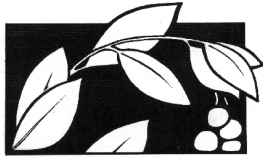




Manzanita Charter Middle School

Student/Family Handbook 2021-2022

461 33rd Street
Richmond, CA 94804
510-222-3500 office
www.manzy.org



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1. Introduction

a. Our Mission

Vision Statement

Manzanita Charter Middle School prepares students academically and socially to be well-rounded individuals who contribute positively to themselves, their families, the community, and our world.

Mission Statement

Manzanita Charter Middle School places a strong emphasis on an academic curriculum, taught within a secure and safe community in which all students belong and feel that they are "part of a family".

b. Our Philosophy

We foster an environment of respect, caring and a commitment to academic and creative excellence. We create a secure environment for our students, based upon self-esteem, self-respect and upon concern and respect for others. Students freely learn when encouraged to explore and take risks and are involved in creative and critical thinking processes. At a time when many children are coping with feelings of being different or left out, we actively work as a community on personal, interpersonal, and social problems and situations.

Adolescence presents a critical time of academic growth and transition that forms the basis for a successful high school and post-secondary experience. We seek to provide our students with critical thinking skills as well as an in-depth knowledge of a meaningful core academic curriculum that meets or exceeds the state outcome guidelines for the sixth, seventh and eighth grades. We also seek to provide our students with the personal and social skills necessary for cooperative work, and the social commitment and responsibility required in becoming contributing members of a diverse and democratic society. Finally, we provide each student with an emotional and psychologically secure environment that fosters their curiosity and enthusiasm for learning.

We recognize that students learn in different ways and that an effective academic program must recognize and respond to these differences.

2. General Information

a. A Cooperative Charter

i. What is a Charter School?

A charter school is a public school that is self-governing and is organized by parents, teachers and other community members who prefer to provide alternatives to the current public school programs and practices. The California Department of Education now encourages charter school development as a means of supporting progressive educational approaches. Each charter school is bound by a charter written by its developers and approved by a local school board. Charter schools receive the same amount of money per student from the State of California that other schools in the local school district receive and do not charge tuition.

ii. What Makes Manzanita Charter Middle School Unique?

Manzanita is a small middle school with a strong commitment to excellence in academics and the arts taught within a secure and nurturing community. We also focus on the developmental and social needs of adolescents. Manzanita is a family cooperative.

iii. What is a Family Cooperative?

A family cooperative is based on the idea that parents and guardians play a key role in the education, safety and supervision of their children. A family cooperative school is a school in which the parents and teachers work together to create and maintain the school and are directly responsible for its operation. The benefits for the children involve tangible evidence of parental / family support, frequent contact with other adult role models, greater opportunities for feedback, more potential help in the classroom, and an increased opportunity for all students' learning styles to be addressed. Students are more likely to feel nurtured and to feel part of a community. Because parents do the maintenance and janitorial work, field trip driving and some of the administrative work, the school can use money traditionally spent on these expenses to enhance classroom resources. Parents bring a wide array of expertise to each classroom, allowing for opportunities to share skills and further enhance the academic program.

Manzanita Charter is looking for students whose families see themselves as active and important participants in their children's learning.

iv. What is Parent Involvement?

Parents play a vital role in the ongoing success of our school. Studies have shown that parent involvement in the school is a decisive factor in the child's school success. There are many avenues of parent involvement: participation in the classroom, student supervision (before school, after school, and at lunchtime) simple maintenance and cleaning of the school, clubs, field trips, sports.

b. Our Campus

Manzanita Charter is a closed campus and our gates will remain locked during school hours. Students should arrive at school **no earlier than 30 minutes before school begins**, and should be picked up within 30 minutes of the time school lets out. No student should remain on campus after this 30 minute period, unless participating in a Manzanita Charter Middle School sanctioned after school program, study hall, or under the direct supervision of a teacher or other staff person.

Students may not leave campus during the course of the school day, unless a parent, guardian, or other authorized adult picks them up and signs them out in the office, or unless school staff are instructed to allow the student to leave with an authorized adult. Students who leave campus during the school day without permission will be considered truant and are subject to suspension.

