## **THE HOMESCHOOL INSTRUCTIONAL PROCESS**

### ***Monthly Teacher Meetings***

As a school of choice, students and parents/guardians are asked to commit to the program's expectations. Home study students and their parents/guardians have face-to-face meetings with the student's teachers at least once every twenty (20) school days for a minimum of one (1) hour per student meeting and participate in synchronous instruction. During these face-to-face meetings, the teacher reviews the student's assignments, collects samples to include in the required monthly paperwork, discusses any problems or areas of concern that may have occurred during the month, and assigns, with parent/guardian input, the next month's assignments. The student's interests are incorporated into the assignments, activities, and assignments that complement the student's learning style(s).

Attendance will be reviewed using the Learning Calendar and portfolio samples, and the teacher will review the previous Learning Period by evaluating and assigning a grade for completed work for the assigned subjects.

The teacher will review the work to be assigned for the following Learning Period and will collect two (2) assignments from each subject area to submit as work samples. The student's first and last name and the date must be included on each sample and written in the student's handwriting. There must also be a grade or assessment on each work sample that is turned in.

Additionally, materials will be delivered, if applicable, orders for materials or vendors will be

reviewed and submitted, and the next meeting date, time, and place will be reviewed or set.

### ***Assigning Work***

When assigning work, the teacher(s) will work with the parent/guardian who is the student's primary educator to create an assignment plan that considers the student's grade level, the number of school days during the work period, and the type of curriculum used. Assignments are given according to pacing guides and addressing how long your student takes to complete an assignment. However, following minimum time allotments may assist you in planning your school day. As a California public school, BEST Academy must show that the California Common Core State Standards are being met and mastered, and we value the many paths that can be taken to achieve this goal.

### ***Reviewing Work***

During meetings, the teacher will look at the **entire** previous Learning Period's work. This is an important evaluation which helps the teacher determine appropriate pacing, instruct/tutor the student on concepts where the student is demonstrating a lack of comprehension, and to reassign work or readdress concepts if mastery is not attained.

### ***Correcting/Grading Work***

Although you, as the parent guardian educator, will correct most of the daily work, the teacher is responsible for evaluating the work and assigning an overall grade for the work completed during the Learning Period.

### ***Work Samples***

Original work samples for every subject are required for each Learning Period regardless of the student's enrollment date. Originals of student work are required when turning in portfolio samples, or copies of originals may be emailed to the teacher. For work such as sculptures, voice lessons, masonry, building an engine, science experiments, physical education activities, and other less structured or paperless work, submitting a photograph, a video, or an audio sample as proof of work is acceptable. Photo samples must be accompanied by an explanation of the activity and a grade or assessment.

### ***Learning Calendars***

Parent/guardian educators must maintain the Learning Calendar for each learning period, marking each day of educational engagement and turning in the calendar to the teacher at each monthly meeting.

- NOTE: The teacher must ensure assignments are given in each course listed on the Master Agreement every Learning Period.

- If the parent/guardian knows exactly what direction you would like the Learning Period to take, discuss the overall learning plan and review it at your meeting with your teacher(s). The teacher(s) will review the plans to ensure that pacing is appropriate and that the California State Standards are adequately addressed. Please be aware that if the teacher does not feel the lesson planning is appropriate, the teacher will have to adjust the lesson plan as part of their professional responsibilities.

### ***Attendance Accounting***

We recognize that families may not evenly distribute student work on assignments over weekdays. However, due to strict State law requirements for charter school attendance accounting, BEST expects each student to be engaged in an educational activity required of them in the assignment on each weekday that school is in session and asks that this “daily engagement” be documented daily on the student learning calendar and via the Aeries Wellness Check by the parent/guardian educator and submitted to the teacher. This should not be read to prohibit schoolwork on weekends or dictate how a family distributes the Student Work Assignment over the learning period.

We ask that a parent/guardian refrain from documenting any “daily engagement” on a day where a student did not engage in any educational activity required of them by the assignment. Work done on weekends or other days when school is not in session cannot be used to “make- up” weekdays where no “daily engagement” occurred.

### ***Rescheduling Meetings***

If your family has a legitimate emergency, you may reschedule meetings. Please contact the Supervising Teacher as this meeting must occur as soon as possible, and the Supervising Teacher must assign work for the interim. This must be **extremely** rare.

### ***Missed Assignments***

For students in all programs of independent study, the maximum length of time that may elapse between the time an assignment is made and the date by which the student must complete the assigned work shall be ten (10) days.

When special or extenuating circumstances justify a longer time for individual students, the director or their designee may approve a period not to exceed fifteen (15) Days.

The School will conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study or to return to the regular school program when any student fails to complete fifteen (15) missed assignments during any period of twenty (20) days or fails to make

satisfactory progress or in the event Student's educational progress falls below satisfactory levels as determined by the School's Master Agreement for Independent Study which considers ALL of the following indicators:

- The pupil's achievement and engagement in the independent study program, as indicated by the pupil's performance on applicable pupil-level measures of pupil achievement and pupil engagement, are outlined in Education Code Section 52060(d) paragraphs (4) and (5).
- Completing assignments, assessments, or other indicators indicates that the pupil is working on assignments.
- Learning required concepts, as determined by the supervising teacher.
- Student progress toward completing the course of study or individual course, as determined by the supervising teacher.

A written record of the findings of any evaluation made pursuant to this subdivision shall be maintained in the pupil's permanent record and treated as a mandatory interim pupil record. The record shall be maintained for a period of three (3) years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

For students not performing at grade level, or needing support, or needing support in other areas such as English Learners, individuals with exceptional needs, pupils in foster care, pupils experiencing homelessness, and pupils requiring mental health supports, the school will provide interventions through digital supplementary platforms, one on one academic support, small group support, tutoring, social-emotional curriculum, referral to a Student Support Team meeting, possible assessment for special education or a Section 504 Plan.

Executive Director or designee shall initiate BEST's re engagement strategies when:

- A Student is not generating attendance for more than 10 percent of the required minimum instructional time over four continuous weeks of the Charter School's approved instructional calendar (i.e. After 10% (ten percent) of assignments in a 19-24 day learning period are missed);
- A student is found not participatory in synchronous instructional offerings pursuant to Education Code Section 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span; or
- A student is in violation of the written agreement pursuant to Education Code Section 51747(g). Three (3) missed appointments
- Failure to participate in state-mandated assessments (without written parent/guardian excusal) and failure to participate in school-mandated assessments

### ***Withdrawal from BEST Academy***

Please provide the School office with the following information to withdraw your student from BEST Academy.

- Last date of attendance at BEST
- Name of school or school district your student will be enrolling in
- Reason for withdrawal

Once this information is received, your Supervising Teacher will assist you with the materials return process. All School property must be returned to BEST.

Notes regarding withdrawals:

- High school students who are withdrawing will receive a “W” on their transcript for any courses that have not been completed. High school students must complete all work and attend for the entire semester to earn credit for courses. BEST does not give partial credits, unless the student is a Foster, Mobile, or Homeless Youth.
- In custody disputes and divorce situations, all parents/guardians with educational rights shall provide the required court documents to verify a decision to withdraw. In addition, student records shall only be sent to the new school upon receipt of a request for records from a school.

## GRADING POLICIES

### ***Grading Policy/Scale Grades TK-5:***

Families share all of the learning that has occurred during their monthly meetings with their Supervising Teacher. The Supervising Teacher, also known as Advisory teacher, works with the family to review and reflect on student learning. For TK-5th-grade students, teachers will use the shared information to determine mastery of standards and match these to the “I Can Statements.”

Students in grades TK-5 will receive report cards four (4) times yearly. Students are graded on a scale of 1 through 4 in Language Arts, Math, Social Studies, Science, Physical Education, and, if applicable, ELD. The following are the numerical codes used for evaluation:

- 4 - Advanced
- 3 - Proficient
- 2 - Developing
- 1 - Emerging
- 0 - Work not submitted

### **TK-6 Core Content Grading Categories**

|                     |     |
|---------------------|-----|
| Lessons/Assignments | 30% |
|---------------------|-----|



|                     |     |
|---------------------|-----|
| Quizzes             | 30% |
| Tests               | 30% |
| Writing Assignments | 10% |

#### 7th-8th Core Content Grading Categories

|                     |     |
|---------------------|-----|
| Lessons/Assignments | 30% |
| Quizzes             | 25% |
| Tests               | 25% |
| Writing Assignments | 20% |

As per Ed code and as referenced in the Master Agreement:

- A state-mandated *Evaluation of Continued Enrollment* will occur if the Master Agreement is unsatisfied. This is a multi-tiered intervention between the student/parent/administration/teacher to determine continuance in the program. It is part of our tiered intervention plan (see *Multi-tiered Academic Support* later in this document).
- In good faith, students' work that has been attempted with reasonable effort (even if not on time) will receive a score no lower than a 50%. ***For unattempted work, plagiarism, and no class participation, students may receive a 0%.***

#### **Grading Policy/Scale Grades 6-12:**

BEST teachers ultimately decide final grades per each class' syllabi and parent(s)/guardian(s) are given progress report cards twice a year and semester-finalized grades twice an academic year. As per Ed code, as referenced in the Master Agreement,

- A state-mandated *Evaluation of Continued Enrollment* will occur if the Master Agreement is unsatisfied. This is a multi-tiered intervention between the student/parent/administration/teacher to determine continuance in the program. It is part of our tiered intervention plan (see *Multi-tiered Academic Support* later in this document)
- In good faith, students' work that has been attempted with reasonable effort (even if not on time) will receive a score no lower than a 50%. ***For unattempted work, plagiarism, and no class participation, students may receive a 0%.***
- No assignments will be accepted more than ten (10) after it was assigned.
- College level, Advanced Placement, and Honors courses are weighted on a 5-point scale for the student's transcript. Please refer to the Pacing Guide and Student Weekly Schedule

Checklist in Appendix A.

| Letter Grade | Percentage    |
|--------------|---------------|
| A            | 90-100%       |
| B            | 80-89%        |
| C            | 70-79%        |
| D            | 60-69%        |
| F            | 59% and below |

#### **9-12 Core Content Grading Categories**

|                     |     |
|---------------------|-----|
| Lessons/Assignments | 35% |
| Quizzes             | 10% |
| Tests               | 30% |
| Writing Assignments | 30% |
| Semester Exam       | 5%  |

## **MATERIALS AND SERVICES**

### ***Educational Resource Materials/Instructional Funds***

Student instructional funds may be used to request approved curriculum, materials, and supplies to meet the student's educational needs. Materials purchased with BEST instructional funds may not contain any religious content. No reimbursements will be made for materials purchased with a gift card. Speak with your teacher regarding the specific needs of your students.

### ***Selecting Appropriate Curriculum***

Part of the appeal of BEST is the fact that families have a voice in the selection of the curriculum. In collaboration with the parent/guardian, the teacher selects a curriculum appropriate for the student, considering the student's learning style, grade level, rigor, record of academic success, and other relevant factors.

All non-consumable educational materials (textbooks, not workbooks) must be returned to BEST at the end of the school year.

### ***Instruction Provided by Vendors***

BEST has an extensive list of approved vendors, which can be accessed on the school and OPS websites <https://www.bestacademy.cs.com/resource/lendinglibrary>. As a BEST parent/guardian, please understand that based on the nature of the program; you are responsible for supervising your minor child at all times while the service provider (i.e., the vendor) is providing services to your child. Services include instruction in activities such as martial arts, dance, art, voice lessons, swimming, etc., and tutoring for academic subjects. If you choose to utilize one of the school's vendors, you are responsible for contacting the vendor.

Please confirm information, pricing, etc., with the vendor, and then give the written request to your teacher. To expedite processing, include the following on your written request:

- Name of vendor
- Services requested
- Cost of the services
- Dates for which the student is requesting the services

Please keep your teacher informed about the quality of the instruction and your satisfaction with the vendor. Should you cancel services for any reason, please notify your teacher immediately.

### ***Consumables and Non-Consumables***

Consumables are materials that can be used only once. Consumables that have been used do not need to be returned. Examples of consumables include:

- Supplies such as paper, pencils, paint, etc.
- Project Kits include "Science in a Nutshell," anatomy kits, boats, etc.
- Workbooks — those a student writes in

Non-consumables are materials that can be used over and over again. Non-consumables must be returned. Examples of non-consumables are

- Teacher Editions,
- Textbooks,
- Manipulatives,
- Microscopes,
- Globes,
- Educational games, DVDs

### ***Receiving Materials***

You will receive materials through your teacher. You must carefully check the list of items and their designation as consumable or non-consumable because you will be responsible for returning materials at the end of the school year or when you withdraw from BEST, whichever comes first. If

materials are lost or damaged, families must pay for them. Please see the Lost or Damaged Property in the Annual Notices within Part I of this Handbook for more information. You may return materials to your teacher or the home study office anytime throughout the year as you finish using them.

### ***Damaged/Lost/Non-Returned Materials***

BEST recognizes that instructional materials are an expensive resource. Although instructional materials are provided for student use, they remain the School's property. Students are responsible for returning borrowed materials in good condition, with no more wear and tear than usually results from everyday use.

When materials are lost or so damaged they are no longer usable, the student shall be responsible for reparation equal to the current replacement cost. The Executive Director or designee shall determine a lesser charge when materials are damaged but still usable. If it can be demonstrated to the Executive Director's satisfaction that the student has taken all reasonable precautions to safeguard instructional materials issued to them, the Executive Director may excuse the student/parent/guardian from reparation payment. Please see the Lost or Damaged Notice in the Annual Notification Guide.

## **ASSESSMENT AND ACCOUNTABILITY**

### ***Testing & Assessment***

Assessment data is critical to BEST and the student. Assessments are one indicator of student learning and helps us identify areas of support to ensure students are academically successful. Using assessment data is also a healthy thing to do internally as a school community and a required part of the WASC accreditation and charter renewal processes.

WASC accreditation shows that a school has met and is maintaining high standards. Furthermore, having WASC accreditation validates the integrity of the School's program for transfer students and transcripts for university acceptance. Many of our families place great value on WASC accreditation. To receive WASC accreditation, a school must thoroughly describe, demonstrate, and evaluate its instructional program through a school-wide action plan.

It is an accomplishment for a school to be accredited, but maintaining accreditation is an ongoing cycle of managing change and improvement through regular assessment, planning, implementing, monitoring, and reassessing.

Assessment data is also an essential piece in our charter renewal process. A sponsoring school district, County Office of Education, or the State Board of Education authorizes charter schools. The

authorizer is granting the petitioning organization permission to make independent decisions and operate their school. In return, the charter school needs to demonstrate compliance with the essential terms of the charter, which include the California Education Code (“Ed Code”), student achievement, governance, reporting requirements, etc. Each charter school that makes up BEST must remain in good standing with each authorizer. Without authorization, we have no charter! Authorizers gauge compliance and achievement with assessment data. Scores at the individual student level are never shared, and the privacy of student names is maintained according to federal laws that protect students.

It is essential to the School that all students participate in school-wide assessments.

### ***State Standardized Tests – California Assessment of Student Performance and Progress (CAASPP)***

Every year, California students take several statewide tests. When combined with other measures such as grades, class work, and teacher observations, these tests give families and teachers a more complete picture of their child’s learning. You can use the results to identify where your child is doing well and where they might need more support.

Your child may be taking one or more of the following California Assessment of Student Performance and Progress (CAASPP), English Language Proficiency Assessments for California (ELPAC), and Physical Fitness Test assessments. Pursuant to California *Education Code* Section 60615, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments. This exemption does not exist for the ELPAC or Physical Fitness Test.

#### **CAASPP: Smarter Balanced Assessments for English Language Arts/Literacy (ELA) and Math**

**Who takes these tests?** Students in grades 3–8 and grade 11.

**What is the test format?** The Smarter Balanced assessments are computer-based.

**Which standards are tested?** The California Common Core State Standards.

#### **CAASPP: California Alternate Assessments (CAAs) for ELA and Math**

**Who takes these tests?** Students in grades 3–8 and grade 11 whose individualized education program (IEP) identifies the use of alternate assessments.

**What is the test format?** The CAAs for ELA and math are computer-based tests that are administered one-on-one by a test examiner who is familiar with the student.

**Which standards are tested?** The California Common Core State Standards through the Core Content Connectors.

#### **CAASPP: California Science Test (CAST)**

**Who takes the test?** Students take the CAST in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

**What is the test format?** The CAST is computer-based.

**Which standards are tested?** The California Next Generation Science Standards (CA NGSS).

#### **CAASPP: California Alternate Assessment (CAA) for Science**

**Who takes the test?** Students whose IEP identifies the use of an alternate assessment take the CAA for Science in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

**What is the test format?** The CAA for Science is a series of four performance tasks that can be administered throughout the year as the content is taught.

**Which standards are tested?** Alternate achievement standards derived from the CA NGSS.

#### **CAASPP: California Spanish Assessment (CSA)**

**Who takes the test?** The CSA is an optional test for students in grades 3–12 that tests their Spanish reading, listening, and writing mechanics.

**What is the test format?** The CSA is computer-based.

**Which standards are tested?** The California Common Core State Standards en Español.

#### **ELPAC**

**Who takes the test?** Students who have a home language survey that lists a language other than English will take the Initial test, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the Summative ELPAC every year until they are reclassified as proficient in English.

**What is the test format?** Both the Initial and Summative ELPAC are computer-based.

**Which standards are tested?** The 2012 California English Language Development Standards.

#### **Alternate ELPAC**

**Who takes the test?** Students whose IEP identifies the use of an alternate assessment and who have a home language survey that lists a language other than English will take the Alternate Initial ELPAC, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the Alternate Summative ELPAC every year until they are reclassified as proficient in English.

**What is the test format?** Both the Alternate Initial and Alternate Summative ELPAC are computer-based.

**Which standards are tested?** Alternate achievement standards derived from the 2012 California English Language Development Standards.

