



# PACIFIC COLLEGIATE SCHOOL

A Public Charter School

## **Student Handbook 2011-2012**

This document is intended to help you navigate your path through PCS. Please use it as a resource, and always be sure to check the school website ([www.pacificcollegiate.com](http://www.pacificcollegiate.com)) and consult with your teachers, advisor and/or administrators if something is unclear.

### **PCS MISSION AND VISION**

Pacific Collegiate School is a public charter school whose mission and vision is to provide exemplary, standards based college preparatory and fine arts education for public middle and high school students. Our vision is to offer any student the same quality of education offered by the most academically distinguished schools in California. Our graduates will be prepared to enter and thrive at the world's finest colleges and universities.

In addition to a core college preparatory curriculum, Pacific Collegiate School will emphasize international, cross-cultural, and technological education in order to prepare graduates for life in the 21st Century. Pacific Collegiate students will be introduced to the rich variety of world cultures and become fluent in at least one foreign language. They will become proficient in the basic information technologies essential for cultural literacy in the 21st Century.

## PCS Calendar 2011 – 2012

### First Semester

August:	16 (Tues.)	<b>First Day of School</b>
September:	5	<b>No School* // Labor Day</b>
October:	10 11 14	<b>No School*</b> <b>No School (Staff In-Service)</b> <b>1<sup>st</sup> Quarter Ends</b>
November:	11 23-25	<b>No School* // Veterans' Day</b> <b>No School* // Thanksgiving</b>
December:	19-21 21 22-31	<b>Semester Exams</b> <b>1<sup>st</sup> Semester Ends</b> <b>Winter Break*</b>

### Second Semester

January:	1-8 9 10 (Tues.) 16	<b>Winter Break*</b> <b>No School // Staff In-Service</b> <b>Classes Resume</b> <b>No School* // King Holiday</b>
February:	20 21	<b>Holiday* // Presidents' Day</b> <b>No School (Staff In-Service)</b>
March:	16	<b>3<sup>rd</sup> Quarter Ends</b>
April:	2-6	<b>Spring Break*</b>
May:	7-18 28 29-31	<b>Advanced Placement Examinations</b> <b>Holiday* // Memorial Day</b> <b>Semester Exams</b>
June:	1 1	<b>2<sup>nd</sup> Semester Ends</b> <b>Graduation for 8<sup>th</sup> &amp; 12<sup>th</sup></b>

*\* School offices will be closed.*

## QUICK LOOK-UP

Below is a list of telephone contacts to use when you have common questions about life at PCS. Just dial (831) 479-7785 and the relevant extension, or email [firstname.lastname@pcsed.org](mailto:firstname.lastname@pcsed.org).

<b>Topic</b>	<b>Description</b>	<b>Contact</b>
<b>Absence</b>	Report any absences in advance if possible	Barbara Smith, ext. 3101
<b>Academic Support</b>	If you need help with organization, time management, study strategies, etc., start by talking to the teacher of the class.	Simon Fletcher, ext. 3110
<b>College Admission Advising</b>	Planning for college and the college application process	Mike Lysaght, ext. 3106
<b>Community Service</b>	Completing and reporting community service	Ruth Farnum, ext. 3117
<b>Community Service Opportunities</b>	For help identifying opportunities in the community that fit your interests	Angela Bocanegra, ext. 3116
<b>Course Scheduling</b>	Choosing classes, adding or dropping classes, taking classes off-campus.	Simon Fletcher ext. 3110
<b>Dance Guests</b>	Guests must get permission in advance of a dance.	Barbara Smith, ext. 3101
<b>Discipline</b>	Any violation of school expectations regarding student behavior or citizenship	Simon Fletcher, ext. 3110
<b>Independent Study</b>	If you will be absent for 5 consecutive days or more, please set-up an Independent Study Plan.	Barbara Smith, ext. 3101
<b>Naviance</b>	College planning tool, also useful for recording community service hours and for building a resume throughout one's PCS experience	Mike Lysaght, ext. 3106, or Ruth Farnum, ext.3117
<b>Parking Permit</b>	Students need to have a PCS-issued permit to park on campus	Barbara Smith, ext. 3101
<b>Peer Tutoring</b>	Available Monday through Thursday before school.	Simon Fletcher, Ext. 3110
<b>Transcripts</b>	Download a transcript request form from the school website.	Ruth Farnum ext. 3117

## **I. CITIZENSHIP**

Rules are in place to help maintain order and efficiency in the school environment. We believe that each person must take ownership of how his or her actions affect the rest of the school community. Our expectation is that all students and adults will model the following principles:

- Respect yourself
- Respect others
- Respect the place

Nearly all of the policies and rules described below flow from these principles.