Students from other schools are not allowed on campus during the school day, except for prospective students visiting by prior arrangement or students who have received prior permission from a member of the office staff and have a teacher sponsor. Most events on campus are also closed to students from other schools, except for membership social events and school performances. In such cases siblings and other family members are welcome. City ordinances forbid loitering near public schools. This means no outsiders are allowed on or around the campus during the school day while students are present.

Please be aware that minimum days require an early pick-up.

c. General Guidelines

i. Behavior

Manzanita Charter Middle School students are expected to treat all members of the Manzanita Community (other students, teachers, staff, family members volunteering on campus, etc.) with respect. Students are expected to follow the teacher's guidelines for classroom behavior, and adhere to the agreements they made when signing the Student Agreement.

Students are expected to attend class daily, perform assigned tasks during class, complete and turn in homework assignments in a timely manner, follow classroom rules, participate fully in class, and be inquisitive. In addition, all students are required to bring to class everyday all necessary materials; i.e. binders, college-ruled lined paper, pen, pencil, and PE t-shirt.

For more information regarding behavior, please see the section titled Discipline Policies.

ii. Absences

Manzanita Charter Middle School's income primarily consists of state funding based on average daily attendance. If a student is absent, the school does not receive funds for that student for that day. Therefore, to ensure the financial health of the school, students should not miss class for reasons other than illness or unavoidable family business. Refer to Truancy, Attendance, Tardy, and Independent Study Policies.

The Manzanita office must be notified in writing or by telephone of all excused absences due to illness or other family reasons. If notification is not received, the absence will be counted as unexcused. If no medical notification is received, the absence will be counted as non-medical. Please see Independent Study for exceptions.

iii. Grading

Grades will be determined based on a combination of class work, participation, homework, and assignments. Grades are assigned in all classes and grade point averages are figured on a 4 point scale: A=4, B=3, C=2, D=1 and F=0. A student must receive a 3.5 cumulative average to be eligible for honor cords at graduation.

iv. Report Cards

Report cards will be issued quarterly and sent home with students. Please remember to always keep us up to date with your mailing address. Report cards and transcripts will not be provided to families of students who do not return school property in good condition, do not pay to replace lost or damaged school property or have other outstanding fines.

v. Parent/Teacher Conferences

Conferences will be held in October and March. Participation in conferences is encouraged. Additionally, parents and guardians wishing to discuss student progress or other matters may make appointments to speak with teachers throughout the academic year.

vi. Retention

A student who has not met the promotion or graduation requirements and for whom intervention has not been successful will be retained for an entire year unless the student has been recommended an assignment to the next grade by the teachers or administrator.

vii. Tobacco-Free School

Manzanita adheres to California Department of Education's Board Policy (BP) 1330 and Administrative Regulation (AR) 1330 to be a tobacco-free school. New families and students are made aware of Manzanita's Tobacco-Free policy at our annual Orientation event. New teachers and staff members are made aware of the policy when they receive the personnel handbook.

d. Communication Guidelines

Please note that our Charter and our By-Laws are documents that describe the rights of member families and the governance of the school in detail. These documents are public and are available for you in our office and on our website: www.manzy.org.

As a small, volunteer driven school we are not able to always mail announcements home. This means that we rely on families to take the responsibility to stay informed of school happenings and events.

Our school bulletin board, located outside the school office, will always be updated with the latest information possible. We also distribute information at membership meetings, on our website, and through Power School. Other methods of communicating with families include some mailings, and sending messages home with students. We have also implemented a school-wide announcement system called One Call Now. Important messages will be sent to you via a recorded message on your home or cell phone. Teachers can be reached through the school website, www.manzy.org.

The following guidelines are intended to help direct families to the most appropriate person for various questions or issues that may arise. Please note that while the individuals in the positions noted below will be able to discuss and assist you with many issues, other matters may require discussion and/or decision making by the Board of Directors and/or the membership.