#### **Physical Fitness Test**

**Who takes the test?** Students in grades 5, 7, and 9 will take the FITNESSGRAM<sup>®</sup>, which is the test used in California.

**What is the test format?** The test consists of five performance components: aerobic capacity, abdominal strength, trunk strength, upper body strength, and flexibility.

**Which standards are tested?** The Healthy Fitness Zones, which are established through the

## FITNESSGRAM®.

\*The California Department of Education states that students who are physically unable to participate in the entire PFT should complete as many tests as possible.

Participation rates are critical to the success of our school. A public school is required to achieve a participation rate of 95% on any state testing. If a school has less than 95% of its students participate in any assessment, the School runs the risk of receiving a severe penalty by the state of California.

BEST faculty administers all state standardized tests at facilities within driving distance of your home. A testing schedule will be provided to you by your teacher. Individual student performance results on statewide achievement testing will be available to parents/guardians who want a copy.

Often our families have questions or concerns about the SBAC/CAST assessments. At BEST, we want our families to feel informed about assessments so they are prepared and feel more comfortable partaking. We have created the Parent Assessment Support site for this purpose. We also ask that you work closely with your teacher so your student can be assigned any designated support to help them during their testing session.

### **NWEA**

BEST believes that ongoing benchmark assessments help to inform instructional practices. The NWEA is not designed to find flaws but to build the strength and skills necessary to succeed in the student's educational career. BEST chose NWEA because its adaptive and diagnostic tool pinpoints students' needs to the sub-skill level. NWEA provides data-driven insights and support for successfully implementing the new standards. BEST will provide the parents/guardians with the results of NWEA, so the parent/guardian and teacher can work together to create a personalized learning plan for each student.

Assessments allow our teachers to monitor student growth and performance consistently and continuously over a student's entire K-12 career. The questions will automatically change the level of difficulty, thus it is "adaptive," based on student response patterns. NWEA Testing will occur up to three (3) times a year, typically in the fall, winter, and spring of each year. The NWEA benchmark assessments in Reading/Early Literacy and Math are required to participate in BEST Academy. Should a student not participate in these mandatory assessments within the scheduled windows, the non-compliance process will be in effect and may lead to an administrative withdrawal.

### ***Testing for English Language Learners***

California state law requires that the ELPAC be given yearly to English Learners. The ELPAC (English Language Proficiency Assessments for California) is a test that measures how well a student can listen, speak, read, and write in English. ELPAC aims to ensure all students receive adequate support to succeed.

New students who declared another language besides English on their home language survey must be assessed with the exception of TK students.. Students previously designated as English Learners at another public school (even if it was years ago) must be tested by law every year until they reach a level of proficiency and are reclassified. At that point, they will no longer need to take the test.

#### **School Accountability Report Card (SARC)**

The purpose of the SARC is to provide parent(s)/guardian(s) and the community with important information about each school. A SARC can be an effective way for a school to report on its progress in achieving goals. The public may also use a SARC to evaluate and compare schools on a variety of indicators. The SARC must be updated annually and published by February 1 of each school year. Parent(s)/guardian(s) with internet access can view the School's SARC on the school website at [www.bestacademy.com](http://www.bestacademy.com). A hard copy of the School's SARC will be made available upon request at the administrative office.



## School Calendars:

### BEST Academy/A-Track/190 Staff Days/175 Student

| JULY '25 |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | Th | F  | S  |
|          |    | 1  | 2  | 3  | 4  | 5  |
| 6        | 7  | 8  | 9  | 10 | 11 | 12 |
| 13       | 14 | 15 | 16 | 17 | 18 | 19 |
| 20       | 21 | 22 | 23 | 24 | 25 | 26 |
| 27       | 28 | 29 | 30 | 31 |    |    |

4 Independence Day

July 1 to July 30: Summer School

| JANUARY '26 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | Th | F  | S  |
|             |    |    |    | 1  | 2  | 3  |
| 4           | 5  | 6  | 7  | 8  | 9  | 10 |
| 11          | 12 | 13 | 14 | 15 | 16 | 17 |
| 18          | 19 | 20 | 21 | 22 | 23 | 24 |
| 25          | 26 | 27 | 28 | 29 | 30 | 31 |

1 New Year's Day  
16 Pupil Free Day  
19 M. L. King Day

18 Days

| AUGUST '25 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | Th | F  | S  |
|            |    |    |    |    | 1  | 2  |
| 3          | 4  | 5  | 6  | 7  | 8  | 9  |
| 10         | 11 | 12 | 13 | 14 | 15 | 16 |
| 17         | 18 | 19 | 20 | 21 | 22 | 23 |
| 24         | 25 | 26 | 27 | 28 | 29 | 30 |
| 31         |    |    |    |    |    |    |

Aug 18-29: PD

| FEBRUARY '26 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
| 1            | 2  | 3  | 4  | 5  | 6  | 7  |
| 8            | 9  | 10 | 11 | 12 | 13 | 14 |
| 15           | 16 | 17 | 18 | 19 | 20 | 21 |
| 22           | 23 | 24 | 25 | 26 | 27 | 28 |
|              |    |    |    |    |    |    |

16 Presidents' Day

19 Days

| SEPTEMBER '25 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | Th | F  | S  |
|               | 1  | 2  | 3  | 4  | 5  | 6  |
| 7             | 8  | 9  | 10 | 11 | 12 | 13 |
| 14            | 15 | 16 | 17 | 18 | 19 | 20 |
| 21            | 22 | 23 | 24 | 25 | 26 | 27 |
| 28            | 29 | 30 |    |    |    |    |

1 Labor Day

21 Days

| MARCH '26 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | Th | F  | S  |
| 1         | 2  | 3  | 4  | 5  | 6  | 7  |
| 8         | 9  | 10 | 11 | 12 | 13 | 14 |
| 15        | 16 | 17 | 18 | 19 | 20 | 21 |
| 22        | 23 | 24 | 25 | 26 | 27 | 28 |
| 29        | 30 | 31 |    |    |    |    |

20 Days

| OCTOBER '25 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | Th | F  | S  |
|             |    |    | 1  | 2  | 3  | 4  |
| 5           | 6  | 7  | 8  | 9  | 10 | 11 |
| 12          | 13 | 14 | 15 | 16 | 17 | 18 |
| 19          | 20 | 21 | 22 | 23 | 24 | 25 |
| 26          | 27 | 28 | 29 | 30 | 31 |    |

13 Columbus Day

22 Days

| APRIL '26 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | Th | F  | S  |
|           |    |    | 1  | 2  | 3  | 4  |
| 5         | 6  | 7  | 8  | 9  | 10 | 11 |
| 12        | 13 | 14 | 15 | 16 | 17 | 18 |
| 19        | 20 | 21 | 22 | 23 | 24 | 25 |
| 26        | 27 | 28 | 29 | 30 |    |    |

3 Good Friday  
5 Easter Sunday

19 Days

| NOVEMBER '25 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
|              |    |    |    |    |    | 1  |
| 2            | 3  | 4  | 5  | 6  | 7  | 8  |
| 9            | 10 | 11 | 12 | 13 | 14 | 15 |
| 16           | 17 | 18 | 19 | 20 | 21 | 22 |
| 23           | 24 | 25 | 26 | 27 | 28 | 29 |
| 30           |    |    |    |    |    |    |

11 Veterans Day  
27 Thanksgiving Day

14 Days

| MAY '26 |    |    |    |    |    |    |
|---------|----|----|----|----|----|----|
| S       | M  | T  | W  | Th | F  | S  |
|         |    |    |    |    | 1  | 2  |
| 3       | 4  | 5  | 6  | 7  | 8  | 9  |
| 10      | 11 | 12 | 13 | 14 | 15 | 16 |
| 17      | 18 | 19 | 20 | 21 | 22 | 23 |
| 24      | 25 | 26 | 27 | 28 | 29 | 30 |
| 31      |    |    |    |    |    |    |

15 Memorial's Day

20 Days

| DECEMBER '25 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
|              | 1  | 2  | 3  | 4  | 5  | 6  |
| 7            | 8  | 9  | 10 | 11 | 12 | 13 |
| 14           | 15 | 16 | 17 | 18 | 19 | 20 |
| 21           | 22 | 23 | 24 | 25 | 26 | 27 |
| 28           | 29 | 30 | 31 |    |    |    |

15 Christmas Day

15 Days

| JUNE '26 |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | Th | F  | S  |
|          | 1  | 2  | 3  | 4  | 5  | 6  |
| 7        | 8  | 9  | 10 | 11 | 12 | 13 |
| 14       | 15 | 16 | 17 | 18 | 19 | 20 |
| 21       | 22 | 23 | 24 | 25 | 26 | 27 |
| 28       | 29 | 30 |    |    |    |    |

9 Last Day of School

7 Days

## BEST Academy/B-Track/175 Student

| JULY '25 |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | Th | F  | S  |
|          |    |    | 1  | 2  | 3  | 4  |
| 6        | 7  | 8  | 9  | 10 | 11 | 12 |
| 13       | 14 | 15 | 16 | 17 | 18 | 19 |
| 20       | 21 | 22 | 23 | 24 | 25 | 26 |
| 27       | 28 | 29 | 30 | 31 |    |    |

4 Independence Day

July 1 to July 30: Summer School

| JANUARY '26 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | Th | F  | S  |
|             |    |    |    | 1  | 2  | 3  |
| 4           | 5  | 6  | 7  | 8  | 9  | 10 |
| 11          | 12 | 13 | 14 | 15 | 16 | 17 |
| 18          | 19 | 20 | 21 | 22 | 23 | 24 |
| 25          | 26 | 27 | 28 | 29 | 30 | 31 |

1 New Year's Day  
19 M. L. King Day  
16 Pupil free Day

19 Days

| AUGUST '25 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | Th | F  | S  |
|            |    |    |    |    | 1  | 2  |
| 3          | 4  | 5  | 6  | 7  | 8  | 9  |
| 10         | 11 | 12 | 13 | 14 | 15 | 16 |
| 17         | 18 | 19 | 20 | 21 | 22 | 23 |
| 24         | 25 | 26 | 27 | 28 | 29 | 30 |
| 31         |    |    |    |    |    |    |

Aug 18-29: PD

| FEBRUARY '26 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
| 1            | 2  | 3  | 4  | 5  | 6  | 7  |
| 8            | 9  | 10 | 11 | 12 | 13 | 14 |
| 15           | 16 | 17 | 18 | 19 | 20 | 21 |
| 22           | 23 | 24 | 25 | 26 | 27 | 28 |
|              |    |    |    |    |    |    |

16 Presidents' Day

19 Days

| SEPTEMBER '25 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | Th | F  | S  |
|               | 1  | 2  | 3  | 4  | 5  | 6  |
| 7             | 8  | 9  | 10 | 11 | 12 | 13 |
| 14            | 15 | 16 | 17 | 18 | 19 | 20 |
| 21            | 22 | 23 | 24 | 25 | 26 | 27 |
| 28            | 29 | 30 |    |    |    |    |

1 Labor Day

7 Days

| MARCH '26 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | Th | F  | S  |
| 1         | 2  | 3  | 4  | 5  | 6  | 7  |
| 8         | 9  | 10 | 11 | 12 | 13 | 14 |
| 15        | 16 | 17 | 18 | 19 | 20 | 21 |
| 22        | 23 | 24 | 25 | 26 | 27 | 28 |
| 29        | 30 | 31 |    |    |    |    |

22 Days

| OCTOBER '25 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | Th | F  | S  |
|             |    |    | 1  | 2  | 3  | 4  |
| 5           | 6  | 7  | 8  | 9  | 10 | 11 |
| 12          | 13 | 14 | 15 | 16 | 17 | 18 |
| 19          | 20 | 21 | 22 | 23 | 24 | 25 |
| 26          | 27 | 28 | 29 | 30 | 31 |    |

13 Columbus Day

23 Days

| APRIL '26 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | Th | F  | S  |
|           |    |    |    | 1  | 2  | 3  |
| 4         | 5  | 6  | 7  | 8  | 9  | 10 |
| 11        | 12 | 13 | 14 | 15 | 16 | 17 |
| 18        | 19 | 20 | 21 | 22 | 23 | 24 |
| 25        | 26 | 27 | 28 | 29 | 30 |    |

3 Good Friday  
5 Easter Sunday

22 Days

| NOVEMBER '25 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
|              |    |    |    |    |    | 1  |
| 2            | 3  | 4  | 5  | 6  | 7  | 8  |
| 9            | 10 | 11 | 12 | 13 | 14 | 15 |
| 16           | 17 | 18 | 19 | 20 | 21 | 22 |
| 23           | 24 | 25 | 26 | 27 | 28 | 29 |
| 30           |    |    |    |    |    |    |

11 Veterans Day  
27 Thanksgiving Day

18 Days

| MAY '26 |    |    |    |    |    |    |
|---------|----|----|----|----|----|----|
| S       | M  | T  | W  | Th | F  | S  |
|         |    |    |    |    | 1  | 2  |
| 3       | 4  | 5  | 6  | 7  | 8  | 9  |
| 10      | 11 | 12 | 13 | 14 | 15 | 16 |
| 17      | 18 | 19 | 20 | 21 | 22 | 23 |
| 24      | 25 | 26 | 27 | 28 | 29 | 30 |
| 31      |    |    |    |    |    |    |

15 Memorial's Day

20 Days

| DECEMBER '25 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
|              | 1  | 2  | 3  | 4  | 5  | 6  |
| 7            | 8  | 9  | 10 | 11 | 12 | 13 |
| 14           | 15 | 16 | 17 | 18 | 19 | 20 |
| 21           | 22 | 23 | 24 | 25 | 26 | 27 |
| 28           | 29 | 30 | 31 |    |    |    |

15 Christmas Day

15 Days

| JUNE '26 |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | Th | F  | S  |
|          | 1  | 2  | 3  | 4  | 5  | 6  |
| 7        | 8  | 9  | 10 | 11 | 12 | 13 |
| 14       | 15 | 16 | 17 | 18 | 19 | 20 |
| 21       | 22 | 23 | 24 | 25 | 26 | 27 |
| 28       | 29 | 30 |    |    |    |    |

10 Days

## BEST Academy/C-Track/190 Staff Days/175 Student

| JULY '25 |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | Th | F  | S  |
|          |    | 1  | 2  | 3  | 4  | 5  |
| 6        | 7  | 8  | 9  | 10 | 11 | 12 |
| 13       | 14 | 15 | 16 | 17 | 18 | 19 |
| 20       | 21 | 22 | 23 | 24 | 25 | 26 |
| 27       | 28 | 29 | 30 | 31 |    |    |

4 Independence Day

July 1 to July 30: Summer School

22 Days

| JANUARY '26 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | Th | F  | S  |
|             |    |    |    | 1  | 2  | 3  |
| 4           | 5  | 6  | 7  | 8  | 9  | 10 |
| 11          | 12 | 13 | 14 | 15 | 16 | 17 |
| 18          | 19 | 20 | 21 | 22 | 23 | 24 |
| 25          | 26 | 27 | 28 | 29 | 30 | 31 |

1 New Year's Day  
16 Pupil Free Day  
19 M. L. King Day

16 Days

| AUGUST '25 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | Th | F  | S  |
|            |    |    |    |    |    | 1  |
| 2          |    |    |    |    |    |    |
| 3          | 4  | 5  | 6  | 7  | 8  | 9  |
| 10         | 11 | 12 | 13 | 14 | 15 | 16 |
| 17         | 18 | 19 | 20 | 21 | 22 | 23 |
| 24         | 25 | 26 | 27 | 28 | 29 | 30 |
| 31         |    |    |    |    |    |    |

Aug 18-29: PD

| FEBRUARY '26 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
| 1            | 2  | 3  | 4  | 5  | 6  | 7  |
| 8            | 9  | 10 | 11 | 12 | 13 | 14 |
| 15           | 16 | 17 | 18 | 19 | 20 | 21 |
| 22           | 23 | 24 | 25 | 26 | 27 | 28 |
|              |    |    |    |    |    |    |

16 Presidents' Day

16 Days

| SEPTEMBER '25 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | Th | F  | S  |
|               | 1  | 2  | 3  | 4  | 5  | 6  |
| 7             | 8  | 9  | 10 | 11 | 12 | 13 |
| 14            | 15 | 16 | 17 | 18 | 19 | 20 |
| 21            | 22 | 23 | 24 | 25 | 26 | 27 |
| 28            | 29 | 30 |    |    |    |    |

1 Labor Day

19 Days

| MARCH '26 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | Th | F  | S  |
| 1         | 2  | 3  | 4  | 5  | 6  | 7  |
| 8         | 9  | 10 | 11 | 12 | 13 | 14 |
| 15        | 16 | 17 | 18 | 19 | 20 | 21 |
| 22        | 23 | 24 | 25 | 26 | 27 | 28 |
| 29        | 30 | 31 |    |    |    |    |

17 Days

| OCTOBER '25 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | Th | F  | S  |
|             |    |    | 1  | 2  | 3  | 4  |
| 5           | 6  | 7  | 8  | 9  | 10 | 11 |
| 12          | 13 | 14 | 15 | 16 | 17 | 18 |
| 19          | 20 | 21 | 22 | 23 | 24 | 25 |
| 26          | 27 | 28 | 29 | 30 | 31 |    |

13 Columbus Day

18 Days

| APRIL '26 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | Th | F  | S  |
|           |    |    | 1  | 2  | 3  | 4  |
| 5         | 6  | 7  | 8  | 9  | 10 | 11 |
| 12        | 13 | 14 | 15 | 16 | 17 | 18 |
| 19        | 20 | 21 | 22 | 23 | 24 | 25 |
| 26        | 27 | 28 | 29 | 30 |    |    |