### **RIGHTS OF PCS STUDENTS**

- Students have the right to feel safe at school.
- Students have the right to the best possible instruction with freedom from classroom disruptions.
- Students have the right to be treated with respect and dignity.
- Per the laws of California, and as a matter of Board-approved policy, PCS students “have the right to exercise freedom of speech and of the press, including but not limited to the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges or other insignias and the right to express opinions in official school publications. Student expression on school Internet web sites shall generally be afforded the same protections as in print media.” Certain limitations to student freedom of speech and expression exist; a complete copy of the Board policy is available in the school office.

### **EXPECTATIONS OF PCS STUDENTS**

- Students are expected to attend school every day and to be on time to class.
- Students are expected to put forward their best efforts in school by studying hard and by being prepared for all classroom activities, assignments and tests.
- Students are expected to treat each other, teachers and all others with respect and dignity at all times.
- Students are expected to be organized and to keep an updated planner.

### **CODE OF CONDUCT**

- PCS students will use good manners.
- Students will treat each other well.
- Students will always deal courteously and respectfully with each other, as well as with all staff members, volunteers, parent supervisors (green-vested) and visitors.
- Students will use polite and respectful language among themselves and with others.
- Students will remain attentive and respectful while attending assemblies or performances.
- Students will show respect for their environment.

## **OFF-CAMPUS CONDUCT**

As a PCS student, you are an ambassador for the school. Even when you are off campus, you represent the school. PCS students are expected to observe all the rules of conduct when on field trips or other school-sponsored activities, and when off-campus during the school day. With the school situated in a residential neighborhood, PCS students should take special care to be good neighbors who reflect well on the school.

## **APPROPRIATE DRESS**

PCS students are expected to come to school each day dressed appropriately. PCS is not interested in micromanaging student wardrobes, and we hope common sense prevails when students get dressed for school. Here are a few guidelines to help you:

- You must wear shoes at school; you may not go barefoot.
- Wear clothes that are not revealing or sexually suggestive, or that are otherwise defamatory, violent or condone the use of alcohol, drugs or tobacco.

In the event that you do arrive at school with inappropriate attire, you may be asked to cover up with another layer or change clothes to be allowed on campus. This can be embarrassing to all involved, so help us avoid that situation.

## **CAMPUS CLEAN-UP**

While it may seem obvious, all members of the PCS community should clean up after themselves, or someone else will have to do it.

If you make a mess, clean it up. If you see a mess, clean it up. Take pride in your school, and encourage your peers to do the same.

## **DISCRIMINATION POLICY**

It is the policy of PCS not to discriminate against any person on the basis of race, color, gender, religion, disability, national origin or any other basis protected by law in any aspect of school life including, but not limited to, admission of students, hiring of staff and use of facility. A copy of the school's 'Policy Against Sexual Harassment and Discrimination' is available from the Office.

## **SEXUAL HARASSMENT POLICY**

It is the policy of PCS to ensure an environment free from sexual harassment. Sexual harassment is defined by the Fair Employment and Housing Commission as: "Unwanted sexual advances, or visual or physical conduct of a sexual nature," and can occur between staff members, between staff and students and between students themselves. Any incident of sexual harassment should be reported immediately to the Principal, who will fully investigate the complaint and, if proven, take prompt and effective remedial action. A copy of the school's 'Policy Against Sexual Harassment and Discrimination' is available from the Office.

## **II. ACADEMICS**

### **ACADEMIC HONESTY**

As a PCS student, you are accountable for producing their own original work.

Cheating, plagiarism, fabrication or falsification of information, taking unfair advantage on assignments or exams, assisting another in academic dishonesty, and unauthorized access to computerized school records are all forms of academic dishonesty.

If you are unclear about what constitutes a reasonable level of collaboration or original work on a particular assignment, talk to your teacher prior to turning in an assignment. Teachers will do their best to clarify expectations, but it is ultimately the student's responsibility to ensure that work is completed with honesty and integrity.

Any student work that is determined to be produced dishonestly will, at minimum, receive a grade of '0'. There are serious consequences for repeated violations of the academic honesty policy, including the possibility of expulsion (see 'Discipline'). The complete policy

### **GRADUATION REQUIREMENTS**

In order to receive a high school diploma from PCS, a student must:

Earn at least 220 units (22 courses) in grades 9-12, fulfilling the following subject matter requirements:

**English** – 4 years in grades 9-12 (40 units)

Must include English 9, English 10, and at least one of: AP English Language, AP English Literature.

May include two semester-long elective English courses designated by the administration.

**Math** – 3 years (30 units)

Students graduating before 2015: Must have passed both Algebra 2 and Geometry.

Beginning with the Class of 2015: 3 years of math must be taken in grades 9-12, and student must have passed both Algebra 2 and Geometry.

**Science** – 3 years of lab science in grades 9-12 (30 units)

Must include Physics, Chemistry, and AP Biology.

**History** – 3 years in grades 9-12 (30 units)

Must include World History 9, AP World History, and AP US History.

**Foreign Language** – 3 years of same language (30 units)

May be taken in grades 7-12; or completion of level 3 of a foreign language.