Because we are a cooperative charter school, there are many issues for which no one person is empowered to make unilateral decisions, including the Principal. For this reason, please plan ahead as much as possible to allow time for adequate discussion and review of topics when necessary. Remember, the Board meetings are once a month and membership meetings are only twice a year. (Example: If it involves spending money, chances are that it will require discussion at Board and/or membership meetings.)

- 1) All events to be held at the school must be cleared with school office staff. This is to avoid overcrowded schedules and/or conflicting events.
- 2) If you would like to present information or have a topic discussed on the agenda of the Board and/or membership meetings, please contact the Board Secretary by phone, email, or by leaving a message in the in-box in the school office. You may also fill out an Agenda Item Request Form, available in the school office or on the Staff & Board page of the website.
- 3) If you have an idea for a fundraising event, please contact the Fiscal Manager. This is important even if you are fundraising for something such as an after school program. We want to try to avoid duplication of efforts or events by making the Fiscal Manager aware of all fundraising activities.
- 4) If you have questions or concerns regarding participation or volunteering, contact the office.
- 5) If you have a question or concern about an academic or classroom topic, such as grading or discipline, please make an appointment to meet with the teacher in person. (This can be set up through a phone call or e-mail sent to the teacher.) Once you've spoken first to the teacher involved, and you are not satisfied, you may make an appointment with the Principal to help with a solution. If a solution is not attained, it may be necessary to bring your concern to the Board (which meets monthly). Please note that the Board can make recommendations to teachers regarding grading and discipline decisions but cannot override a teacher's decision. Only a teacher can change a grade or revise a disciplinary decision.
- 6) If in doubt, call the Board member that seems right, and if that is not the correct person, we will help you get to the right person.

Names and contact information for each of the current Board Members are distributed in the fall and are available in the school office.

3. Rules, Regulations and Procedures

Once a student enrolls in Manzanita, both the student and their parents or guardians agree to conform to school procedures and to comply with school rules. Respect for rules, regulations, and procedures greatly enhance the educational atmosphere at school and reflect positively on the entire Manzanita community. Even more importantly, respect for one another, cultural sensitivity, and understanding are essential elements in our school community.

Manzanita rules and regulations are applicable and in effect at all times on campus, during school-sponsored events, off campus and in the immediate vicinity of the school.

School staff and parent volunteers are authorized to question any student concerning their behavior while the student is under school supervision. All property in school, including items brought onto school campus by students or others, is subject to search by school officials if there are reasonable grounds.

a. Behavior Policies

Individual classroom management will vary from teacher to teacher. Each teacher will make their rules, policies, and consequences clear to the students at the beginning of the school year. All teachers manage their classrooms by focusing on positive behaviors rather than on negative ones. However, teachers will individually discipline a student for inappropriate activities in the classroom ranging from being off task during an assignment to disrupting the classroom.

School-wide policies include a restriction on the chewing of gum (not permitted at any time), and the use of cell phones (no cell phones permitted at any time in a classroom, wi-fi will be provided to students but restricted to school issued chrome books without permission. Parents/guardians and school staff are requested to honor these same guidelines while on campus.

Minor offenses will be handled on the day that they occur. Consequences may include: apologizing to the class, missing break time, missing all or part of lunchtime, being sent out of the room temporarily, or serving after-school detention. Teachers will not publicly humiliate students in front of their peers and prefer to deal with discipline in a quiet, private way. All teachers will follow the Manzanita Discipline Procedures to ensure consistency. Disciplinary issues that are recurrent are also discussed in staff meetings to determine an integrated approach to addressing the matter.

b. Disciplinary Measures

It is important that students understand the positive results of proper behavior as well as the consequences of improper behavior. In the case of improper behavior, one or more of the following will be applied depending on the individual circumstances and according to the severity of the offense. Alternative, restorative, instructional and reflective components.