3 Good Friday  
5 Easter Sunday

17 Days

| NOVEMBER '25 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
|              |    |    |    |    |    | 1  |
| 2            | 3  | 4  | 5  | 6  | 7  | 8  |
| 9            | 10 | 11 | 12 | 13 | 14 | 15 |
| 16           | 17 | 18 | 19 | 20 | 21 | 22 |
| 23           | 24 | 25 | 26 | 27 | 28 | 29 |
| 30           |    |    |    |    |    |    |

11 Veterans Day  
27 Thanksgiving Day

12 Days

| MAY '26 |    |    |    |    |    |    |
|---------|----|----|----|----|----|----|
| S       | M  | T  | W  | Th | F  | S  |
|         |    |    |    |    | 1  | 2  |
| 3       | 4  | 5  | 6  | 7  | 8  | 9  |
| 10      | 11 | 12 | 13 | 14 | 15 | 16 |
| 17      | 18 | 19 | 20 | 21 | 22 | 23 |
| 24      | 25 | 26 | 27 | 28 | 29 | 30 |
| 31      |    |    |    |    |    |    |

15 Memorial's Day

19 Days

| DECEMBER '25 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| S            | M  | T  | W  | Th | F  | S  |
|              | 1  | 2  | 3  | 4  | 5  | 6  |
| 7            | 8  | 9  | 10 | 11 | 12 | 13 |
| 14           | 15 | 16 | 17 | 18 | 19 | 20 |
| 21           | 22 | 23 | 24 | 25 | 26 | 27 |
| 28           | 29 | 30 | 31 |    |    |    |

15 Christmas Day

12 Days

| JUNE '26 |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | Th | F  | S  |
|          | 1  | 2  | 3  | 4  | 5  | 6  |
| 7        | 8  | 9  | 10 | 11 | 12 | 13 |
| 14       | 15 | 16 | 17 | 18 | 19 | 20 |
| 21       | 22 | 23 | 24 | 25 | 26 | 27 |
| 28       | 29 | 30 |    |    |    |    |

9 Last Day of School

7 Days

## ***TK to 8th GRADE CURRICULUM***

Transitional Kindergarten through 8th-grade students enrolled in BEST have many options, including online curricula with built-in pacing, bundled textbook programs, or unlimited homeschool curriculum choices for a personalized learning path. A discussion with your credentialed Supervising Teacher will help pinpoint how to gain the most from your curriculum.

| <b>TK-8th Subject</b> | <b>Elem and MS Supplemental Curriculum</b>                                                |
|-----------------------|-------------------------------------------------------------------------------------------|
| English               | Lexia Core 5 (grades 3-5)<br>PowerUp (grades 8+)<br>MyOn<br>BrainPop<br>Classworks<br>iXL |
| Math                  | Dreambox<br>Freckle<br>iXL<br>BrainPop<br>Origo Education<br>Classworks                   |
| History               | Beable<br>iXL<br>BrianPop                                                                 |
| Science               | Gizmos<br>iXL<br>BrianPop                                                                 |
| ELD                   | SummitK12                                                                                 |

## ***HIGH SCHOOL***

### ***A-G Requirements:***

If students plan on enrolling in the UC/CSU system for college, then students are required to take A-G-approved high school courses. Fifteen (15) approved courses must be completed with a “C” or higher, and 11 courses must be completed before their senior year. With the permission of BEST, students can also take A-G courses at a Community College. Click here for a list of BEST’s A-G-approved courses.

<https://hs-articulation.ucop.edu/agcourselist/institution/5585>

Below is a list of high school supplemental curricula available to all students.

| 9-12th Subjects | Core                 | Supplemental Curriculum                                      |
|-----------------|----------------------|--------------------------------------------------------------|
| English         | Accelerate Education | Lexia Power Up (grades 6-12)<br>BrainPop<br>Classwork<br>iXL |
| Math            | Accelerate Education | Dreambox<br>Frickle<br>BrainPop<br>Classwork<br>iXL          |
| History         | Accelerate Education | Beable<br>iXL<br>BrainPop                                    |
| ELD             | Summit K12           |                                                              |
| CTE             | Pointful Education   |                                                              |

### **General Education Track**

Students who plan to enter the workforce after graduation or attend a two-year Community College will be admitted into the General Education Grad Track (190 credit grade requirement). A-G-approved courses are not necessary to graduate. General Education students have access to all A-G-approved courses. (See Appendix D for A-G graduation requirements)

### **Repeat Policy/Credit Recovery**

For a high school student to receive high school credit, a minimum grade of “D” must be earned. If a student fails the course with an “F,” the course must be repeated to obtain a passing grade of “D” or higher. Retaking the course does not constitute additional credits toward graduation. Passing the course with a “D” or higher will replace the previous grades on a student’s transcript. A repeated course will be designated “CR” on transcripts. A student can retake a course, upon approval of their Success Coach, if they receive a “D” or lower. Furthermore, it is the student’s responsibility to check the policies of the college or university of his/her choice to ensure that a “D” grade will transfer.

### **Credits**

A BEST high school student must continually be enrolled in at least twenty (20) credits per semester (4 courses) to be considered full-time. If a student wants to take more than thirty (30) credits a semester in one semester, they must get approval from their Success Coach.

### **Career Counseling & Course Selection**

School personnel shall assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parent(s)/guardian(s) may participate in such counseling sessions and decisions.

### **College & Career Technical Education**

Career Technical Education (CTE) courses are offered to count toward graduation. The CTE courses that are offered at our schools satisfy the a-g for CSU/UC requirements for admission. For more information, please contact the Academic Counselor.

Caroline Ruffridge, Academic Counselor, [cruffridge@bestacademycs.com](mailto:cruffridge@bestacademycs.com)

(833)619-2378

### ***Incomplete Course***

If a student does not finish a course by the end of the semester and if the student remains enrolled in BEST, the student may receive partial credit for the work that the student *has* completed. The decision will consider student progress and learning, the student's plan for next semester and beyond, and other BEST Academy circumstances.

### ***High School Graduation Requirements***

BEST graduates can enroll directly into a university and be prepared for a career. The School has implemented a College and Career Readiness through A-G classes and CTE career-focused pathways. BEST Academy aligned its graduation requirements with the California Department of Education's ("CDE") requirements. Students must earn a "D" or better grade in these courses. Through the high school diploma, students are empowered with the choice to transition directly into college or a career.

| <b>SUBJECT</b> | <b>CTE Graduation<br/>160 credits</b> | <b>General<br/>Graduation<br/>190 credits</b> | <b>College Prep/A-G<br/>Graduation<br/>210 credits</b> |
|----------------|---------------------------------------|-----------------------------------------------|--------------------------------------------------------|
| <b>English</b> | <b>30 credits</b>                     | <b>30 credits</b>                             | <b>40 credits</b>                                      |
| English 9 A/B  | 10 Credits                            | 10 credits                                    | 10 Credits                                             |
| English 10 A/B | 10 Credits                            | 10 credits                                    | 10 Credits                                             |
| English 11 A/B | 10 Credits                            | 10 credits                                    | 10 Credits                                             |
| English 12 A/B |                                       |                                               | 10 Credits                                             |

| <b>Mathematics</b>                                       | <b>20 credits</b>     | <b>20 credits</b> | <b>30 credits</b>                                                                      |
|----------------------------------------------------------|-----------------------|-------------------|----------------------------------------------------------------------------------------|
| Algebra I A/B                                            | 10 credits            | 10 credits        | 10 credits                                                                             |
| Math (Algebra equivalent or higher)                      | 10 credits            | 10 credits        | 10 credits-Geometry A/B                                                                |
| Algebra II A/B                                           |                       |                   | 10 credits-Algebra II A/B                                                              |
| <b>Social Studies</b>                                    | <b>30 credits</b>     | <b>30 credits</b> | <b>30 credits</b>                                                                      |
| World History A/B (Grade 10)                             | 10 credits            | 10 credits        | 10 credits                                                                             |
| US History A/B (Grade 11)                                | 10 credits            | 10 credits        | 10 credits                                                                             |
| American Government (Grade 12)                           | 5 credits             | 5 credits         | 5 credits                                                                              |
| Economics (Grade 12)                                     | 5 credits             | 5 credits         | 5 credits                                                                              |
| <b>Science</b>                                           | <b>20 credits</b>     | <b>20 credits</b> | <b>20 credits</b>                                                                      |
| Biological/Life Science A/B                              | 10 credits            | 10 credits        | 10 credits (Biology with lab)                                                          |
| Physical/Earth Science A/B                               | 10 credits            | 10 credits        | 10 credits (Physics with lab or Chemistry with lab)                                    |
| <b>Physical Education</b>                                | <b>20 credits</b>     | <b>20 credits</b> | <b>20 credits</b>                                                                      |
| <b>Foreign Language, Visual/Performing Arts, and CTE</b> | <b>20 CTE credits</b> | <b>20 credits</b> | <b>30 credits</b><br>(2 yrs same Foreign Lang and 1 yr Visual/Perform Art and 1yr CTE) |
| <b>Elective</b>                                          | <b>20 credits</b>     | <b>50 credits</b> | <b>40 credits</b><br>(10 credits UC "A-G" approved)                                    |
| <b>Total Credits</b>                                     | <b>160</b>            | <b>190</b>        | <b>210</b>                                                                             |

### ***Student Work Permits***

Students under 18 must obtain a work permit from BEST after receiving an employment opportunity. The work permit can be found in the student portal and must be signed by a school administrator. Contact your Success Coach for assistance in completing the permit.

### ***Community College and University Concurrent Enrollment Information***

Students may enroll in **community college and university** courses with the approval of the BEST while concurrently enrolled and *maintaining weekly progress* in a minimum of four (4) BEST classes,

which is twenty (20) credits. Contact your Success Coach for the appropriate paperwork.

For courses that BEST does not offer (including additional A-G courses for UC-bound students), students may enroll in such courses at a Community College for dual credit if the student meets the following circumstances:

1. Must be in good standing with BEST academically.
  - a. Have received a 2.0 Grade Point Average ("GPA") in their most recent semester.
  - b. Have received a minimum of 20 credits in their most recent semester.
2. Demonstrates good attendance/progress in assigned BEST courses.
3. Must be enrolled in at least twenty (20) credits with BEST.
4. Students will receive 5-10 credits for one semester community college classes
5. High school credit will be awarded on a 5-point GPA rating scale

### ***Financial Aid***

Please see the Annual Notifications for information about financial aid.

### ***Transcript and Student Records Requests***

The middle and high school transcript is the official record of each student's academic accomplishments. To request an official transcript, please complete the form online at <https://www.bestacademy.com/request-student-records-transcripts>. Include the student's name, date of birth, or ID number, and the address where the transcript(s) will be sent. Please allow up to fourteen (14) days to complete a transcript request.

### ***Transcripts and Records from Previous Schools:***

The Registrar will add high school courses, grades, and units based on documentation from another high school's official transcript. The student/parent/guardian is responsible for contacting the previous school and requesting the official transcript be sent to the Registrar for posting to the student's BEST transcript.

If a student was previously in a homeschool program, the following is required to review and award high school credits:

- Copy of PSA
- The complete scope of work
- Course titles being reviewed

### ***College Transcript Submission***

BEST policy allows for college-level courses to be posted on the high school transcript once the Registrar has received the Official Transcript from the college. College and university courses are



posted at the request of the student/parent/guardian, and it is not required that all college courses be posted on the student's high school transcript. The student/parent/guardian is responsible for requesting an official transcript to be sent directly to the BEST's Registrar.

### ***Complaints***

BEST students and their parents/guardians maintain close communication with their teachers. Such communication is vital to each student's academic success. Sometimes, the student or parent/guardian may have a concern to bring to the administration's attention. Discussing such issues with the administration will routinely result in a satisfactory resolution. Concerns not resolved at this informal level may submit a formal complaint in writing to the BEST administration using the General Complaint, [the Uniform Complaint Procedures Policy, the Title IX, or the Harassment, Intimidation, Discrimination, and Bullying Policy](#). These policies can be found on the website: [www.bestacademycs.com](http://www.bestacademycs.com) and Title IX is included in Part II of this Handbook.

## ***Conduct, Complaints, Due Process, and Communication***

### ***Freedom of Speech and Expression***

BEST respects students' rights to express ideas and opinions, take stands, and support causes – whether controversial or not – through their speech, writings, printed materials, and the wearing of buttons, badges, and other insignia. BEST will limit students' freedom of expression as allowed by law to maintain an orderly school environment and protect all school community members' rights, health, and safety. For this policy, "school premises" includes online (internet) and the School's physical premises. In addition, any venue where a School event is held, including but not limited to such places as state testing sites, field trip locations, School social event venues, School dance venues, or graduation venues, will also be considered "school premises" while that School activity is taking place and while School personnel and students are there. For more information please see the Student Freedom of Speech and Expression Policy on the website: [www.bestacademycs.com](http://www.bestacademycs.com)

### ***Bullying and Prohibited Behaviors***

BEST is committed to providing a safe, positive, productive, and nurturing educational environment for all its students and encourages the promotion of positive interpersonal relations among School community members.

Harassment, intimidation, bullying, cyberbullying, and hazing toward any School community member, whether by or toward any student, staff, or other third parties, is strictly prohibited and will not be tolerated. Examples of such prohibited behavior include but are not limited to, stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing. This prohibition includes aggressive behavior; physical, verbal, and psychological abuse; and violence within a dating relationship. These types of behavior are forms of intimidation and

harassment. They are strictly prohibited, regardless of whether or not the target of the prohibited behavior is a member of a legally protected group, such as, but not limited to, sex, sexual orientation, gender identity, race, color, national origin, parenting, or marital status, immigration status, disability or any other category protected by state or federal law. Please see the Harassment, Intimidation, Discrimination, and Bullying Policy for more information on the website: [BestAcademycs.com](http://BestAcademycs.com), the Uniform Complaint Procedures notification within the Annual Notification Guide and the Policy can be found on the website: [www.bestacademycs.com](http://www.bestacademycs.com)] or the Title IX Prohibiting Discrimination on the Basis of Sex notice and Policy within the Annual Notification Guide.

### ***Discipline and Due Process for Students***

All students enrolled in BEST are expected to conduct themselves in accordance with BEST policies and parent(s)/guardian(s) are expected to cooperate with the School staff in helping students to maintain this conduct. Student codes of conduct are outlined in this handbook. Students are also guaranteed due process of law as required by the 14th Amendment to the Constitution and BEST policies.

### ***Suspension***

When a student is suspended, the student is temporarily removed from class (digital curriculum) and other school-sponsored programs or activities. The length of a suspension is determined by administration. A suspension will be promptly documented in writing and become part of a student's school record. For more information, please see the Suspension and Expulsion Policy and Procedures included within the Annual Notification Guide and on the website: [BestAcademycs.com](http://BestAcademycs.com).

## **MULTI-TIERED ACADEMIC SUPPORT**

### ***Multi-tiered Academic Support and Intervention***

A student's continued enrollment at BEST is based on maintaining adequate course progress as defined in the Independent Study policy. Students are expected to log in, submit assignments daily, and complete at least 25-30 hours each week. If the student violates the Master Agreement then the School will implement its Tiered Re-engagement strategies per the Independent Study Policy, and the following will occur:

- A. **Tier 1 Warning Letter** – The student is sent a warning letter outlining support that will be provided, including connecting with health and social services as necessary, identifying what needs to be improved, and given one (1) week to get back on track. A meeting between parent/guardian and teacher must occur.
- B. **Tier 2 Danger Letter/Contract** – After one (1) week, if a student has not improved, a 2nd letter is sent, and the student is provided additional support to get back on track. The

student is required to attend tutoring for two (2) weeks. A meeting between parent/guardian and teacher must occur and a contract is developed.

- C. **Tier 3: Alternative Options Letter/contract--** After two (2) weeks, if a student has not made adequate progress as outlined in the contract, a parent/guardian-pupil conference will be scheduled to determine if the student is a good fit for Independent study. Parents/guardians, students, teachers, and administrators/designees should attend this meeting. Possible outcomes of this meeting could include the following:
- A. 2 more weeks of tutoring and academic support
  - B. A recommendation for the student to be involuntarily removed from BEST.

If the above strategies fail to re-engage the student, the School will follow its involuntary removal process. For more information, please see the Involuntary Removal Process in the Annual Notification Guide.

## MISCELLANEOUS INFORMATION

### *Custody Issues*

In the state of California, a natural (biological) parent or legal guardian (collectively, “educational rights holder” or “ERH”) automatically has educational decision-making rights by virtue of being a biological parent or legal guardian. These rights can only be limited by a valid court order, such as a custody or restraining order. In the absence of any such court-ordered limitation, an ERH can make educationally related decisions on behalf of their minor child. **Only one ERH’s consent is required for a school to honor a request/decision.**

It is **not** the responsibility of the School to police private familial disputes. It is the School’s responsibility only to follow any complete, valid, and signed court orders. Please ensure that updated court orders are provided to the School. In any student release situation, which leaves the student’s welfare in question, will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Again, parent(s)/guardian(s) are asked to make every attempt not to involve school sites in custody matters. The School will make every attempt to reach the parent/guardian who holds sole legal rights when a parent who is restricted by a court order from having any contact with a student or any other person not listed on the emergency card attempts to pick up a child.

### **Social Security Number**

Pupils and their parents or guardians should not be asked to provide their social security numbers or the last four digits of the social security numbers unless required by state or federal law. If a form is requesting that you provide a social security number or the last four digits of the social security number for you and/or your child and it does not specify the state or federal law that requires this information, ask the school administrator for more information before providing it.

### **Theft Disclaimer**

The Charter School is not responsible for stolen, lost, or damaged items. Each individual student is responsible for their property and for school items checked out to them. We make every attempt to secure property but are not responsible for any personal belongings including, but not limited to, clothing, backpacks, cell phones, money, computers, and other equipment, unless the Charter School has confiscated such items from a student.