**Visual and Performing Arts** – 3 years in grades 9-12 (30 units)  
No more than 10 units may be earned for Dance Studies.

**College Preparatory Electives** – 3 years in grades 9-12 (30 units)

As part of 220 units, earn at least 50 units (5 courses) of Advanced Placement coursework at PCS.

**Required** – AP World History, AP US History, AP Biology, and at least one of: AP English Language, AP English Literature.

All students must meet the community service requirement outlined in the PCS Community Service Policy: 10 hours per year in grades 7-8, and 20 hours per year in grades 9-12.

All students are required to pass the California High School Exit Exam (CAHSEE), a requirement under current law.

### **ADVANCED PLACEMENT EXAMS**

AP exams are administered at PCS over the course of the first two weeks of May. Specific dates and times are published on the PCS master calendar. Teachers work hard to ensure that students have every opportunity to prepare for these exams. We hope, therefore, that all PCS students will take the AP exams for courses in which they are enrolled. If you would like to seek a waiver of the AP course exam fee, you may contact Mr. Douglas or Mr. Fletcher.

AP exams are expensive, typically around \$85 each. However, there are some very good reasons why it might be worth the investment of your time and money to take the AP exams:

- Colleges actually do care about whether or not you take the tests. Taking the exam and doing well shows that the course itself was challenging and credible.
- Most public universities accept AP test scores for credit so you may not have to take that course in college, and you may save on tuition if that is the case.
- Taking AP exams increases eligibility for scholarships.
- Colleges often examine AP test participation when evaluating high schools.
- You are prepared to take these tests. Your teachers work hard to ensure that you have excellent preparation, and you are in a good position to do well, even if you think you might not be.

### **ATTENDANCE**

The advice may seem simple, but it works: the best way to be successful in school is to be in class every day. There is a lot of information covered every day at PCS, and nothing replaces the experience and knowledge gained in the classroom.

Being on time is also important. Tardiness is disruptive to class and generally shows a lack of respect and organization. Here are a few key points to think about in terms of school attendance:

- If you know in advance that you will be absent, let the school office know. We ask parents to call in or write a note to excuse a student's absence. Please do so on or before the day of the absence. This saves the school considerable time and effort.
- Attendance is taken in the first ten minutes of class. If you are not in the class when the bell rings, you are tardy. If you are not in the class after the first ten minutes, you will be marked as absent.
- Excessive tardies to class will earn detention.
- Legally, the only excusable reasons for absences are illness, quarantine, and religious observances or instruction.
- More than 10 unexcused absences in a semester will lead to you being withdrawn from a class.
- If you know you will be out of school for five or more days, contact the school office about setting up an Independent Study Plan (see below) in advance.
- If you are sick, stay home and communicate with friends and teachers about missed work.

### **ACADEMIC PROMOTION**

Moving from one grade to the next is based on grades and/or credits earned at each level. Below are the minimum requirements for promotion to a subsequent grade level:

- Seventh to eighth grade (pass a minimum of five classes with a C- or higher)
- Eighth to ninth grade (pass a minimum of five classes with a C- or higher)
- Freshman to Sophomore (minimum of 50 credits earned)
- Sophomore to Junior (minimum of 100 credits earned)
- Junior to Senior (minimum of 160 credits earned)
- Graduation (minimum of 220 credits earned)

### **INDEPENDENT STUDY**

Public school funding is based on student attendance. If a student is absent for five or more days, the school can receive attendance funding only by having the student on an independent study contract. This not only benefits the school, but also the students by helping them communicate with teachers about expected work to be completed during and after their absence. Independent Study Plans are often arranged in advance (for a family trip, for example); contact the school office as soon as you are aware that you will be absent for at least five days.

### **POWERSCHOOL**

PowerSchool is the computer program PCS uses to record and report grades; it is accessible by students, parents, and teachers. Each student has an individual account with a personal password. If you need to know your password, contact the school office. In addition, if you need help navigating or interpreting PowerSchool, we will be happy to help.

We encourage parents and students to review grades and progress on PowerSchool on a regular basis. Teachers are committed to keeping grades up to date, at least every two weeks. By reviewing information in PowerSchool regularly, parents and students can stay on top of class expectations and be aware of work that needs to be completed.

## **PARENT COMPLAINT POLICY**

### **Rationale behind this policy:**

While teachers and parents both strive towards what they believe is "best" for students, the different perspectives pertaining to these two positions (Teacher and Parent) sometimes seem incompatible. Pacific Collegiate School (PCS) is committed to listening and responding to parent concerns, but the school also has a commitment to its teachers. In order to facilitate the most productive results, parents are asked to follow a set of prescribed steps when bringing up a complaint about a teacher.

### **Respectful conduct is crucial:**

In any kind of disagreement, and especially those concerning children, emotions can run high. To best resolve a problem, however, it is critical that all parties conduct all communication in a rational and respectful manner, and that they follow a set of prescribed steps. Most important is that the Parent must always contact the Teacher first with respect to a student's academic performance or classroom behavior. The Principal and Department Chair may become involved later, but only after the following steps have been taken:

### **If a Parent wishes to register a concern about a student's academic performance or classroom behavior, s/he must proceed in the following order:**

Step 1: Parent contacts the Teacher by email, phone or note in faculty box. A Parent should never raise his/her concern to the teacher in the classroom or anywhere else on campus.

Step 2: Teacher replies to the Parent contact by phone or email, within two (2) business days, and either resolves the issue in a conversation or email correspondence, or schedules a meeting at school.

Step 3: Parent and Teacher meet to discuss the problem. The problem is either resolved at this stage, or the Teacher and/or Parent has the right to contact the Department Chair within seven (7) days after the Teacher response to schedule a meeting between these three parties. *Before this meeting takes place*, both Teacher and Parent will be requested to email a concise synopsis of the dispute, as each sees it, to the Department Chair. Synopses should be written as bulleted lists, not lengthy narratives. These lists will help facilitate the meeting that follows.

Step 4: Teacher and Parent meet with the Department Chair, who acts as moderator and note-taker. (If the complaint is about the Department Chair, the Parent can skip to Step 5 and meet with the Principal and/or Assistant Principal). At the discretion of the Department Chair, the Principal or Assistant Principal may be asked to sit in on this meeting, but not to participate. If the problem is still not resolved, then:

Step 5: Department Chair and/or Principal or Assistant Principal determine whether the Parent complaint constitutes grounds for action. If the Department Chair and/or Principal or Assistant Principal determine that the Parent complaint does not constitute a sufficient problem or has adequately addressed by the Teacher, the matter will be dismissed. If, however, it is determined that the complaint constitutes a legitimate problem with the Teacher's performance, appropriate action will be taken in the form of Teacher support, supervision, and/or discipline.

**Records of all disputes and complaints will be kept on file:**

It is important that parents know their concerns are being taken seriously. It is also important that teachers do not feel unjustly attacked or singled out. In order to protect both parties, a careful record of all notes taken at meetings, and all correspondence pertaining to the dispute, will be kept on file. But only if a Parent complaint ends in a personnel action will these notes be placed in the Teacher's personnel file.

**Finally:**

If the Parent is not satisfied with the determination made by the Department Chair and/or Principal, s/he has the final option of filing a formal complaint with the PCS Board of Directors (a 'Parent Complaint Form' is available in the school Office and on the school website). The Board shall refer the matter to an *ad hoc* Complaint Review Committee established by the Board. All correspondence will be passed on to the chair of that committee.

The Complaint Review Committee will investigate the matter and make written recommendations to the Board. Following Board review and action (for example, further investigation, approval, disapproval or modification of the Committee's recommendation), a copy of a written response will be given to the person(s) involved.

The Complaint Review Committee and Board will conduct their meetings in public to the extent required by applicable public meeting laws, and all involved parties may address the Committee and Board as provided in applicable public meeting laws. The parties may request additional presentation time, in the Committee and Board's discretion. The Board will note the final action or resolution in the official Board minutes.

**III. STUDENT LIFE**

**EXTRA-CURRICULAR ACTIVITIES**

Extra-curricular participation is an important way that we build and enrich the PCS school community; students are encouraged to take part. However...balancing academics with other activities is *essential*. You should carefully consider all obligations before committing to a team or club.

There are many extra-curricular opportunities available to students at PCS, including sports, clubs and productions in the performing arts (chorus, dance, drama, and music). They can change from year to year, depending on student interest and enthusiasm; for a current list of the opportunities available, check the school website.

**Eligibility**

Students who participate in extra-curricular activities at PCS must meet the following minimum eligibility requirements:

- Students must be passing all classes with a C- or better to be eligible.
- Eligibility will be determined each Quarter: If a student is ineligible, he/she will remain so until the subsequent quarter unless he/she opts for Academic Probation (see below).
- Students must be present in school at least half of their normal school day in order to participate in an extra-curricular activity that day. Thus a student taking six classes must be present for at least three, a student taking five classes must be present for at least three, etc.
- Students must be present in school on Friday (preceding the weekend) at least half of their normal school day to participate in a School extra-curricular activity that occurs on the weekend.

### **Academic Probation**

- A student deemed Ineligible may elect to apply for ‘Academic Probation’ in order to continue participating in extracurricular activities.
- Complete an ‘Academic Probation Contract’ with the teacher of the class you did not pass. Have the contract signed by your teacher, by your parents, and by Mr. Fletcher.
- Complete a ‘Weekly Progress Form,’ signed by every teacher, each week. Turn the form in to Mr. Fletcher by the end of school on Friday of each week. If the form shows you are currently passing all classes, you can then show this to your coach/advisor as your “ticket” to participate for another week.
- At the end of the Quarter you will hopefully have maintained all passing grades; if so, you will be eligible the following Quarter. You can only be on Academic Probation once per year.