### **BROWN ACT** Required Notices and Agendas for Open Public Meetings

GC 54950-54963 Ralph M. Brown Act requires that postings are specified to notify the public of open meetings being held, discussions or decisions are made, when closed sessions are needed, protecting student identification and/or confidential, medical, or personally identifiable information:

|                                           |                        |
|-------------------------------------------|------------------------|
| GC 54954.2.                               | Regular Meetings       |
| GC 54956.                                 | Special Meetings       |
| GC 54956.5                                | Emergency Meetings     |
| GC 54954.2, 54954.5, 54957.1 and 54957.7. | Closed Session Agendas |
| GC 54954.2(b)                             | Agenda Exception       |

REGULAR MEETINGS: Agenda in 20 words or less, posted within 72 hours of meeting.

SPECIAL MEETINGS: Twenty-four hour notice must be provided to members of legislative body and media outlets including brief general description of matters to be considered or discussed. EMERGENCY MEETINGS: One hour notice in case of work stoppage or crippling activity, except in the case of a dire emergency.

CLOSED SESSION AGENDAS: All items to be considered in closed session must be described in the notice or agenda for the meeting. The body must orally announce the subject matter of the closed session. If final action is taken in a closed session, the body generally must report the action at the conclusion of the closed session.

AGENDA EXCEPTION: Special procedures permit a body to proceed without an agenda in the case of emergency circumstances, or where a need for immediate action came to the attention of the body after posting of the agenda.

### **School Wellness**

BEST recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for students. The Executive Director/designee shall coordinate and align school efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Executive Director/designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle. For more information, please see the Wellness policy located on the website at: [BestAcademy.com](http://BestAcademy.com).

## APPENDICES

### Appendix A Technology Use and Checkout Form

#### ACCEPTABLE USE AGREEMENT

The Charter School believes that providing access to technology enhances the educational experience for students. However, student use of Charter School computers, networks, and Internet services is a privilege, not a right. To make that experience successful for everyone, students must abide by the following terms and conditions:

1. **Security.** 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.
  - b. Access technology only with their account or with a shared account as directed by their teacher and not to allow others to use their account or to use the accounts of others, with or without the account owner's authorization.
2. **Authorized Use.** Students may use Charter School technology resources when directed by a teacher, when technology has been designated for open student use (e.g., computers in the library), and for other educational purposes.
3. **Protection Measures.** While the Charter School is able to exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff, employees, officers, directors or volunteers shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. The student and parent/guardian agree not to hold the Charter School or any Charter School staff, employees, officers, directors or volunteers responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. They also agree to indemnify and hold harmless the Charter School, Charter School staff, employees, officers, directors and volunteers for any damages or costs incurred. Parents/guardians are required to supervise and monitor their child's use of BEST equipment including but not limited to their child's access to the internet and any online services through such equipment any and all times during which any BEST equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.
4. **Inappropriate Use.** Charter School technology, hardware, software and bandwidth are shared and limited resources and all users have an obligation to use those resources responsibly. Students are provided access to the Charter School technology primarily for educational purposes. Students shall not use Charter School technology or equipment

for personal activities or for activities that violate Charter School policy or local law. These include but are not limited to:

- a. Playing games or online gaming.
  - b. Downloading software, music, movies or other content in violation of licensing requirements, copyright or other intellectual property rights.
  - c. Installing software on Charter School equipment without the permission of a teacher or other authorized Charter School staff person.
  - d. Downloading, viewing or sharing inappropriate content, including pornographic, defamatory or otherwise offensive material.
  - e. Conducting any activity that is in violation of Charter School policy, the student code of conduct or local, state or federal law.
  - f. Engaging in any activity that is harmful to other student(s), including the use of technology to harass, intimidate, bully or otherwise disrupt the educational process.
  - g. Conducting for-profit business.
  - h. Using hacking tools on the network or intentionally introducing malicious code or viruses into the Charter School's network.
  - i. Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
  - j. Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
  - k. Accessing or attempting to access material or systems on the network that the student is not authorized to access.
- 5. No Expectation of Privacy.** Student acknowledges that computer equipment, Internet access networks, email accounts, and any other technology resources are owned by Charter School and provided to students for educational purposes. The Charter School may require staff to monitor and supervise all access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens may be positioned so that they are visible to the staff member supervising the students. The Charter School reserves the right to access stored computer records and communications, files, and other data stored on Charter School equipment or sent over Charter School networks. Such communications, files, and data are not private and may be accessed during routine system maintenance; during inspection of Charter School equipment at the end of the school year/term or agreed upon use period; and review of individual files or monitoring of individual activity when there is a reasonable suspicion that the student is engaging in an inappropriate use.
- 6. Disruptive Activity.** Students should not intentionally interfere with the performance of the Charter School's network or intentionally damage any Charter School technology resources.
- 7. Unauthorized Networks.** Students may not create unauthorized wireless networks to access the Charter School's network. This includes establishing wireless access points, wireless routers and open networks on personal devices.
- 8. Consequences of Inappropriate Use.** Students who violate this Agreement will be subject to discipline, which may include loss of access to Charter School technology resources and/or other appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws.
- 9. Technology Systems/Equipment Care.** Students are not permitted to have food or drink near computers/other technology and must keep equipment and assigned areas free of vandalism.

After reading the Student Use of Technology Policy and the Acceptable Use Agreement, please

complete this form to indicate that you agree with the terms and conditions provided. The signature of both the student and parent/guardian are mandatory before access may be granted to the technologies available. This document, which incorporates the Use Procedure, reflects the entire agreement and understanding of all parties. BEST encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

**As a user of Charter School technologies, I have read Student Use of Technology Policy and hereby agree to comply with it and the Acceptable Use Agreement.**

I understand that computer use is a privilege and not a right. I understand that students who violate this policy in any way will be subject to a referral and possible suspension or expulsion. I understand that if a student willfully damages BEST's property, including but not limited to BEST's technology, equipment and networks, or fails to return BEST's property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct up to an amount 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, BEST may withhold the student's grades, transcripts, and diploma until the damages have been paid or the property has been returned. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, BEST 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, transcripts and diploma will be released. A student over the age of majority shall be liable for the same. (Ed. Code § 48904).

Student Name (please print): \_\_\_\_\_ Grade: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Name (Please Print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ **For School Employees Only** \_\_\_\_\_

I have read, understand and agree to abide by the Student Use of Technology Policy and the Acceptable Use Agreement. I understand that the Charter School's policies, procedures, rules, and regulations which apply to students also apply to me as an adult user of the Charter School's technology, in addition to any separate policies governing employee use of technology.

Employee Signature: \_\_\_\_\_

Employee Name (Please Print) \_\_\_\_\_

---

**EQUIPMENT/ITEMS:** *To be completed by School Administration or IT Department*



Brand/Model: \_\_\_\_\_ Serial Nbr: \_\_\_\_\_ Tag/ID Nbr: \_\_\_\_\_

**ISSUED** Condition: (Overall condition, scratched, dented, bent, missing keys, missing parts)

\_\_\_\_\_

Charger included (Y/N): \_\_\_\_\_ Case/bag included (Y/N): \_\_\_\_\_ Other \_\_\_\_\_

Issue Date: \_\_\_\_\_ IT Signature: \_\_\_\_\_

---

**RETURN** Condition: (Overall condition, scratched, dented, bent, missing keys, missing parts)

\_\_\_\_\_

Charger included (Y/N): \_\_\_\_\_ Case/bag included (Y/N): \_\_\_\_\_ Other \_\_\_\_\_

Return Date: \_\_\_\_\_ IT Signature: \_\_\_\_\_

## **Appendix B**

### **Diabetes Information Sheet**

#### **Information about Type 2 Diabetes Sheet**

**Type 2 diabetes is the most common form of diabetes in adults.**

- Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

**Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.**

- The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
- Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
- Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

#### **Risk Factors Associated with Type 2 Diabetes**

**It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.**

#### **Risk Factors**

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of

type 2 diabetes in children:

- **Being overweight.** The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- **Family history of diabetes.** Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.
- **Inactivity.** Being inactive further reduces the body's ability to respond to insulin.
- **Specific racial/ethnic groups.** Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- **Puberty.** Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

## Warning Signs and Symptoms Associated with Type 2 Diabetes

Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has type 2 diabetes.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fats levels

## Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

- **Eat healthy foods.** Make wise food choices. Eat foods low in fat and calories.
- **Get more physical activity.** Increase physical activity to at least 60 minutes every day.
- **Take medication.** If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

## Types of Diabetes Screening Tests That Are Available

- **Glycated hemoglobin (A1C) test.** A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- **Random (non-fasting) blood sugar test.** A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
- **Fasting blood sugar test.** A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- **Oral glucose tolerance test.** A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions.

## References

[American Diabetes Association Clinical Journal](#) 

[Helping Children with Diabetes Succeed: A Guide for School Personnel](#)  [KidsHealth](#)



[Mayo Clinic](#) 

[National Library of Medicine and National Institutes of Health's MedLine](#) 

[Centers for Disease Control and Prevention](#) 

## BEST ACADEMY HANDBOOK CONFIRMATION PAGE

I have received and read the BEST Academy Handbook and agree to comply with the policies above and procedures.

---

Signature of Student

Date

---

Print Name of Student

---

Signature of Parent/Legal Guardian

Date

---

Print Name of Parent/Legal Guardian

---

Print Name of Teacher

Once signed, this document will be placed in the student's and teacher's employee file.  
4857-6315-6176, v. 1



**2025-2026**

## **Mandatory Annual Notice Guide to Families**

### Board of Directors

Gary McCloskey, President

Debra Webb, Vice

President

Joseph Cipres, Member

Marcella Nino, Member

### Executive Directors

James Mays: Academics, Instruction, and Finance

Alejandro Soriano: Human Resources and Risk Management

|                                                  |   |
|--------------------------------------------------|---|
| Key To Code and Regulation Section Abbreviations | 3 |
|--------------------------------------------------|---|

## Part I: Annual Notices

|                                                  |    |
|--------------------------------------------------|----|
| Availability of Prospectus                       | 6  |
| California Healthy Kids Survey                   | 6  |
| Cal Grant Program Notice                         | 6  |
| Cancer Prevention Act                            | 6  |
| College Preparatory Course Offerings             | 6  |
| Diabetes                                         | 7  |
| Google Apps for Education                        | 8  |
| COPPA                                            | 8  |
| Monitoring                                       | 9  |
| Dangers of Synthetic Drugs                       | 9  |
| Education of Foster and Mobile Youth             | 10 |
| Education of Homeless Children and Youth         | 17 |
| English Learners                                 | 24 |
| Free Application for Federal Student Aid (FAFSA) | 24 |
| Human Trafficking Prevention                     | 24 |
| Immunizations                                    | 25 |
| Involuntary Removal Process                      | 26 |
| Lost or Damaged School Property                  | 27 |
| Mental Health Services                           | 27 |
| Nondiscrimination Statement                      | 29 |
| Prescription Opioids                             | 31 |
| Oral Health Assessment                           | 32 |
| Parent and Family Engagement                     | 33 |



|                                                                                 |    |
|---------------------------------------------------------------------------------|----|
| Physical Examination and Right to Refuse                                        | 33 |
| Pregnant and Parenting Students                                                 | 33 |
| Safe Storage of Firearms                                                        | 34 |
| Right to Ask for Teacher Qualifications                                         | 34 |
| School Bus and Passenger Safety                                                 | 35 |
| School Safety Plan and Asbestos Management Plan                                 | 35 |
| Section 504 Notice                                                              | 36 |
| Sexual Health Education                                                         | 36 |
| Special Education/Students with Disabilities                                    | 37 |
| State Testing                                                                   | 38 |
| Student Records, including Records Challenges and Student/Directory Information | 38 |
| Suicide Prevention                                                              | 42 |
| Surveys About Personal Beliefs                                                  | 43 |
| Tobacco Free Schools                                                            | 43 |
| Uniform Complaint Procedures                                                    | 44 |
| Workplace Readiness Week and Work Permits                                       | 47 |
| <b>Part II: Complete Policies</b>                                               |    |
| Professional Boundaries: Staff and Student Interaction Policy                   | 50 |
| Title IX, Harassment, Intimidation, Discrimination and Bullying Policy          | 53 |
| Title IX <u>Prohibiting Discrimination on the Basis of Sex</u>                  | 68 |
| Suicide Prevention Policy                                                       | 83 |
| Suspension and Expulsion Policy and Procedures                                  | 95 |

### **Key To Code and Regulation Section Abbreviations**

|        |                                          |
|--------|------------------------------------------|
| EC     | California Education Code                |
| BPC    | Business and Professions Code            |
| CC     | Civil Code                               |
| 5 CCR  | Title 5, California Code of Regulations  |
| HSC    | California Health and Safety Code        |
| LEA    | Local Educational Agency                 |
| PC     | California Penal Code                    |
| VC     | California Vehicle Code                  |
| WIC    | California Welfare and Institutions Code |
| 34 CFR | Title 34, Code of Federal Regulations    |
| 40 CFR | Title 40, Code of Federal Regulations    |
| USC    | United States Code                       |

# **Part I: Annual Notices**

### **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.

### **California Healthy Kids Survey**

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

### **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. Opt-out form must be submitted to [info@bestacademycs.com](mailto:info@bestacademycs.com) by October 1st.

### **Cancer Prevention Act**

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

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

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

### **College Preparatory Course Offerings**

Charter School offers the following International Baccalaureate courses for students enrolled in grades 9-12:

- **[INSERT LIST OF COURSES]**

Student enrolled in grades 9-12 also have the option of dually enrolling in the following courses at [INSERT COMMUNITY COLLEGE OR UNIVERSITY]:

[INSERT LIST OF COURSES]

### **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> and provided in the Appendices of the Parent Student Handbook.

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 2 diabetes is available at: <https://www.cde.ca.gov/ls/he/hn/type2diabetes.asp> and provided in the Appendices of this Handbook.

## **Google Apps for Education**

B.E.S.T. Academy utilizes Google Apps for Education, Google Meet, and Zoom for students, teachers, and staff. This technology allows B.E.S.T. Academy to create an integrated online forum, in which students, parents, and teachers can communicate and collaborate on school-related projects in a single space. As with any educational endeavor, a strong partnership with families is essential to a successful experience.

The following services are available to each student and hosted by Google as part of the B.E.S.T. Academy's online presence in Google Apps for Education:

- Google Docs - Word Processing
- Google Sheets - Spreadsheet
- Google Slides - Presentations
- Google Drive - Document and file Storage
- Google Calendar - An individual calendar providing the ability to organize and share schedules, daily activities, and assignments.
- Google Sites - an individual and collaborative website creation tool.
- Google Mail - an individual internal email account for school use managed, monitored, and filtered by B.E.S.T. Academy.
- Google Meet - Online meeting platform to collaborate with teachers and peers

Using these tools, students collaboratively create, edit, and share files and websites for school related projects and communicate via email with other students and teachers. No emails to or from outside accounts can be accessed by students through their email accounts. B.E.S.T. Academy will assign students a username, email account, and password, and B.E.S.T. Academy always has access to student's email accounts, consistent with school policy. These services are entirely online and available 24/7 from any Internet-connected computer. Examples of student use includes showcasing class projects, building an electronic portfolio of school learning experiences, and working in small groups on presentations to share with others. The Google Apps for Education Account is intended to temporarily store classwork, assignments, and projects, and it will not be used to store educational records. Accordingly, at the end of the school year, the emails, projects, and information stored in a student's Google Apps for Education Account will be deleted, consistent with school policy.

Google Apps for Education used at B.E.S.T. Academy is governed by the Children's Online Privacy Protection Act (COPPA). COPPA applies to commercial companies and limits their ability to collect personal information from minor children.

## **COPPA**

COPPA defines "personal information" as the name, home address, online contact information, a screen or user name, telephone number, social security number, a photograph, video or audio file that contains the child's voice, a persistent identifier that can be used to recognize the user over time and across different websites, and geolocation information. No personal student information is collected by Google or B.E.S.T. Academy for commercial purposes as part of the Google Apps for Education usage at B.E.S.T. Academy. By default, advertising is turned off for B.E.S.T. Academy's presence in Google Apps for Education. Google may access students' Google

Apps for Education accounts to provide software and program updates, but Google does not have access to any student demographic, grade, or other personally identifiable information stored in B.E.S.T. Academy's PowerSchool Student Information System. This permission form allows the School to act as an agent for parents/guardians in the collection of information within the school context by persons on behalf of Google. The School's collection and use of student information is solely for education purposes, and will not be used for any commercial or advertising purposes by Google, in compliance with the law. Student information that is "collected" by Google is described as projects, documents, email, files, username and password. For more information, please visit:

<http://www.business.ftc.gov/documents/0493-Complying-with-COPPA-Frequently> [Asked Questions](#)

### **Monitoring**

Administrators reserve the right to examine, use and disclose any data found on the School's equipment and networks in order to further the health, safety, discipline or security of any student or other person, or to protect property. They may also use this information in disciplinary actions, and will furnish evidence of a crime to law enforcement. Students who violate this Agreement will be subject to discipline, which may include loss of access to B.E.S.T. Academy technology resources and/or other appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws.

### **Dangers of Synthetic Drugs**

The illicit use and abuse of synthetic drugs represents an emerging and ongoing public health threat in California. The fentanyl crisis specifically, has impacted communities across the state, leading to a sharp increase in fentanyl poisonings and deaths in recent years.

This notice aims to address the crisis with a preventative approach ensuring students and families are educated on the deadly consequences of recreational drug use.

A synthetic drug is a drug with properties and effects similar to a known hallucinogen or narcotic but having a slightly altered chemical structure, especially such a drug created in order to evade existing restrictions against illegal substances.

Synthetic drugs include but are not limited to synthetic cannabinoids ("synthetic marijuana," "Spice," "K2"), methamphetamines, bath salts, and fentanyl.