### **DANCES**

Dances are organized and hosted by Student Government, with the support of school administration. In addition to being community building events, they help raise money for fun and charity. The dates of the dances will be publicized well in advance of the events. Typically, they will start at 7:00 p.m. and end at 10:00 p.m.

Students are not permitted to leave dances early unless picked up by a parent. Parents: please pick up students within 15 minutes of the end of the dance.

School dances are meant to be a social event and bonding experience for PCS students, and attending dances is a privilege. Thus, students who have a disciplinary record may not be allowed to attend. Guests may accompany PCS students if the appropriate permission form has been filled out prior to the dance. Typically, these forms are due 48 hours prior to the dance.

## **CELL PHONES & OTHER ELECTRONIC DEVICES**

Cell phones and other electronic/gaming devices are distracting and are not to be turned on during class, except with permission from the teacher. Unapproved use of devices may result in their confiscation (see ‘Discipline).

## **EMERGENCY SITUATIONS**

We want to be as prepared as possible in the event of an unforeseen emergency. When an emergency does occur, stay calm and follow the teacher’s directions. Don’t make phone calls or send text messages unless you have permission from your teacher.

Just like anything else, we get better at responding to unexpected events by practicing. The school will hold frequent drills – fire, earthquake, and lockdown – throughout the school year to practice different scenarios. We appreciate students treating these drills like the real thing so that we can test out our procedures.

*It is critical that you and your family keep your STUDENT EMERGENCY CONTACT INFORMATION CURRENT.*

## **HEALTH AND MEDICATIONS**

If you are sick, it is best to stay home rather than risk getting others sick as well. Communicate with teachers and other students about class work missed. Be sure the teacher appreciates your situation; be sure you understand the teacher’s policies on the submission of late work.

If you feel sick while in school, let your teacher know and go to the Office. You can call your parents and decide if you need to go home or rest at school for a while. Please note that there is no nurse at PCS.

### **Extended Absence**

If a student is absent for more than 3 consecutive days for illness, a doctor’s note is required for the absence to be excused.

### **Medication**

We cannot give medication to students without parent permission. All medication (both prescription/non-prescription) must be sent to school with written instructions and permission from a parent. Prescription drugs must be left in the original containers. All prescription/non-prescription medication must be left in the Office.

## **LUNCH**

There is no cafeteria at PCS; students are encouraged to bring lunches from home. While the school cannot guarantee that food will be offered every day, there are typically several different food services during the week that will provide lunches for a charge; a number of school groups will also sell lunch food as part of their fundraising efforts during the year. All of these options will vary from year to year, and sometimes even from month to month, but information about options and pre-ordering is always available in the office, on the school website, and in the daily announcement emails.

## **OFF CAMPUS PRIVILEGES**

Students in Grades 9-12 are allowed to leave campus for lunch or to attend a PCS-approved off-campus class. Students in Grade 7-8 must remain on campus during school hours.

Be responsible with this privilege. We expect all students to:

- Be on time to class after lunch
- Be positive ambassadors for PCS in the surrounding neighborhood and when patronizing local businesses.
- Remember that all rules that apply on campus also apply off-campus.
- Respect the “9<sup>th</sup>-12<sup>th</sup> grade only” off-campus rule.

Off-campus privileges can be taken away if they are abused. NOTE: Typically, students in Grades 7-8 who are found to have left campus without permission lose at least one semester of the privilege starting in Grade 9.

## **TRANSPORTATION**

There is no school bus service, but public bus stops are located close to the school. We have limited parking space for students. If you plan to park your car at school, you must first apply for a parking permit. Student parking is in the designated student lot only.

To minimize traffic problems, we encourage students to carpool whenever possible. We maintain a cooperative carpool resource at the school office; it is available for families to arrange their own carpools.

If you walk or ride your bike, please be sure to observe all traffic laws. Students riding bikes must wear bike helmets, as required by law. For safety reasons use of skateboards, scooters, roller blades, and bicycles is not permitted on campus.

## **VISITORS**

All visitors to the school, including parents who are at school to perform volunteer service, must sign in at the front office and obtain a Visitor's Pass.

In general, non-PCS students should not be on campus during school hours. Designated days are set aside each year for students to observe classes for the purpose of deciding if PCS is a good fit for them. Mr. Douglas or Mr. Fletcher may approve other visits if a request is made in advance.