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

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

### **Drug-Free, Alcohol-Free, And Smoke-Free Environment**

BEST shall maintain drug, alcohol, and tobacco-free learning centers.

### **Education of Foster and Mobile Youth**

#### **Definitions**

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

- “Foster yYouth” means any of the following:
  - a. A child who has been removed from their home pursuant to Section **309** of the California Welfare and Institutions Code (“WIC”).
  - b. A child who is the subject of a petition filed pursuant to WIC section 300 or 602 (whether or not the child has been removed from the child’s home by juvenile court).
  - c. A child who is the subject of a petition filed pursuant to WIC section 602, has been removed from the child’s home by the juvenile court, and is in foster care.
  - d. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
    - i. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
    - ii. 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.
    - iii. The nonminor is participating in a transitional independent living case plan.
  - e. 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.<sup>2</sup>.
  - f. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.
- “*Former juvenile court school student*” means a student who, upon completion of the student’s second year of high school, transfers from a juvenile court school to the 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

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<sup>2</sup> 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.



temporary or seasonal employment in an agricultural or fishing activity.

- *“Newcomer pupil”* is a person aged 3 to 21 years, who was not born in any of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, and has not been attending one or more schools in any one or more of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, for more than three (3) full academic years. This also includes a “pupil participating in a newcomer program,” as defined in Education Code section 51225.2, as that section read on January 1, 2023, who was enrolled in the Charter School before January 1, 2024. The Charter School may, in its discretion, also extend the rights in Education Code sections 51225.1 and 51225.2 to a “pupil participating in a newcomer program,” as defined in Education Code section 51225.2, as that section read on January 1, 2023.
- *“Educational Rights Holder” (“ERH”)* means a parent, guardian, or responsible adult appointed by a court to make educational decisions for a minor pursuant to WIC sections 319, 361 or 726, or a person holding the right to make educational decisions for the student pursuant to Education Code section 56055.
- *“School of origin”* means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the Charter School liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin. For a foster youth who is an individual with exceptional needs as defined in Education Code section 56026, “school” as used in the definition of “school of origin” includes a placement in a nonpublic, nonsectarian school as defined in Education Code section 56034, subject to the requirements of Education Code section 56325.
- *“Best interests”* means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all Charter School students.
- *“Partial coursework satisfactorily completed”* includes any portion of an individual course, even if the student did not complete the entire course.

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

rights for a Foster and Mobile Youth will be referred to as a “parent/guardian” or “ERH.”

### **Education Foster and Mobile Youth Liaison**

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

Feli Barajas, Academic Counselor (833) 619-2378

[fbarajas@bestacademy.com](mailto:fbarajas@bestacademy.com)

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**

Foster and Mobile Youth who transfer to the Charter School any time after the completion of their second year of high school, and newcomer pupils who are in their third or fourth year of high school, shall be exempt from any of the 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, the length of the student’s school enrollment or, for students with significant gaps in school attendance, the student’s age as compared to the average age of students in the third or fourth year of high school, may be used, whichever will qualify the student for the exemption. For a newcomer pupil, enrollment in grade 11 or 12, based on the average age of students in the third or fourth year of high school, may be used to determine whether the student is in their third or fourth year of high school.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the 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 ERH. The consultation shall include all of the following:

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

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

### **High School Graduation Requirements**

Foster and Mobile Youth who transfer to the Charter School any time after the completion of their second year of high school, and pupils participating in a newcomer pupils 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 or, for students with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, may be used, whichever will qualify the student for the exemption. For a newcomer pupil In the case of a pupil participating in a newcomer program, enrollment in grade 11 or 12 may be used 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.to determine whether the student is in his or her 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 how any of the requirements that are waived will affect the pupil's ability to gain admission to a postsecondary educational institution and provide information about transfer opportunities available through the California Community Colleges.ERH. The consultation shall include all of the following:

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

an informed decision on whether to accept the exemption.

The 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 student or the student's ERH and the student at one time qualified for the exemption, even if the student is no longer a Foster and Mobile Youth or the court's jurisdiction of the pupil has terminated.

An eligible student's exemption from the 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 Foster and Mobile Youth.

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 and the student's ERH regarding the student's option to remain at the Charter School for a fifth year to complete the Charter School's graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for Charter School students over age 19.
2. Consult with the student, and the ERH for the student, about how remaining in school for a fifth year to complete the 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 and the student's ERH 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 student's ERH.
5. For a student identified as a foster youth, consult with the student, and the student's ERH, regarding the student's option to remain in the school of origin.

Through January 1, 2028, upon making a finding that a Foster and Mobile Youth **is not reasonably able to complete the 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 (5<sup>th</sup>) year to complete the statewide coursework requirements. Charter School shall consult with the Foster and Mobile Youth and their ERH regarding all of the following:

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

If a Foster and Mobile Youth is not eligible for an exemption in the year in which the pupil transfers between schools, or for a newcomer pupil, is not eligible for an exemption in the student's third year of high school, because 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 pupil's ERH, and the pupil's social worker or probation officer, if applicable, whether the pupil qualifies for an exemption upon reevaluation, based on the course completion status of the pupil at the time of reevaluation, to determine if the pupil continues to be reasonably able to complete 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 provide written notice to the pupil and the pupil's ERH of the pupil's options to:

- i. Receive an exemption from all coursework and other requirements adopted by the governing board body of Charter School that are in addition to the statewide coursework requirements specified in Section 51225.3, or
- ii. Upon agreement with the pupil's ERH, stay in school for a fifth year to complete the Charter School's additional graduation requirements.

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

**Reporting Requirements:** 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 notice, "pupil category" means the categories of pupils identified in the "Definitions" section of this Policy, above.

### **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 recordkeeping 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 in the placement of the student made by a county or placing agency. If a foster youth is absent from school due to a decision to change the placement of the student made by a county or placing agency, the grades and credits of the pupil will be calculated as of the date the student left 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 in this Parent / Student Handbook, the school website, and upon request at the administration office.

### **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 in this Parent / Student Handbook, on the Charter's School's website and upon request at [info@bestacademy.cs.com](mailto:info@bestacademy.cs.com).

### **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)):

Feli Barajas, Academic Counselor (833) 619-2378

[fbarajas@bestacademy.com](mailto:fbarajas@bestacademy.com)

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

1. Homeless students are identified by Charter School personnel 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.)

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

Homeless students have the right to remain in their school of origin if it is in their best interest. The Charter School will immediately enroll a homeless student 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). The Charter School will also immediately enroll any homeless student 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).

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

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

If the Charter School operates an intersession program, Charter School shall grant priority access to homeless students. Notwithstanding any other law, if the homeless student will be moving during an intersession period, the pupil's parent, guardian, educational rights holder, Indian custodian<sup>3</sup> in the case of an Indian child, or, if none of the preceding are applicable, an accompanied homeless student themselves shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by the Charter School on non school days, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

**High School Graduation Requirements:** Homeless students who transfer to the 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 , or, for pupils with significant gaps in school attendance, the pupil's age as compared to the average age of pupils in the third or fourth year of high school may be used, whichever will qualify the student for the exemption.

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 ("ERH"), and the School Liaison 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

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<sup>3</sup> "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child. *Section 1903 of Title 25 of the United States Code*

School's additional graduation requirements and the student's ERH. The consultation shall include all of the following:

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

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

An eligible student's exemption from the 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 additional graduation requirements by the end of the student's fifth year of high school, the Charter School shall do the following:

1. Consult with Inform the student and the student's ERH regarding of the student's Consult with the student and the student's ERH regarding the student's option to remain at the Charter School for a fifth year to complete the Charter School's

graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for Charter School students over age 19.

2. Consult with the student, and the ERH for the student, about how remaining in school for a fifth year to complete the 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 and the student's ERH 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 student's ERH.
5. Consult with the student, and the student's ERH, regarding the student's option to remain in the school of origin.

Through January 1, 2028, upon making a finding that a homeless student **is not reasonably able to complete the 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 (5<sup>th</sup>) year to complete the statewide coursework requirements. Charter School shall consult with the homeless student and the student's ERH regarding all of the following:

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

If a homeless student 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 ERH, and the pupil's social worker or probation officer, if applicable, whether the pupil qualifies for an exemption upon reevaluation, based on the course completion status of the pupil at the time of reevaluation, to determine if the pupil continues to be reasonably able to complete 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 provide written notice to the pupil and the ERH of the pupil's options to:
  - iii. Receive an exemption from all coursework and other requirements adopted by the governing board body of Charter School that are in addition to the statewide coursework requirements specified in Section 51225.3, or
  - iv. Upon agreement with the ERH, stay in school for a fifth year to complete the Charter School's additional graduation requirements.

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

**Reporting Requirements:** 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.

**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.

**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.

**Availability of Complete Policy:** 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 and on the school's website.

### **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 the chartercore 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.

### **Free Application for Federal Student Aid (FAFSA)**

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 12. 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>

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

### **Human Trafficking Prevention**

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. B.E.S.T. Academy believes it is a priority to inform our students about (1) the

prevalence, nature of, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance, and (2) how social media and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, B.E.S.T. Academy will provide age and developmentally appropriate instruction on the prevention of human trafficking, including sexual abuse, assault, and harassment. Parents/Guardians have the right to excuse their children from all or part of the instruction on the prevention of human trafficking.

Instructional materials will be made available for parent/guardian review. 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 at [info@bestacademycs.com](mailto:info@bestacademycs.com).

### **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. As a non-classroom based Charter School, immunizations are not required, however, BEST is required to collect each student's immunization records for reporting purposes. The Charter School will collect this information upon enrollment and when your child receives any vaccinations, please provide proof so that the Charter School's records are kept current.

Below are the immunizations:

| Child's Grade | List of shots required to attend school |
|---------------|-----------------------------------------|
|---------------|-----------------------------------------|

|                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TK/K-12 Admission</b>             | <p>Diphtheria, Tetanus and Pertussis (DTaP) - Five (5) doses<br/>         Polio - Four (4) doses<br/>         Measles, Mumps, and Rubella (MMR) - Two (2) doses<br/>         Hepatitis B (Hep B) - Three (3) doses<br/>         Varicella (chickenpox) – Two (2) doses</p> <p><b>NOTE:</b> 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> |
| <b>Entering 7<sup>th</sup> Grade</b> | <p>Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose<br/>         Varicella (chickenpox) - Two (2) doses</p> <p><b>NOTE:</b> In order to begin 7th grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet the requirements listed for grades K-12 as well as requirements for 7<sup>th</sup> 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. If the material was damaged, destroyed or lost there must be written documentation by either the Education Specialist or Director stating why the damage, destruction or loss was willful. For the purposes of this policy, willfulness is defined as "done deliberately, especially with the intention of harming." Losing materials should be considered willful. 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:

**Services provided by the charter school:**

- School-based counseling services – your child is encouraged to directly contact a Charter School staff member. Our Charter School staff support students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by our Charter School or by an outside provider listed in this letter, are voluntary.
- Special education services – if you believe your child may have a disability, you are encouraged to contact your site/program and set up an MTSS meeting..

**Available in the Community:**

**San Diego County**

- San Diego County Behavioral Health Services: (888) 724-7240
- East County Behavioral Health Clinic crisis line: (619) 448-9700

**Riverside County**

- Riverside County Department of Mental Health Department: (951) 955-7270
- Riverside County Department of Mental Health Children's Services: (951) 358-4840
- Riverside County Department of Mental Health- Homeless Program: (951) 509-2499 or 24 hour hotline: (951) 955-8000
- Help Line: (951) 686-HELP or 24 hour hotline: 530-891-2810

**Orange County**

- OC Health Care Agency, Mental Health and Recovery: (855) 625-4657
  - 24 hour suicide prevention lifeline: (800) 273-TALK (8255)
  - Teen Line: (800) 852-8336 from 6 p.m. – 10 p.m. (Off-hours covered by the Suicide Prevention Crisis Line above)

**Imperial County**

- Imperial County Behavioral Health Services: (442) 265-1525

**Available Nationally:**

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at (800) 273-8255.
- Alternative to Domestic Violence: (800) 339-7233
- Cocaine Hotline: (800) 252-6465
- National Alcohol/Drug Abuse Hotline: (800) 252-6465
- ASAP Family Treatment: (800) 367-2727
- Substance Abuse Helpline: (800) 662-4357
- Stop Smoking Hotline: (800) No-Butts (662-8887)

- Child Abuse: (800) 442-4918
- Hepatitis Helpline: (800) 390-1202
- STD (Sexually Transmitted Diseases) National Hotline: (800) 227-8922
- National Information Center for Children and Youth with Disabilities: (800) 695-0285
- Teen Helpline: (800) 400-0900
- National Breast Cancer Hotline: (800) 221-2141; Espanol: (800) 986-9505
- 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 1-(813) 720-8778.
- 24/7 Homeless Emergency Action Response Team (HEART): (877) 4-RUN-AWAY
- 24/7 Disaster Distress Helpline: (800) 985-5990 or TEXT TalkWithUs to 66746

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

The 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 ("IDEIA").

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 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 IDEIA; 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.

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

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:

Alejandro Soriano, Executive Director of Human Resources and Risk Management  
(619) 800-4589  
[ASoriano@BESTAcademyCS.com](mailto:ASoriano@BESTAcademyCS.com)

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.

### **Open Meetings: Public Comments: Translation – GC 54954.3**

As a parent/guardian, you have a right to participate in open meetings held by the charter school. If you require a translator, one will be provided to you with the time allotment doubled to allow for both English and primary language translation. Please contact Alex Soriano at asoriano@bestacademy.cs.com at least 72 hours before the board meeting to request translation services.

### **Prescription Opioids**

Prescription opioids may be used to help relieve moderate-to-severe pain and are often prescribed following a surgery or injury, or for certain health conditions. These medications can be an important part of treatment but also come with serious risks. It is important to work with your healthcare provider to make sure you are getting the safest, most effective care.

**WHAT ARE THE RISKS AND SIDE EFFECTS OF OPIOID USE?**

Prescription opioids carry serious risks of addiction and overdose, especially with prolonged use. An opioid overdose, often marked by slowed breathing, can cause sudden death.

The use of prescription opioids can have a number of side effects as well, even when taken as directed:

- Tolerance – meaning you might need to take more of a medication for the same pain relief.
- Physical dependence – meaning you have symptoms of withdrawal when a medication is stopped.
- Increased sensitivity to pain
- Constipation
- Nausea, vomiting, and dry mouth
- Sleepiness and dizziness
- Confusion
- Depression
- Low levels of testosterone that can result in lower sex drive, energy, and strength
- Itching and sweating

**RISKS ARE GREATER WITH:**

- History of drug misuse, substance use disorder, or overdose
- Mental health conditions (such as depression or anxiety)
- Sleep apnea
- Pregnancy

*Avoid alcohol while taking prescription opioids. Also, unless specifically advised by your healthcare provider, medications to avoid include:*

- Benzodiazepines (such as Xanax or Valium)

- Muscle relaxants (such as Soma or Flexeril)
- Hypnotics (such as Ambien or Lunesta)
- Other prescription

opioids

#### KNOW YOUR OPTIONS

Talk to your health care provider about ways to manage your pain that don't involve prescription opioids. Some of these options may actually work better and have fewer risks and side effects. Options may include:

- Pain relievers such as acetaminophen, ibuprofen, and naproxen
- Some medications that are also used for depression or seizures
- Physical therapy and exercise
- Cognitive behavioral therapy, a psychological, goal-directed approach, in which patients learn how to modify physical, behavioral, and emotional triggers of pain and stress.

#### IF YOU ARE PRESCRIBED OPIOIDS FOR PAIN

- Never take opioids in greater amounts or more often than prescribed.
- Follow up with your primary health care provider
- Work together to create a plan on how to manage your pain
- Talk about ways to help manage your pain that don't involve prescription opioids
- Talk about any and all concerns and side effects.
- Help prevent misuse and abuse.
- Never sell or share prescription opioids
- Never use another person's prescription opioids
- Store prescription opioids in a secure place and out of reach of others including visitors, children, friends, and family.
- Safely dispose of unused prescription opioids: Find your community drug take-back program or your pharmacy mail-back program, or flush them down the toilet, following guidance from the Food and Drug Administration ([www.fda.gov/Drugs/ResourcesForYou](http://www.fda.gov/Drugs/ResourcesForYou)).
- Visit [www.cdc.gov/drugoverdose](http://www.cdc.gov/drugoverdose) to learn about the risks of opioid abuse and overdose.
- If you believe you may be struggling with addiction, tell your health care provider and ask for guidance or call SAMHSA's National Helpline at 1-800-662-HELP.

Be Informed! Make sure you know the name of your medication, how much and how often to take it, and its potential risks and side effects.

For more information, visit: [www.cdc.gov/drugoverdose/prescribing/guideline.html](http://www.cdc.gov/drugoverdose/prescribing/guideline.html)

#### **Oral Health Assessment**

Students enrolled in transitional kindergarten or kindergarten in a public school or while enrolled in first grade if the student was not previously enrolled in kindergarten in a public school are required to present proof of having received an oral health assessment completed by a dental professional that was performed within 12 months before the student's initial enrollment in a public school. Please contact the BEST office at (833)619-2378 if you have questions about this

requirement.

### **Parent and Family Engagement**

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. (Also see Title I Compact below.) A copy of the Charter School’s complete Policy is available on the website: [BestAcademy.cs.com](http://BestAcademy.cs.com).

### **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 pupils 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 pupil’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 pupil 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 pupil’s regular school program are excused until the pupil is able to return to the regular school program or an alternative educational 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:

Alejandro Soriano, Executive Director of Human Resources and Risk Management  
(619) 800-4589  
[ASoriano@BESTAcademyCS.com](mailto:ASoriano@BESTAcademyCS.com)

A copy of the UCP is available on our website or upon request from the administration office at [info@bestacademycs.com](mailto:info@bestacademycs.com).

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.

### **Right to Ask for 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 of Human Resources and Risk Management at (833) 619-2378 to obtain this information.

### **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 and Asbestos Management Plan**

The Charter School has established a School Safety Plan for each school site location. The Plan is available upon request at [www.bestacademyks.com](http://www.bestacademyks.com).

The Charter School has no established Asbestos Management Plan since it has no building or classrooms..

The Charter School has established a School Safety Plan. The Plan is available upon request

at info@bestacademy.com.

### **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 school principal, director, or counselor. A copy of the Charter School's Section 504 policies and procedures is available upon request info@bestacademy.com.

Section 504 Coordinator  
Chris Bell, (833)619-2378,  
cbell@bestacademy.com

### **Sexual Health Education**

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

- Inspect written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.
- Excuse their child from participation in comprehensive sexual health education and HIV prevention education in writing to the Charter School.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by Charter School personnel or outside consultants. When the Charter 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
  - Options for parent/guardian consent and "opt out"
- Request a copy of Education Code sections 51930 through 51939.

Anonymous, voluntary, and confidential research and evaluation tools to measure student's health behaviors and risks (including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes concerning or practices relating to sex) may be administered to students in grades 7-12. 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.

### **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 in Education Improvement Act ("IDEA"), Education Code requirements, and applicable policies and procedures of the North Inland 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 your student's personalized learning teacher.

In Special Education, the attendance to Specialized Academic Instruction (SAI) and related services must align with what's outlined in the Individualized Education Program (IEP) for the student. The IEP is a legally binding document that sets specific goals, services, accommodations, and supports necessary for the student's educational progress. It specifies:

1. **Specialized Academic Instruction (SAI):** This refers to the tailored instruction designed to address the student's unique learning needs. The amount, frequency, and setting for SAI are specified in the IEP to ensure the student receives the proper support.
2. **Related Services:** These are services like speech therapy, occupational therapy, physical therapy, counseling, or any other support that helps the student benefit from their education. These services are also explicitly outlined in the IEP, including their frequency and duration.

The IEP team, which includes educators, parents, and other professionals, reviews and updates the IEP regularly to ensure that services are being provided as agreed and are helping the student make progress toward their educational goals.

If a student is not receiving the services as outlined in their IEP, it's important to address the issue

promptly to ensure compliance with legal requirements and the student's needs are being met.

The complete Special Education Policy is available [www.bestacademy.com](http://www.bestacademy.com).

### **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. For more information on the assessments, please refer to the Parent Student Handbook.

### **Student Records, including Records Challenges and Student/Directory Information and CCGI Notice**

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

1. The right to inspect and review the student’s education records within 5 business days after the day the 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, or 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 Compliance 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 his/her 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; pursuant to Section (IV)(3) above;
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 non related extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by the 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 of birth
9. Dates of attendance
10. Grade level
11. Demographic information
12. Participation in officially recognized activities and sports
13. Weight and height of members of athletic teams
14. Degrees, honors, and awards received
15. The most recent educational agency or institution attended
16. 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.)

Instances of the school’s usage of directory information may include marketing pieces showcasing student achievements, sharing anonymized data to establish trends and outcomes, yearbook production, etc. The school does not, nor does it intend to create, publish, or publicly make available a contact “directory”.

If you do not want the Charter School to disclose or utilize directory information from your child’s education records without your prior written consent, please indicate as such in writing on the Annual Student Registration Packet at the time of enrollment or reenrollment. If you have questions, please contact:

Reynalda Lopez, (833)619-2378, [rlopez@bestacademy.com](mailto:rlopez@bestacademy.com)

A copy of the complete Policy is available upon request at [info@bestacademy.com](mailto:info@bestacademy.com).

Please note that data collected and reported by Charter School to the California Longitudinal Pupil Achievement Data System ("CALPADS"<sup>4</sup>) pursuant to state law, will be shared with the California College Guidance Initiative ("CCGI"<sup>5</sup>) and will:

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

Please visit the CCGI website at [CaliforniaColleges.edu](http://CaliforniaColleges.edu) to access resources that help students and their families learn about college admissions requirements.

### **Suicide Prevention**

Student suicide rates are of concern to all members of the school community. One child, ages 12 and older, dies by suicide every five days in California. Local Education Agencies were required by California law to provide suicide prevention education, according to age-appropriate and sensitive local policies, for grades K7 to 12. Legislators have determined that training in mental health and coordination around improved services is extended to our elementary students. A shared goal by all staff educators is to keep a safe place to learn, free from harm to any of our students. Please see the complete Suicide Policy in Part II of this Handbook.

### **Crisis Lines**

- [Teen & Youth Help Hotline](#)  Teenage Advice, Crisis & Depression Helpline  
Do you need help working something out? Do you want to talk to someone who understands, like another teen? We're here to help!
- [The National Suicide Prevention Lifeline](#)  1-800-273-8255  
The 24-hour, toll-free, confidential suicide prevention hotline is available to anyone in suicidal crisis or emotional distress. It provides Spanish-speaking counselors, as well as options for deaf and hard of hearing individuals.
  - Línea de Vida Nacional de Prevención del Suicidio ofrece servicios gratuitos en español para alguien que está en crisis o necesita ayuda llame al 1-888-628-9454
  - Options for Deaf and Hard of Hearing 1-800-985-5990 or text TalkWithUs to 66746
- [The Crisis Text Line](#)   
The Crisis Text Line is the only 24/7, nationwide crisis-intervention text-message hotline.

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<sup>4</sup> CALPADS is a database maintained by the CDE which consists of pupil data from elementary and secondary schools relating to, among other things, demographic, program participation, enrollment, and statewide assessments data.

<sup>5</sup> CCGI is an authorized provider of an institutional service to all California local educational agencies and part of the state's efforts to make college-going a more streamlined experience for students. The CCGI currently receives enrollment data for all public-school students enrolled in grades six through twelve from the California Department of Education ("CDE").



The Crisis Text Line can be reached by texting HOME to 741-741.

- [The Veterans Crisis Line](#)    
The 24-hour, toll-free, confidential hotline provides phone, webchat, and text options available to military veterans in crisis and their families and friends. It provides options for deaf and hard of hearing individuals.
  - Call the Veterans Crisis Line at 1-800-273-8255 and Press 1 or text to 838255.
- [The Trevor Project](#)    
The nationwide organization provides a 24-hour phone hotline, as well as limited-hour web chat and text options, for lesbian, gay, bisexual, transgender and questioning youth.
  - The Trevor Lifeline is a national 24-hour, toll free confidential suicide hotline for LGBTQ youth. Call 1-866-488-7386 24/7
  - Confidential online instant messaging with a Trevor Counselor 24/7
  - Confidential text messaging with a Trevor Counselor 24/7 Text START to 678678
  - TrevorText can be reached by texting TREVOR to 1-202-304-1200 (available M-F from 3PM to 10PM ET).
- [The Trans Lifeline](#)  1-877-565-8860   
The Trans Lifeline is a trans-led organization that connects trans people to the community, support, and resources they need to survive and thrive. It provides crisis intervention hotlines, staffed by transgender individuals, for trans and questioning callers.

### **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 child's, or the student's parents' or guardians' personal beliefs or practices in sex, family life, morality, or religion.

### **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")**

B.E.S.T. Academy Charter School complies with applicable federal and state laws and regulations. B.E.S.T. Academy 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 B.E.S.T. Academy Charter School program or activity. Unlawful discrimination includes, but is not limited to, noncompliance with Education Code section 243(a) or 244(a).
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
  - Accommodations for Pregnant, Parenting or Lactating Students;
  - Career Technical and Technical Education;
  - Career Technical and Technical Training;
  - 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;
  - School Safety Plans
3. Complaints alleging noncompliance with laws relating to pupil fees. A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
  - a. A pupil fee includes, but is not limited to, all of the following:
    - i. A fee charged to a student 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.

- ii. A security deposit, or other payment, that a student is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
  - iii. A purchase that a student is required to make to obtain materials, supplies, equipment, or uniforms clothes associated with an educational activity.
- b. 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 B.E.S.T. Academy adopts a School Plan for Student Achievement (“SPSA”) in addition to its LCAP, complaints of noncompliance with the requirements of the SPSA under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under the UCP.

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

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

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

**Compliance Officer**

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure B.E.S.T. Academy Charter School’s compliance with law:

Alejandro Soriano, Executive Director of Human Resources and Risk Management  
(619) 800-4589  
[ASoriano@BESTAcademyCS.com](mailto:ASoriano@BESTAcademyCS.com)

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

Complaints alleging unlawful discrimination, harassment, intimidation, or bullying must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying,

occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.

All other complaints under the UCP shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the B.E.S.T. Academy's Board of Directors approved the LCAP or the annual update was adopted by B.E.S.T. Academy

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.

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

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

If the 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 is available on the school website [Bestacademy.com](http://Bestacademy.com)

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.

### **Workplace Readiness Week and Work Permits**

The week of each year that includes April 28 shall be known as "Workplace Readiness Week." All public high schools, including charter schools, shall annually observe that week by providing information to students on their rights as workers.

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

at:

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



# **Part II:**

# **Complete**

# **Policies**

# Professional Boundaries: Staff Student Interaction Policy

B.E.S.T. 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.

## ***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 School personnel:

A. Examples of permitted actions (i.e., 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 (i.e., corporal punishment)

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

## ***Acceptable and Unacceptable Staff/Student Behavior***

This policy is intended to guide all School 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 by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

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

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. 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, sexual misconduct.

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. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

### ***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 of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

### ***Examples of Specific Behaviors***

The following examples are not an exhaustive list:

#### ***Unacceptable Staff/Student Behaviors (Violations of this Policy)***

- (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 in a private situation.
- (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 for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

- (k) Communication with students via an employee's personal accounts such as email and/or social media.

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

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

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home.

Cautionary Staff/Student Behaviors

**(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)**

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages or letters to students if the content is not about school activities.

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Principal about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.

- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

## **TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY**

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, Brookfield Engineering Science Technology Academy ("Charter School" or the "Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether.

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 associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locs, and twists), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or any combination of those characteristics, association with a person or group with one or more of these actual or perceived characteristics or any combination of those 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. Charter 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 Charter School does business, or any other individual, student, or volunteer. Charter School 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.

This policy applies to incidents occurring on the school campus, at school-sponsored events and activities regardless of the location, through school-owned technology, and through other electronic means, whether perpetrated by a student, employee, parent/guardian, volunteer, independent contractor or other person with whom BEST does business, and all acts of BEST's Board of Directors ("Board") in enacting policies and procedures that govern BEST.

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

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

Alejandro Soriano  
1704 Cape Horn  
Julian, CA 92036  
asoriano@bestacademycs.com

### **Definitions**

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

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

### **Sexual Harassment**

In accordance with Title IX (20 U.S.C. § 1681 *et seq.*; 34 C.F.R. Part 106) 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 Charter Schools.

Charter School 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.

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).

Under California Education Code section 212.5, sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions: (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.

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

- 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.

**Bullying** is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute , hate violence, or create 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 student <sup>6</sup> 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 Charter School.

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
  - b. Creating a credible impersonation of another actual 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.
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious 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 the 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

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<sup>6</sup> "Reasonable student" is defined as a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill and judgment in conduct for a person of the student's age, or for a person of the student's age with the student's exceptional needs.

- 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 Charter School’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that Charter School 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 Charter School’s 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**

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

#### **1. Cyberbullying Prevention Procedures**

Charter School 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.

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

#### **2. Education**

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

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

Charter School'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.

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

### **3. Professional Development**

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

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

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

Charter School also informs certificated employees about the groups of students determined by Charter School, and available research, to be at elevated risk for bullying and provides its certificated employees with information on existing school and community resources related to the support of these groups. These groups include but are not limited to:

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

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

### **Grievance Procedures**



## **1. Scope of Grievance Procedures**

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

- a. Are written and signed;
- b. Filed by an individual who alleges that they have personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying based on a protected characteristic, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the Charter School UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

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, Charter School will utilize the sexual harassment grievance procedures listed below in addition to its UCP when applicable.

## **2. Submitting a Report or Complaint**

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

Reports and complaints of misconduct prohibited by this Policy shall be submitted to the Coordinator (Marcella Nino, [mnino@bestacademy.com](mailto:mnino@bestacademy.com)) if the complaint is against the Coordinator) as soon as possible after the incident(s) giving rise to the report or complaint.

Alejandro Soriano  
1704 Cape Horn  
Julian, CA 92036  
[asoriano@bestacademy.com](mailto:asoriano@bestacademy.com)

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

Marcella Nino  
1704 Cape Horn  
Julian, CA 92036  
[mnino@bestacademy.com](mailto:mnino@bestacademy.com)

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. Charter School 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 and r 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.

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

Charter School prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. 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 Title IX Coordinator, investigator or decision-maker and any person who facilitates an informal resolution process will receive Title IX training and/or instruction concerning sexual harassment as required by law.

### **3. Supportive Measures Under Title IX**

Upon the receipt of a report of sexual harassment or a 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 Charter School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Charter School'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. Charter School 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 Charter School to provide the supportive measures.

#### **4. Investigation and Response**

Upon receipt of a report or complaint of misconduct prohibited by this Policy, the Coordinator or designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than thirty (30) school days.

At the conclusion of the investigation, the Coordinator (or designee) will, 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 designee) will not reveal confidential information related to other students or employees.

If the complaint is against the Coordinator, the [INSERT TITLE] or designee will conduct a fact-finding investigation and provide the complainant with information about the investigation and resolution of the incident/situation.

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 Charter School prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.

- Emergency Removal

- Charter School 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 Charter School's policies.

- Charter School may remove a respondent from Charter School's education program or activity on an emergency basis, in accordance with Charter School's policies, provided that Charter School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
- This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

- Informal Resolution

- If a formal complaint of sexual harassment is filed, Charter School may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If Charter School 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.
- Charter School will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

- Investigation Process

- The decision-maker will not be the same person(s) as the Coordinator or the investigator. Charter School shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
- In most cases, a thorough investigation will take no more than thirty (30) school days. If the investigator determines that an investigation will take longer than thirty (30) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete. The entire Title IX process, including informal resolution, opportunities to respond, and determination of responsibility may take ninety (90) calendar days or longer, depending on the complexity of the investigation and the issues raised.
- The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
- The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and

purpose of the meeting or interview with sufficient time for the party to prepare to participate.

- Prior to completion of the investigative report, Charter School will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- The investigator will complete an investigation report that fairly summarizes 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

- If the investigation reveals that the alleged harassment did not occur in Charter School'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 Charter School policy.
- Charter School 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 Charter School; or
  - The specific circumstances prevent Charter School from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
- If a formal complaint of sexual harassment or any of the claims therein are dismissed, Charter School will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.

- Determination of Responsibility

- The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
- 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.
- Charter School 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 Charter School'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 Charter School or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by Charter School in response to a formal complaint of sexual harassment.

## **6. Right of Appeal**

Should the reporting individual find Charter School's resolution unsatisfactory for complaints within the scope of this Policy, other than formal sexual harassment, the reporting individual may, within five (5) business days of notice of Charter School's decision or resolution, submit a written appeal to the President of the Charter School Board, who will review the investigation and render a final decision.

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

- The complainant and the respondent shall have the same appeal rights and Charter School will implement appeal procedures equally for both parties.
- Within five (5) business days of Charter School's 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 Charter School's dismissal of a formal complaint or any allegations therein, on the following bases:
  - Procedural irregularity that affected the outcome of the matter;
  - New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  - 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.
- Charter School will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will: 1) give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; 2) issue a written decision describing the result of the appeal and the rationale for the result; and 3) 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.

Charter School 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.

other responsible adults.

- Giving students a ride to/from school or school activities without parent permission, or outside of a legally mandated purpose.

### **Acceptable and Recommended Staff/Student Behaviors**

- Obtaining parents' written consent for any after-school activities on or off campus.
- Obtaining formal written approval (from school site and parents) to take students off of school property for activities such as field trips or competitions.
- Engaging in communication with students that is professional, pertains to school activities or classes, and is easily accessible to the minor student's parent or legal guardian.
- Keeping the door open when alone with a student.
- Keeping a reasonable space between you and your students.
- Stopping and correcting students if they cross your own personal boundaries.
- Refer students to the appropriate staff person that is trained to address their particular concerns.
- Be aware of the legally protected confidentiality rights of students and parents.
- Keeping staff supervisor and student's parents informed when a significant issue develops about a student.
- Keeping after-class discussions with a student professional and brief.
- Asking for advice from senior staff or administrators if you find yourself in a difficult situation related to Boundaries.
- Involving your supervisor if a conflict arises with a student.
- Informing your supervisor about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or co-workers.
- Asking another staff member to be present if you will be alone with any student.
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours.
- Giving students praise and recognition without touching them.
- Keeping your professional conduct a high priority during all moments of student contact.
- Asking yourself if any of your actions, which go contrary to these provisions, are worth sacrificing your job and career.





## **Title IX Policy Prohibiting Discrimination on the Basis of Sex**

This Title IX Policy Prohibiting Discrimination on the Basis of Sex (“Policy”) contains the policies and grievance procedures of BEST Academy (“BEST”) to prevent and address sex discrimination, including but not limited to sexual harassment, sex-based hostile environment harassment, discrimination based on pregnancy or related conditions, sex-based discrimination in access to athletics or educational resources, and retaliation against a person who has reported sex discrimination.

BEST does not discriminate on the basis of sex and prohibits any acts of sex discrimination in any education program or activity that it operates, as required by California law, Title IX (20 U.S.C. § 1681 *et seq.*) and the Title IX regulations (34 C.F.R. Part 106), including in admission and employment.<sup>7</sup> BEST will take actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects.

This Policy applies to conduct occurring in BEST’s education programs or activities on or after August 1, 2024, including but not limited to incidents occurring on the school campus, during school-sponsored events and activities regardless of the location, and through school-owned technology, whether perpetrated by a student, parent/guardian, employee, volunteer, independent contractor or other person with whom BEST does business.