## IV. STUDENT SUPPORT

<u>Component</u>	<u>Why Needed?</u>	<u>Looks Like...</u>	<u>Results</u>	<u>Contact</u>
Counseling	Academic and/or social needs, past counseling history, teacher and/or parent request	Counseling – individual or group; academic support, mentoring, possible outside referral	Student success	Simon Fletcher
Student Support Team	Students are at risk academically or behaviorally	Discussion of academic and behavioral progress, identification and intervention, e.g., peer tutoring or counseling referral	Increased home-to-school communication, academic or behavioral contract	Simon Fletcher
Academic Base Camp	Need for academic support in English or math prior to entering Grade 7	Based on assessments administered during the prior spring, incoming students receive preparatory English and math instruction two weeks before school begins	Increased chance of student success	Simon Fletcher
Monthly Grade Level Meetings	Identification of students at risk, academically or socially	Staff uses grade level meetings to identify and share concerns about students	Academic tutoring or counseling, communication home, referrals to peer tutoring or counseling	Simon Fletcher or Student's Advisor
SARB	Students are truant	Review of attendance records, family situation, grades	Phone calls letters home, use of County Office SARB process	County Office of Education
Study Hall	Students want study time during regularly scheduled school hours	Self-selecting students bring own work and resources to the designated area	Study with adult supervision	Simon Fletcher or Study Hall Coordinator
Section 504 Accommodations	Certain students are identified as needing accommodations to participate successfully in the general education setting	Asst Principal meets with parents & staff to inform stakeholders of their responsibilities; reviewed annually	Students are provided accommodations; teachers implement appropriate instructional strategies	Simon Fletcher (Grades 9-12) Cheryl Samios (Grade 7 & 8)
Peer Tutoring	Students are at risk academically	A struggling student is paired with a peer mentor for help with homework and concept acquisition	Students create and agree upon a schedule for tutoring and support (overlaps with After-School Study Hall)	Simon Fletcher Jamal Hunt

Revised, 6/11

<b><u>Component</u></b>	<b><u>Why Needed?</u></b>	<b><u>Looks Like...</u></b>	<b><u>Results</u></b>	<b><u>Contact</u></b>
Organizational Support for All Students	Students need access to class assignments	PCS provides various means of tracking assignments, e.g., course syllabi, online calendars, student planners, listings in all classrooms, PowerSchool updates	Students learn organizational skills	All faculty and staff
After-School Study Hall	Students need time to complete assignments	Self-selecting students bring own work and resources to designated area after regularly-scheduled school hours (3:00-4:30 p.m.)	Study period with adult support available (overlaps with Peer Tutoring)	Simon Fletcher Jamal Hunt
WEB (Where Everyone Belongs)	Incoming Grade 7 students are new to the school	PCS supports new students in Grade 7 & 8 in August and January by training high school students as positive role-models, leaders, motivators, and teachers who guide newcomers to discover what it takes to be successful at PCS	Students feel safe and welcomed at PCS	Emily Bolton Cheryl Samios
Special Education Services	After through assessment, students have qualified for Special Education and require intensive specialized academic instruction	Students receive instruction and support during regular school hours from Resource Specialist, based on terms of student's Individual Education Plan (IEP); regular review	Students may test out of Special Education and/or graduate from PCS	Katie Merchant, Ed.D. (Special Education Coordinator/Psychologist) Joan Duafala (Resource Specialist) Classroom Teachers
English Language Learners	Students are non-fluent English speakers; English is not spoken at home	CELD (the California English Language Development Test) is administered to gauge level of EL services required; ILP's are written and implemented	Students test out of ELD and are placed in all English classes	Joan Duafala
Youth Services	Students are at risk socially, are substance abusers, or are in need of mentorship	Family situation, history of negative behaviors, actions	Referrals for counseling, parent guidance, outside agencies	Simon Fletcher (Grades 9-12) Cheryl Samios (Grade 7 & 8)
Study Skills & Technology Class	Grade 7 students need support in developing study skills	Additional support throughout the school year via a regularly-scheduled Grade 7 class	Continued Academic support leading to academic independence	Simon Fletcher Chris Nestlerode Grade 7 Teachers
Academic Support	Students need emotional and social support, organizational and planning skills	Individual meetings held to review PowerSchool, work on skills, and social/emotional support is offered	Student success	Simon Fletcher (Grades 9-12) Cheryl Samios (Grade 7 & 8) Student's Advisor Classroom Teachers

Revised, 6/11

## **V. DISCIPLINE**

### **A. STANDARD PROCEDURES**

It is our goal at PCS to work with students in a cooperative way to correct behaviors that are harmful to themselves or to the community.

If a teacher or other adult at the school engages a student regarding a behavioral matter and the two parties are unable to resolve the problem on their own, the student will be referred to the Assistant Principal and a parent/student consultation may occur. At this meeting, problem solving, administration of consequences, or more long-term counseling may be recommended. Consequences will generally be related to the action, and can include detention, restitution, and counseling. If the actions present a danger to other students or a major disruption to the school environment, a suspension may be warranted. In extreme cases, expulsion is also a possibility. (See 'Suspension and Expulsion,' below.)

Below are examples of behaviors that are inappropriate and may lead to disciplinary action. This is not an exclusive list of all behavior that may lead to discipline.

### **ACADEMIC DISHONESTY**

In general, consequences will be as follows. Depending on the severity of the offense, increased sanctions may be warranted.

- 1) First offense: 0 on the assignment, student/teacher/administrator communication in which the parent or guardian will be expected to participate. Incident recorded in student disciplinary records.
- 2) Second offense: Student Study Team, or like committee formed after an SST pattern, convenes and advises the Principal and parents of consequences from among the following: potential withdraw/F from the course, potential withholding of academic honors or awards, potential withholding of recommendations. Team may seek other expert advice they feel may be valuable. Incident recorded in student disciplinary records.
- 3) Subsequent offenses: Increased sanctions from second offense category; potential expulsion.

### **ALCOHOL/DRUGS**

Students may not possess, use, or be under the influence of any controlled substance, tobacco, alcoholic beverage or intoxicant. Students may not possess any drug paraphernalia on campus.

### **AMOROUS BEHAVIOR**

The administration, students, and staff have the responsibility to maintain a school environment in which everyone feels comfortable. What may be appropriate for older students may not be for younger students. Be mindful of this in your public and private behavior.

## **CELL PHONES & ELECTRONIC DEVICES**

Cell phones and other electronic devices are not to be on during class without a teacher's permission. Confiscated equipment will be returned at the end of the day for the 1<sup>st</sup> offense, and only to a parent thereafter.

## **COMPUTER HACKING**

Students are prohibited from unauthorized access to computerized academic or administrative records or systems.

## **CUTTING CLASSES**

Missing all or part of a class without a valid excuse is considered a cut.

## **DEFIANCE**

Students shall not disrupt school activities or otherwise defy the authority of supervisors, teachers or administrators. Students shall not act in any unruly or disruptive manner or in any manner that may endanger other students. Students must give their names when asked by a staff member or campus supervisor. Failure to do so will be seen as defiance.

## **FIGHTING**

Students shall not cause, intend to cause or threaten to cause injury to another person. Depending on the severity, even on the first offense, students may be referred to a law enforcement agency and be recommended for expulsion.

## **FORGERY**

Students may not reproduce a parent's or another person's signature on school documents, including class work or projects.

## **GAMBLING**

Students may not gamble for money or property at school.

## **GRAFFITI**

Graffiti is not permitted on campus property or the property of others.

## **HARASSMENT (Sexual, Hazing)**

Students shall not haze, sexually harass or commit any act that degrades or discredits students and/or staff. Keep in mind that it is the victim's perception of harassment that matters, not what the harasser had intended. Hazing includes degrading underclassmen or other groups at any rally, assembly or gathering. Depending on the severity, students may be referred to a law enforcement agency and recommended for expulsion. (See 'Citizenship' for further information about sexual harassment.)

### **INSULT/HATE MOTIVATED BEHAVIOR**

Students may not make damaging or offensive remarks to others. Do not put down others. This includes hate-motivated behaviors dealing with issues of ethnicity, national origin, immigrant status, religious belief, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic. Depending on severity, students may be referred to a law enforcement agency.

### **LEWD BEHAVIOR**

Students may not engage in obscene or indecent acts or possess pornography. Depending on the severity, students may be referred to a law enforcement agency and recommended for expulsion.

### **LOITERING**

Students may not “hang out” on campus during school hours. Students not in class will be asked to return to class or be in student approved areas.

### **PROFANITY**

Students are not to speak or write in a profane way or behave in a vulgar manner.

### **PROHIBITED ITEMS**

Prohibited items include but are not limited to: firecrackers, pets, squirt guns and water balloons, or any item that may cause a disruption to the learning process or endanger others. Depending on the severity of the violation, a student may be recommended for expulsion.

### **SKATEBOARDS, ROLLER BLADES, BICYCLES**

For safety reasons, skateboards, scooters, roller blades, bicycles and similar wheeled devices may not be ridden on campus. Confiscated items will be returned at the end of the day on a 1st offence and only to a parent thereafter.

### **SPITTING AND/OR LITTERING**

Students are not to spit on or litter the campus.

### **TOBACCO**

Students may not possess or use tobacco on school property, or at the bus stop or school area that immediately surrounds the campus.

### **TRUANCY**

Students who cut four (4) hours of class time are truant and may be given In-House Suspension, may be dropped from class(es) and may be referred to the School Attendance Review Board (SARB).

### **VANDALISM/THEFT**

Students may not damage or steal school property or another person’s property. Depending on the severity, students may be suspended for five days on the first offense, referred to a law enforcement agency and recommended for expulsion.

## ***B. MAJOR OFFENSES***

The following actions are so severe that they will result in an immediate five-day suspension and recommendation for expulsion and may be reported to law enforcement:

### **ARSON**

Students may not set fire to any personal or school property on campus.

### **DANGEROUS OBJECTS**

Students may not possess any firearm, explosive or other similar dangerous objects on campus. Knives, including switchblades, knives with blades that lock, and razors, are prohibited.