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

### **Definitions**

#### **Prohibited Sex Discrimination**

Title IX and California law prohibit discrimination on the basis of sex, including sex-based harassment and differences in the treatment of similarly situated individuals on the basis of sex with regard to any aspect of services, benefits, or opportunities provided by BEST. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

#### **Prohibited Sex-Based Harassment**

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

- Quid pro quo harassment occurs when an employee, agent, or other person authorized by BEST to provide an aid, benefit, or service under BEST’s education program or activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.
- Hostile environment harassment is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that

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<sup>7</sup> BEST complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports and complaints of misconduct prohibited by this Policy.

it limits or denies a person's ability to participate in or benefit from BEST's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- The degree to which the conduct affected the complainant's ability to access BEST's education program or activity;
  - The type, frequency, and duration of the conduct;
  - The parties' ages, roles within BEST's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - The location of the conduct and the context in which the conduct occurred; and
  - Other sex-based harassment in BEST's education program or activity.
- Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
  - Dating violence, meaning violence committed by a person:
    - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
      - The length of the relationship;
      - The type of relationship; and
      - The frequency of interaction between the persons involved in the relationship.
  - Domestic violence, meaning felony or misdemeanor crimes committed by a person who:
    - Is a current or former spouse or intimate partner of the victim under applicable family or domestic violence laws, or a person similarly situated to a spouse of the victim;
    - Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
    - Shares a child in common with the victim; or
    - Commits acts against a youth or adult victim who is protected from those acts under applicable family or domestic violence laws.
  - Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
    - Fear for the person's safety or the safety of others; or
    - Suffer substantial emotional distress.

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

hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through BEST.

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

- Physical assaults of a sexual or sex-based nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults.
  - Intentional physical conduct that is sex-based or sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, poking another's body, violence, intentionally blocking normal movement or interfering with work or school because of sex.
- Unwanted sexual advances or propositions, derogatory sex-based comments, or other sex-based conduct, such as:
  - Sexually oriented or sex-based gestures, notices, epithets, slurs, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
  - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex.
  - Retaliation against an individual who has articulated a good faith concern about sex-based harassment.
- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
  - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
  - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

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

**Complainant** means a student or employee who is alleged to have been subjected to conduct that could constitute sex-based discrimination, or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was participating or attempting to participate in BEST's education program or activity at the time of the alleged sex discrimination. Complaints may also be made by: (1) a parent, guardian, or other

authorized legal representative with the legal right to act on behalf of a complainant; or (2) BEST's Title IX Coordinator. For complaints of sex discrimination other than sex-based harassment, complaints can also be made by any student, employee, or other person who was participating or attempting to participate in BEST's education program or activity at the time of the alleged sex discrimination.

**Complaint** means an oral or written request to BEST that objectively can be understood as a request for BEST to investigate and make a determination about alleged sex discrimination.

**Confidential Employee** means an employee of BEST whose communications are privileged or confidential under Federal or State law (e.g., a licensed therapist or psychologist, etc.) or an employee whom BEST has designated as confidential under Title IX for the purpose of providing services to persons related to sex discrimination.

**Party** means a complainant or respondent.

**Respondent** means a person who is alleged to have violated BEST's prohibition on sex discrimination.

**Supportive Measures** are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to a party to (1) restore or preserve that party's access to BEST's education program or activity, including measures that are designed to protect the safety of the parties or BEST's educational environment; or (2) provide support during BEST's grievance procedures or during an informal resolution process.

### **Title IX Coordinator**

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

Alejandro Soriano  
1704 Cape Horn  
Julian, CA 92036  
asoriano@bestacademy.com

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

Marcella Nino  
1704 Cape Horn  
Julian, CA 92036  
mnino@bestacademy.com

The Coordinator is responsible for coordinating BEST's efforts to comply with the requirements of Title IX, receiving reports and complaints of sex discrimination and inquiries about the application of Title IX, addressing reports and complaints of sex discrimination, and taking other actions as required

by this Policy, monitoring for barriers to reporting conduct that reasonably may constitute sex discrimination, and taking steps reasonably calculated to address such barriers.

The Coordinator may serve as an investigator and/or decision maker for complaints, except in cases where doing so would constitute a conflict of interest. The Coordinator may delegate one or more of their duties to one or more designees who have received the required Title IX training and do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. However, the Coordinator must at all times retain ultimate oversight over those responsibilities and ensure BEST's consistent compliance with Title IX.

### **Reporting Sex Discrimination**

All employees who are not a confidential employee must promptly notify the Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX. This requirement does not apply to an employee when the employee is the person who was subjected to the conduct that reasonably may constitute sex discrimination.

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

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. BEST will promptly and effectively investigate and respond to all oral and written complaints and reports of misconduct prohibited by this Policy. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

### **Privacy**

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

### **Retaliation**

BEST 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 complaint in accordance with the grievance procedures set forth in this Policy.

Nothing in this Policy precludes BEST from requiring an employee or other person authorized by BEST to provide aid, benefit, or service under BEST's education program or activity to participate as a witness in, or otherwise assist with, an investigation or proceeding under this Policy.

### **Confidential Employees**

Contact information for the confidential employees at BEST, if any, can be found on the BEST website or obtained from the Coordinator.

A confidential employee's status as confidential, for Title IX purposes, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies or with respect to information received about sex discrimination in connection with providing services to persons related to sex discrimination.

A confidential employee must explain the following to any person who informs them of conduct that reasonably may constitute sex discrimination under Title IX:

- The employee's status as confidential for purposes of Title IX, including the circumstances in which the employee is not required to notify the Coordinator about conduct that reasonably may constitute sex discrimination;
- How to contact the Coordinator how to make a complaint of sex discrimination, and
- That the Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures.

### **Coordinator's Response to Reports of Sex Discrimination**

When notified of conduct that reasonably may constitute sex discrimination, the Coordinator or designee must:

- Treat complainants and respondents equitably;
- Promptly offer and coordinate supportive measures, as appropriate, for the complainant;
- If grievance procedures are initiated or an informal resolution process is offered, offer and coordinate supportive measures, as appropriate, for the respondent and
- Notify the complainant or, if the complainant is unknown, the reporting individual, of the grievance procedures and informal resolution process, if available and appropriate. If a complaint is made, the Coordinator will notify the respondent of the same.

In response to a complaint, the Coordinator will initiate the grievance procedures or the informal resolution process if available, appropriate, and requested by all parties. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Coordinator must determine whether to initiate a complaint by considering, at a minimum:

- Complainant's request not to proceed with a complaint and the complainant's reasonable safety concerns;
- Risk that additional acts of sex-based discrimination would occur if a complaint is not initiated;
- Severity of the alleged conduct, including whether the discrimination, if established, would require removal or discipline of a respondent to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee;
- The scope of the alleged conduct including but not limited to whether there is a pattern, ongoing conduct, or impact to multiple individuals;

- The availability of evidence and the complainant's willingness to participate in the grievance procedures; and
- Whether BEST could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

The Coordinator may initiate a complaint if the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or prevents BEST from ensuring equal access on the basis of sex to its education program or activity. The Coordinator or designee must notify the complainant before initiating a complaint and appropriately address reasonable safety concerns, including by providing supportive measures.

The Coordinator will take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within BEST's education program or activity.

### **Supportive Measures**

Once notified of conduct that reasonably may constitute sex discrimination under Title IX, the Coordinator or designee will promptly contact the complainant to offer and coordinate supportive measures, as appropriate, for the complainant. If the grievance procedures are initiated or informal resolution is offered, the Coordinator or designee will offer and coordinate supportive measures, as appropriate, for the respondent.

Supportive measures may include but are not limited to counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

Supportive measures must not unreasonably burden either party or be imposed for punitive or disciplinary reasons. Supportive measures will be designed to protect the safety of the parties or BEST's educational environment, or to provide support during the grievance procedures or the informal resolution process.

Parties may contact the Coordinator to discuss modification of any supportive measures. Parties also have the opportunity to seek modification or termination of a supportive measure applicable to them if circumstances change materially.

If the party is not satisfied with the Coordinator's decision on the request to modify supportive measures, the party may contact Yhanseck Cervantez at [ycervantez@bestacademy.com](mailto:ycervantez@bestacademy.com), who is an appropriate and impartial employee or who may designate such an employee, to seek modification or reversal of BEST's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee is someone other than the Coordinator who made the challenged decision and has the authority to modify or reverse the decision.

If a party is a student with a disability, the Coordinator must consult with one or more members of the student's IEP Team and 504 Team, if any, in the implementation of supportive measures for that student.

### **Informal Resolution**



At any time prior to determining whether sex discrimination occurred under BEST's Title IX grievance procedures, BEST may offer an informal resolution process to the parties. BEST does not offer or facilitate informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Before initiation of the informal resolution process, the parties will be provided with notice that explains:

- o The allegations;
- o The requirements of the informal resolution process;
- o The right to withdraw and initiate or resume the grievance procedures;
- o That the parties' agreement to a resolution at the conclusion of the informal resolution process precludes the parties' use of the grievance procedures arising from the same allegations;
- o The potential terms that may be requested or offered in an informal resolution agreement (e.g., restrictions on contact and participation in activities or events) including notice that an informal resolution agreement is binding only on the parties; and
- o What information is retained and whether and how it may be disclosed by BEST for use in grievance procedures if the grievance procedures are initiated or resumed.

Parties will not be required or pressured to agree to participate in the informal resolution process. BEST will obtain the parties' voluntary consent to participate in the informal resolution process. Parties may end the informal resolution process and proceed with the grievance procedures at any time.

The facilitator of the informal resolution process will not be the same person as the investigator or the decision maker in the grievance procedures. The facilitator cannot have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Coordinator will take appropriate prompt and effective steps to ensure sex discrimination does not continue or recur.

## **Grievance Procedures**

### **Scope and General Requirements**

BEST has adopted these grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in BEST's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX. Upon receipt of a complaint, the Coordinator or designee will promptly initiate these grievance procedures, or the informal resolution process if available, appropriate, and requested by all parties.

BEST requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Coordinator or investigator.

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

BEST may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.

BEST allows for the reasonable extension of time frames on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. Requests for extensions must be submitted to the Coordinator in writing at least one (1) business day before the expiration of the timeframe. If a timeframe is extended, the Coordinator or designee will notify the parties of the new timeframe and the reason for the delay.

BEST will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

BEST will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence.<sup>8</sup> Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

If a party is a student with a disability, the Coordinator or designee must consult with one or more members, as appropriate, of the student's IEP Team and 504 Team, if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act ("IDEA") and Section 504 of the Rehabilitation Act of 1973 ("Section 504") throughout the grievance procedures.

### **Dismissal**

In most cases, BEST will determine whether a complaint is dismissed within fifteen (15) business days of receipt of the complaint.

BEST may dismiss a complaint if:

- BEST is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in BEST's education program or activity and is not employed by BEST;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Coordinator declines to initiate a complaint, and BEST determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- BEST determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Prior to dismissing the complaint on this ground, BEST will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the Coordinator or designee must promptly notify the complainant in writing of the basis for the dismissal and the complainant's right to appeal the dismissal on the following grounds within five (5) business days of the dismissal notice:

- Procedural irregularity that would change the outcome;

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<sup>8</sup> Inculpatory means tending to impute guilt or fault, and exculpatory means tending to absolve from guilt or fault.

- New evidence that would change the outcome and that was not reasonably available when the determination whether sex-based harassment occurred or dismissal was made; and
- The Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal occurs after the respondent has been notified of the allegations, then the Coordinator or designee must also simultaneously notify the respondent in writing of the dismissal, the basis for the dismissal, and the respondent's right to appeal the dismissal on the above grounds within five (5) business days of the dismissal notice.

If the complaint is dismissed, the Coordinator or designee will offer supportive measures to the complainant, as appropriate. The Coordinator or designee will also offer supportive measures to the respondent, as appropriate, if the respondent has been notified of the allegations. The Coordinator will continue to take appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur. Dismissal does not preclude action under another applicable BEST policy.

### **Appeal of a Dismissal**

If a dismissal is timely appealed in accordance with this Policy, the Coordinator or designee will promptly notify the parties in writing of the appeal, including notice of the allegations if such notice was not previously provided to the respondent, the contact information for the decisionmaker for the appeal, and the parties' right to submit a statement to the decision maker of the appeal in support of, or challenging, the outcome within five (5) business days of the appeal notice.

The decision maker for the appeal will be someone who has received the required Title IX training and did not take part in an investigation of the allegations or dismissal of the complaint. The appeal procedures will be implemented equally for the parties. Within fifteen (15) business days of the appeal notice to the parties, the decision maker will notify the parties in writing of the result of the appeal and the rationale for the result.

### **Notice of the Allegations**

Upon initiation of the grievance procedures, the Coordinator or designee will provide notice of the allegations to the parties whose identities are known. The notice will include:

- BEST's grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under Title IX, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to BEST;
- A statement that retaliation is prohibited; and
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if BEST provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.

### **Emergency Removal**

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

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

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

### **Investigation**

Investigations of complaints will be adequate, reliable, and impartial. In most cases, a thorough investigation will take no more than twenty-five (25) business days. BEST has the burden to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance in accordance with Title IX.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be used, accessed or considered, except by BEST to determine whether one of the exceptions listed below applies, and will not be disclosed), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless BEST obtains that party's or witness's voluntary, written consent for use in the grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

The parties will have an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible and to access such evidence. The parties may submit a written response to the investigator within five (5) business days of being provided with access to the evidence or an accurate description of it. The parties' timely submitted written responses, if any, will be considered by the investigator and decision maker before a determination of responsibility is made.

BEST will take reasonable steps to prevent and address any unauthorized disclosure of information or evidence by the parties.

### **Determination of Responsibility**

Before making a determination of responsibility, the decisionmaker may interview parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is in dispute and relevant to evaluating one or more allegations of sex discrimination.

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

Within fifteen (15) business days of the expiration of the timeframe for the parties to submit a written response to the evidence or an accurate description of it, the decisionmaker will notify the parties in writing of the determination whether sex discrimination occurred including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal.

### **Appeal of the Determination of Responsibility**

Should a party find BEST's determination unsatisfactory, the party may, within five (5) business days of notice of BEST's determination, submit a written appeal to the Chair of the BEST Board, who will serve as the decision maker for the appeal or designate a decisionmaker for the appeal. The decision maker for the appeal must not have taken part in the investigation of the allegations.

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

### **Consequences**

Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action up to and including expulsion from BEST or termination of employment. If there is a determination that sex discrimination occurred, the Coordinator or designee will coordinate the provision and implementation of any remedies and/or disciplinary sanctions ordered by BEST including notification to the complainant of any such disciplinary sanctions. The Coordinator will take appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within BEST's education program or activity.

No party, witness, or other person participating in BEST's grievance procedures will be disciplined for making a false statement or for engaging in consensual sexual conduct based solely on BEST's determination whether sex discrimination occurred.

### **Student Pregnancy and Related Conditions**

BEST will not discriminate against any student or applicant based on their current, potential, or past pregnancy or related conditions. For more information about policies and procedures applicable to employees who are pregnant or have a related condition, please refer to the BEST employee handbook.

When a student, or a person who can legally act on behalf of the student, informs any employee of the student's pregnancy or related condition, unless the employee reasonably believes that the Coordinator has already been notified, the employee must promptly:

- Provide that person with the Coordinator's contact information; and

- Inform that person that the Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to BEST's education programs and activities.

If a student, or a person who has a legal right to act on behalf of the student, notifies the Coordinator of the student's pregnancy or related condition, the Coordinator or designee must promptly:

- Inform the student, and if applicable, the person who notified the Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of BEST's obligations under:
  - 34 C.F.R. § 106.40(b)(1) through (5), which relates to the rights of students who are pregnant or have a related condition; and
  - 34 C.F.R. § 106.44(j), which includes rules on disclosures of personal information;
- Provide BEST's Title IX notice of nondiscrimination; and
- Consult with the student about potential reasonable modifications to policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access, and if the student accepts an offered reasonable modification, implement the modification.

A student who is pregnant or has a related condition will be provided with a lactation space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used for expressing breast milk or breastfeeding as needed.

A student who is pregnant or has a related condition may voluntarily take a leave of absence for the time deemed medically necessary by the student's licensed healthcare provider, or if the student so chooses, the time allowed under any BEST leave policy for which the student qualifies. A pregnant or parenting student is entitled to eight weeks of parental leave, 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.

Upon the student's return from leave, the student will be reinstated to the academic status, and, as practicable, to the extracurricular status that the student held when the leave began. The student will not be required to provide any kind of certification demonstrating their ability to physically participate in any class, program, or extracurricular activity unless:

- The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- Such certification is required of all students participating in the class, program, or extracurricular activity; and
- The information obtained is not used as a basis for sex discrimination.

Students who are pregnant or have a related condition will not be required to provide supporting documentation unless necessary and reasonable to determine reasonable modifications or additional actions related to lactation space, leaves of absence, or voluntary access to any available separate and comparable portion of the program.

## **Training**

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All employees, Coordinators and designees, investigators, decisionmakers, facilitators of the informal resolution process, and other persons who are responsible for implementing BEST's grievance procedures or have the authority to modify or terminate supportive measures will receive Title IX and sexual harassment training and/or instruction concerning sexual harassment as required by law.

### **Recordkeeping**

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

- For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures, and the resulting outcome.
- For each notification the Coordinator receives of information about conduct that reasonably may constitute sex discrimination, records documenting the actions BEST took to meet its obligations under 34 C.F.R. § 106.44.
- All materials used to provide required Title IX training. BEST will make these training materials available upon request for inspection by members of the public.