### **DRUGS (Sales)**

Students may not arrange or negotiate to sell, buy or otherwise furnish any controlled substance, alcoholic beverage or intoxicant of any kind on campus.

### **EXTORTION**

Students may not coerce others in the PCS community through threats or intimidation to obtain property or money or to otherwise gain advantage.

## ***C. SUSPENSION AND EXPULSION***

*The following statement of policies and procedures regarding suspension and expulsion has been approved by the PCS Board of Directors and is required to be included in this document, per the school's 2011 'Memorandum of Understanding' with the Santa Cruz County Office of Education.*

This Pupil Suspension and Expulsion Policy and procedures are established to promote learning and protect the safety and well being of all students at Pacific Collegiate School. This PCS policy may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. PCS staff shall enforce disciplinary rules and procedures fairly and consistently among all students. The Principal or their designee (historically, the Vice Principal) serves as the administrator over disciplinary procedures and process.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion. *Suspension* means removal of a student from ongoing instruction for adjustment purposes. The Vice Principal may suspend a student from school for not more than ten consecutive school days unless the suspension is extended pending expulsion. *Expulsion* means removal of a student from the immediate supervision and control, or the general supervision, of school personnel.

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. PCS may use discretion to provide alternatives to suspension or expulsion for a student subject to discipline.

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

### **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 anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

### **B. Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 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.
- g) Stole or attempted to steal school property or private property.

- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no

intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated 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 student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal's designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal's designee's concurrence.

3. Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold 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.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.

- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated 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 student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal's designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal's designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm 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 dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

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

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

### **C. Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

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

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

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

#### **2. Notice to Parents/Guardians**

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

#### **3. Suspension Time Limits/Recommendation for Expulsion**

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Principal’s designee, the pupil and the pupil’s guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This

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

#### **D. Authority to Expel**

A student may be expelled either by the PCS Board following a hearing before it or by PCS Board vote upon the recommendation of an Administrative Panel to be appointed by the Board as needed. The Administrative Panel should consist of at least three members who are neither a teacher of the pupil or a Board member of the PCS's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

#### **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 twenty (20) school days after the Principal's designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the PCS Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

- 1) The date and place of the hearing;
- 2) A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- 3) A copy of PCS's disciplinary rules which relate to the alleged violation;
- 4) Notification of the student's or parent/guardian's obligation to provide information about the student's status at PCS to any other school district or school to which the student seeks enrollment;
- 5) The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
- 6) The right to inspect and obtain copies of all documents to be used at the hearing;
- 7) The opportunity to confront and question all witnesses who testify at the hearing;
- 8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

Whenever any allegation of sexual assault or sexual battery is made, the Principal's designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone/text contact with each other during the time when an expulsion process is pending.

Due to the sensitive and confidential nature of Sexual Assault or Battery Offenses, these expulsion hearings shall be heard by an Administrative Panel outlined above. The Administrative Panel 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 Administrative Panel. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Administrative Panel must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the Administrative Panel, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The Administrative Panel may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Administrative Panel may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The Administrative Panel may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. The testimony of the support person who is also a witness shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

8. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

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

### **G. Record of Hearing**

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

### **H. Presentation of Evidence & Decision**

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

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

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

The Decision of the Board is final.

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

### **I. Written Notice to Expel**

The Principal's designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and 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 PCS.

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

### **J. Disciplinary Records**

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

### **K. No Right to Appeal**

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

### **L. Expelled Pupils/Alternative Education**

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. PCS 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. Additionally, PCS will notify the Santa Cruz County Office of Education of any student who is expelled to request evaluation of education alternatives for said students consistent with the Santa Cruz County Plan for Education Expelled Students which was updated June of 2009. Said plan is designed to insure that educational services are provided to all expelled pupils in Santa Cruz County and expands educational alternatives to expelled students. PCS will immediately forward to the SCCOE student's expulsion paperwork, transcript or current class enrollment, as well as other requested documentation.

## **M. Rehabilitation Plans**

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

## **N. Readmission**

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or PCS shall be in the sole discretion of the Board following a meeting with the Principal or the Principal's designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal or the Principal's designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon PCS's capacity at the time the student seeks readmission.

## **O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities**

### **1. Notification of SELPA**

PCS shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who PCS or 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, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, 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, PCS, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that PCS 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 and PCS agree to a change of placement as part of the modification of the behavioral intervention plan.

If PCS, the parent, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then PCS 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 of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or PCS 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 Procedure and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or PCS, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and PCS agree otherwise.

#### 5. Special Circumstances

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

The Principal's designee may remove a student to an interim alternative educational setting for not more than forty-five (45) 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 USC 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 USC 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 IDEIA and who has violated PCS's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if PCS had knowledge that the student was disabled before the behavior occurred.

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

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

If PCS 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 IDEIA-eligible children with disabilities, including the right to stay-put.

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

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

### **P. Notice of Regulations**

At the beginning of each school year, PCS shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion. A copy of this policy is available at the school's administrative office.