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

California Department of Education Title IX Webpage: [LINK](#)

02/2025



## TITLE IX SEX DISCRIMINATION AND HARASSMENT COMPLAINT FORM

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Email Address: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

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

List any witnesses that were present: \_\_\_\_\_

Where did the incident(s) occur? \_\_\_\_\_

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

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**I hereby authorize BEST 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.**

\_\_\_\_\_  
Signature of Complainant

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

### **To be completed by BEST:**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Follow-up Meeting with Complainant held on: \_\_\_\_\_

4865-0469-8049, v. 2



## Suicide Prevention Policy

The Board of Directors of BEST Academy (“BEST” or the “Charter School”) 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 BEST and community stakeholders, BEST 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 mental health professionals, the county mental health plan, first responders, and community organizations to identify additional resources to ensure this policy is aligned and includes similar research and resources, as well as to assist in planning, implementing, evaluating, and updating BEST’s strategies for suicide prevention and intervention. BEST shall work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, updated and easily accessible to all, BEST shall appoint an individual (or team) to serve as the suicide prevention point of contact for BEST. The suicide prevention point of contact for BEST and the 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 every five (5) years 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, BEST created an in-house Suicide Prevention Crisis Team (“SPCT”) consisting of administrators, mental health professionals, relevant staff, parents, and middle and high school students. The SPCT includes the following individuals:

1. Caroline Ruffridge, Counselor
2. Feli Barajas, Counselor
3. Joel Manwarren, School Director
4. Kylie Reed, Teacher
5. Alternates: Tiffany Harris- Teacher, Meg Compton- Teacher, Sierra Satterstrom-Teacher

To ensure the SPCT reflects the student body’s perspective, BEST has designated the following volunteer student representatives to provide consultative insights:

1. TBD, Student Representative
2. TBD, Student Representative

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

- Primary Liaison: Caroline Ruffridge, Counselor, [cruffridge@bestacademycs.com](mailto:cruffridge@bestacademycs.com), 833-619-2378
- Secondary Liaison: 833-619-2378

The functions of the SPCT are to:

- Review mental health related school policies and procedures;
- Provide annual updates on school data and trends;
- Review and revise school prevention policies;
- Review and select general and specialized mental health and suicide prevention training;
- Review and oversee staff, parent/guardian, and student trainings;
- Ensuring the suicide prevention policy, protocols, and resources are posted on the school website;
- Ensure compliance with Education Code 215;
- Collaborate with community mental health organizations;
- Identify resources and agencies that provide evidence-based or evidence-informed treatment;
- Help inform and build skills among law enforcement and other relevant partners; and
- Collaborate to build community response.

### **Suicide Awareness and Prevention Training for School Staff**

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

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

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

5. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk and protective factors and warning signs, prevention, intervention, referral, and postvention). Core components of the general suicide prevention training shall include:
  - a. How to identify youth who may be at risk for suicide including suicide risk factors, warning signs, and protective factors.
  - b. Appropriate ways to approach, interact, and respond to a youth who is demonstrating emotional distress or having thoughts of suicide including skill building to ask directly about suicide thoughts.
  - c. Charter-approved procedures for responding to suicide risk (including programs and services in Multi-tiered System of Support (MTSS) and referral protocols). Such procedures will emphasize the student should be under constant supervision and immediately referred for a suicide risk assessment.
  - d. Charter-approved procedures identifying the role of educators, school staff, and volunteers play in supporting youth and staff after a suicide or suicide death or attempt (postvention).
6. **In addition to** core components of suicide prevention, ongoing annual staff professional development for all staff shall include the following components:
  - a. The impact of traumatic stress on emotional and mental health.
  - b. Common misconceptions about suicide.
  - c. Charter School and community mental health and suicide prevention resources.
  - d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
  - e. Ways to identify youth who may be at risk of suicide including suicide warning signs, risk, and protective factors.
  - f. Appropriate ways to approach, interact, and respond to a youth who is demonstrating emotional distress or is having thoughts of suicide. Specifically, how to talk with a student about their thoughts of suicide, including skill building to ask directly about suicide thoughts and warm handoffs.
  - g. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures will emphasize that the student should be constantly supervised until a suicide risk assessment is completed.
  - h. Charter School-approved procedures for identifying the role educators, school staff, and volunteers play in supporting youth and staff after a suicide or suicide death or attempt (postvention).
  - e. 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.

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

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

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

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

### **Virtual Screenings for Suicide Risk**

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

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

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

## **Employee Qualifications and Scope of Services**

Employees of BEST 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, screen and assess and to provide ongoing supports to youth identified at risk, the care or treatment of suicidal ideation is typically beyond the scope of services offered in the school setting.

## **Parents, Guardians, and Caregivers Notification, Participation and Education**

1. BEST includes parents/guardians/caregivers in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on the BEST Web page and included in the parent/student handbook. Parents/guardians/caregivers are invited to provide input on the development, review, and implementation of this policy.
3. BEST shall notify the parent/guardian/caregiver when a student has been screened or screened/assessed for suicide risk regardless of outcome
4. Charter Schools 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 approach and talk with their child(ren) about thoughts of suicide.
  - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any child/youth judged to be at risk for suicide and referral for an immediate suicide risk assessment.
  - d. Charter School's referral processes and how they or their children can reach out for help, etc.
8. Parents/guardians are provided with information on suicide prevention resources including crisis hotlines, local warmlines, and school and community-based supports and crisis resources including the National Suicide Prevention Lifeline, Crisis text line, and local crisis

hotlines and includes information that hotlines/resources are not just for crisis but also for friends/family and referral.

9. Parents/guardians/caregivers are reminded that the Family Educational Rights and Privacy Act (“FERPA”) generally protects the confidentiality of student records, which may sometimes include counseling or crisis intervention records. However, FERPA’s health or safety emergency provision permits the disclosure of personally identifiable information from a student’s education records, to appropriate parties, in order to address a health or safety emergency when the disclosure is necessary to protect the health or safety of the student or other individuals.

### **Student Participation and Education**

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, BEST along with its partners has carefully reviewed and will continue to review potential student curricula to ensure it includes information on recognizing and responding to signs and symptoms (within themselves and friends), learning coping skills, encourage help-seeking behavior and being knowledgeable of supports and resources.. Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students’ feelings of connectedness with BEST and is characterized by caring staff and harmonious interrelationships among students.

BEST’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.

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

- a. Coping strategies for dealing with stress and trauma.
  - b. How to recognize behaviors (warning signs) , protective factors, 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.
1. Guidance regarding BEST’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). BEST maintains a list of current student trainings, which 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.**

BEST supports the creation and implementation of programs and/or activities on campus that increase awareness about mental wellness and suicide prevention.

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

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

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

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 BEST or in the community.

#### ***A. Action Plan for Suicide Attempts on Campus or During School-Sponsored Activity***

BEST shall implement the following response protocol for suicide attempts during the school day.

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

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

1. Ensure the student's physical safety by one or more of the following, as appropriate:
  - a. Providing immediate first aid as needed, until a medical professional is available.
  - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened and report any medications taken, and access to weapons, if applicable.
  - 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.
  - i. Students should only be released to parents/guardians/caregivers/families or to a person who is qualified and trained to provide help
2. Document the incident in writing as soon as feasible.
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, BEST 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 the importance of care. If follow up care is still not provided, BEST should consider contacting Child Protective Services to report neglect of youth.



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

### ***B. Action Plan for Off Campus Suicide Attempts***

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

### **Supporting Students during or after a Mental Health Crisis**

1.

Students shall be encouraged through the education program and in BEST activities to notify a teacher, the Director, another BEST administrator, psychologist, BEST 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.

BEST shall implement the following steps during or after a crisis:

2. Treat every threat with seriousness and approach with a calm manner; make the student a priority.
3. Listen actively and non-judgmentally to the student. Let the student express their feelings.
4. Acknowledge the feelings and do not argue with the student.
5. Offer hope and let the student know they are safe, and that help is available. Do not promise confidentiality or cause stress.
6. Explain calmly and get the student to a skilled mental health professional or designated staff to further support the student.
7. Keep close contact with the parents/guardians/caregivers/families and mental health professionals working with the student.

### **Re-Entry to School After a Suicide Attempt**

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

BEST shall implement the following steps upon the student's re-entry:

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

### **Messaging About Suicide Prevention**

BEST along with its partners shall:

1. Thoroughly and regularly review with its partners, all materials and resources used in awareness efforts to ensure they align with best practices for safe and effective messaging about suicide.

2. Ensure that all communications, documents, materials related to messaging about suicide focus on warning signs as well as risk, prevention, and protective factors, avoid discussing details about methods of suicide, avoid oversimplifying (i.e. identifying singular cause of suicide), avoid sensational language, and only includes clear, respectful, people-first language that encourages an environment free of stigma. 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                                                                                                               |
|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>“Died by suicide”<br/>or<br/>“Took their own life”</b> | <b>“Committed suicide”</b><br><b>Note:</b> Use of the word “commit” can imply crime/sin                                  |
| <b>“Attempted suicide”</b>                                | <b>“Successful” or “unsuccessful”</b><br><b>Note:</b> There is no success, or lack of success, when dealing with suicide |

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

### **Responding After a Suicide Death (Postvention)**

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on the school community, including students and staff. BEST 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 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 signs of emotional distress and suicide ideation.
  - b. Review of protocols for referring students for support/assessment.
  - c. Develop and provide support to staff in responding to student reactions.
  - d. Talking points for staff to notify students.
  - e. Share school and community-based resources available to students (on and off campus).
4. Identify students significantly affected by suicide death and other students at risk of imitative behavior, and immediately refer them to a school-based mental health professional.
5. Identify students affected by suicide death but not at risk of imitative behavior.
6. Communicate with the larger school community about the suicide death and availability of support services. Staff shall not share explicit, graphic, or dramatic content, including the manner of death.
7. Consider (in consultation with the family) funeral arrangements for the family and school community.
  - o If possible, suggest the funeral occur outside of school hours.
  - o Encourage parents/guardians of students to attend funeral/memorial with their children.
  - o Request family approval to attend and staff a table for resources to be available at the funeral, if possible, to remind students and the community of available resources.
  - o Offer a safe space on campus for students to utilize if needed before/after funeral or memorial service.
  - o Acknowledge there may be a high rate of absenteeism on the day of the funeral and school officials should make appropriate accommodations for staff and students to attend.
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 to cover story without the use of explicit, graphic, or dramatic content, if needed.

| Use                                                                   | Do Not Use                                                                              |
|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>“Died by suicide”</b><br><b>or</b><br><b>“Took their own life”</b> | <b>“Committed suicide”</b><br><b>Note:</b> Use of the word “commit” can imply crime/sin |

| Use                 | Do Not Use                                                                                                        |
|---------------------|-------------------------------------------------------------------------------------------------------------------|
| “Attempted suicide” | “Successful” or “unsuccessful”<br><b>Note:</b> There is no success, or lack of success, when dealing with suicide |

10. Utilize and respond to social media outlets:

- o Identify what platforms students are using to respond to suicide death.
- o Identify and encourage staff and students to monitor social media outlets.

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 deceased.
- c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

## Suspension and Expulsion Policy and Procedures

The Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and wellbeing of all students at BEST Academy (“BEST Academy” or “Charter School”). Although exempt from Education Code process for this purpose, in creating this policy, BEST Academy has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non charter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions and involuntary removal. The language that follows is largely consistent with the language of Education Code Sections 48900, *et seq.*

Consistent with this Policy, it may be necessary to suspend or expel a student from regular instruction. This shall serve as BEST Academy’s policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to seek a material revision of the charter so long as the amendments comport with legal requirements. BEST Academy staff shall enforce disciplinary policies and procedures fairly and consistently among all students. This policy and its procedures will be distributed annually as part of the Student Handbook which will clearly describe discipline expectations. Students must verify that they have reviewed and understood the Policy after enrolling in BEST Academy. The BEST Academy administrative team will ensure that students and their parents/guardians<sup>9</sup> are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures.

The notice shall state that this Policy and its Procedures are available on the BEST Academy website.

<sup>9</sup> 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.

The BEST Academy Board shall review the student discipline policies surrounding suspensions, expulsions, and involuntary removals at least annually and more frequently, if necessary, to determine if the list of offenses for which students are subject to suspension, expulsion, or involuntary removal should be modified to comply with current law and more accurately meet the needs of BEST Academy.

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

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

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

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

If a sufficient nexus is established between interpersonal communication and/or conduct and its impact on Charter School employees or students, it will be subject to BEST Academy policies that establish: a) expectations for civil and courteous student behavior; b) a process for investigating violations or alleged violations of same; and c) any lawful penalties or interventions to be imposed as a result.

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

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; or d) during, going to, or coming from a school-sponsored activity. For purposes of this Policy, “school grounds” includes online (internet) during school-related activities as well as BEST Academy’s physical premises. Additionally, “school-sponsored activity” includes, but is not limited to, state testing sites, field trips, school-sponsored social events, school-sponsored dances, and graduation ceremonies.

## **B. Enumerated Offenses**

1. Discretionary Suspension Offenses: Students may be suspended when it is determined the student:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
  - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student’s own prescription products by a student.
  - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
  - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in, hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably



expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.

t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

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

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with their academic performance.
- iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by BEST Academy.

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

- i. A message, text, sound, video, or image.
- ii. A post on a social network Internet Web site including, but not limited to:
  - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of 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.

- (a) 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.
  - u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
  - v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the student:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.
  - b) Brandished a knife at another person.
  - c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.

- d) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4
3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the student:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
  - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
  - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
  - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
  - k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
  - l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in, hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This provision shall apply to students in any of grades 4 to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
  - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with their academic performance.
  - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the 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.
    - (a) 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.
    - (c) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a

photograph or other visual recording by a 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.

- (d) For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
  - v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.
- 4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion when it is determined pursuant to the procedures below that the student:
  - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.
  - b) Brandished a knife at another person.
  - c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
  - d) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289, or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

If it is determined by the Hearing Officer, Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or destructive device on campus, the

student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the student shall be provided due process rights of notice and a hearing as required in this Policy.

BEST Academy will use the following definitions:

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

### **C. Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

A suspension shall be preceded, if practicable, by a conference conducted by the Director or designee with the student and the student’s parent/guardian and, whenever practicable, the teacher, supervisor or Charter School employee who referred the student to the Director or designee.

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

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

## 2. Notice to Parents/Guardians

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

## 3. Suspension Time Limits/Recommendation for Expulsion

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

This determination will be made by the BEST Academy 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.

## 4. Homework Assignments During Suspension

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

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

## **D. Authority to Expel**

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

A student may be expelled by the BEST Academy Board of Directors following a hearing before either a neutral and impartial hearing officer selected by the Director or a neutral and impartial



Administrative Panel, to be assigned by the Director as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the BEST Academy Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

#### **E. Expulsion Procedures**

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

The hearing will be presided over by a neutral Hearing Officer or Administrative Panel as described herein, selected by the Director. The BEST Academy Director will make a recommendation to the Hearing Officer or Administrative panel.

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

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

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

BEST Academy may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the hearing officer or Administrative Panel. Copies of these sworn declarations, edited to redact 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. BEST Academy must also provide the complaining witness 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 the 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, BEST Academy must present evidence that the witness' presence is both desired by the witness and will be helpful to BEST Academy. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a

determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

### **G. Record of Hearing**

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

### **H. Presentation of Evidence**

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

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

### **I. Expulsion Decision**

The decision of the Hearing Officer or Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board, which will make a final determination regarding the expulsion. The Board shall make the final determination regarding the expulsion within ten (10) school days following the conclusion of the hearing, or as soon as practicable. The Board's consideration is not a second hearing. The decision of the Board is final.

If the Hearing Officer or Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the pupil shall immediately be returned to their educational program.

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 Director may revoke the suspension of an expulsion order under this section if he or she determines that the student committed any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations

governing student conduct. If the Director 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.

#### **J. Written Notice to Expel**

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

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

#### **Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students**

If the student facing expulsion is a foster student, BEST Academy shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least ten (10) days prior to the hearing.

If the student facing expulsion is a homeless student, BEST Academy shall also send notice of the hearing to the district liaison for homeless students at least ten (10) days prior to the hearing.

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call.

#### **K. Disciplinary Records**

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the chartering authority upon request, but neither the District nor the County Office of Education shall be involved in the disciplinary decision.

#### **L. No Right to Appeal**

The student shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors' decision to expel shall be final.

#### **M. Expelled Students/Alternative Education**

Every student is entitled to know what conduct is prohibited before being disciplined for such conduct. Therefore, no student shall be disciplined for an offense not specified in the above list. Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

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.

#### **N. 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.

Upon expulsion from BEST Academy, students will attend school per their district of residence's policy regarding expelled students.

#### **P. 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 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 Director or designee shall make a recommendation to the Board of Directors following the meeting regarding the Director's 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.

#### **Q. 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.

#### **R. Involuntary Removal for Missed Assignments**

In accordance with Education Code Section 51747 and the Charter School's Board policy on independent study, after 15 missed assignments within 20 school days, an evaluation is held to determine whether it is in the best interest of the student to remain in independent study. If it is determined that it is not in the student's best interest to remain in independent study, the Charter School may involuntarily remove the student after the Charter School follows the requirements of the Missed Assignment Policy and only after providing notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal as forth herein.

## **S. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal 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, BEST Academy's Director or designee, the parent/guardian 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 student's disability; or b) If the conduct in question was the direct result of the Charter School's failure to implement the IEP/504 Plan.

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

If BEST Academy, the parent/guardian, 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 BEST Academy had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and

- c. Return the child to the placement from which the child was removed, unless the parent/guardian and the 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 BEST Academy believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures. When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent/guardian or BEST Academy, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent/guardian and BEST Academy agree otherwise.

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

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than forty-five (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

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

The 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 BEST Academy's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if BEST Academy had knowledge that the student was disabled before the behavior occurred.

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

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

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

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

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

### **Involuntary Removal**

No student will be involuntarily removed by BEST Academy for any reason unless the



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