- Yellow (Warning) Slip will be given to the student. Parents will be notified verbally.
- Pink Slip will be given to student. Parents will be notified verbally. A copy will be placed in the student's file regarding the infraction. 3 yellow slips per week = detention on Wednesdays
- Lunch/After school detention
- Parent conference
- Behavioral contract
- In-school suspension: student is isolated in school, kept out of class, must do work and will receive credit for work done.
- Out-of-school suspension: student is at home, must do work and will receive credit for work done.

- Ineligibility to participate in field trips, and other activities on or off campus
- Recommendation of expulsion to Board

Manzanita reserves the right to include disciplinary information when requested along with official school transcripts.

c. Attendance Policy

Students learn best when they arrive on time and are ready to participate in their own education. Therefore at Manzanita, full and on-time attendance is required. The school aims for a 100% attendance rate for every student. Excused absences include family emergencies, doctors' visits, and sickness.

i. Late Arrivals

Any student arriving at school during the first 15 minutes of school must come directly to the office before going to class with a note or call from the parent/guardian explaining the lateness. If there is no note, the tardy will be counted as unexcused.

Any student arriving after school has been in session for 15 minutes must be physically signed-in at the office by a parent/guardian. If a student is dropped off by a parent/guardian and not signed in, office staff will call home to verify the reason for the student's lateness and remind the family of the policy. Office staff will then sign the student in and give him or her a pass to class denoting an unexcused tardy.

ii. Students Leaving During the Day

Manzanita is a closed campus. This means that once students have arrived at school, they are not allowed to leave without a parent/guardian until the end of the school day.

When a student leaves campus, the parent/guardian taking the student will sign the student out on the bottom of the *List of Absent Students/Sign-In/Sign-Out* sheet. Office staff will then go to the classroom to get the student. No student may leave campus without being signed out.

Note: In case of emergency, office staff will refer to the *List of Absent Students Sign-In/Sign-Out sheet* in addition to the master copy of the attendance sheets to assess who is currently on campus.

iii. Illness at School

If a student becomes too ill to remain in class, they must obtain a pass from the teacher and report to the office. The student will be sent home after the school has contacted a parent, guardian or an adult listed on the emergency form. Students are not to use their cell phones to call home. All accidents or injuries should be reported immediately to the office.

iv. Contagious Disease

If during the course of the year a student develops any contagious disease or condition, notify the school office immediately so that precautions can be taken and appropriate notifications sent home. If any student is suffering from a common cold or the flu, parents/guardians should keep the child at home as to not spread the contagious disease throughout the school. The front office should be called or emailed to report that the student will not be at school.

v. Independent Study Policy

Occasionally a family anticipates a period of extended student absence due to an unavoidable family trip or a planned medical event. Any student expecting to be absent from school more than 5 days is requested to arrange for an Independent Study Contract before leaving campus. The work listed on the contract will be completed while they are off campus. Completing an Independent Study Contract will ensure that:

- The student stays up to date academically

- The school is able to earn essential attendance funds

Families are asked to complete an Independent Study Contract Request Form (available in the school office and on the school website) 7 days before the period of absence begins. This provides Manzanita teachers and staff adequate time to prepare the best contract for the student.

If all of the work assigned on the contract is completed within the designated timeline, the student will receive full attendance credit for the time off campus and will not incur any additional non-medical absences. If the student fails to complete more than 3 assignments, the school will conduct an evaluation to determine whether it is in the student's best interest to participate in Independent Study. Evaluation findings will be kept in the student's permanent record.

d. Tardy Policy

If a student is repeatedly tardy to school, the school reserves the right to notify authorities, issue consequences (including fines), and all other action as delineated under California Law. Students are expected to be on time to every class. If a student fails to arrive to class on time three times, they will be required to serve a lunch detention.

e. Truancy Policy

i. Definition of a Truant

According to the California Department of Education, **a child is truant each time they miss 30 minutes three times in one year with no excuse.** A student can be classified as a truant several times in a year. If a child has been truant three times and the school has attempted to hold a meeting with both the parent/guardians and the student, the student can be classified as a habitual truant. A student who is habitually truant, has irregular attendance or is habitually insubordinate or disorderly can be referred to the State Attendance Review Board (SARB), county probation department or a probation officer to create the guidance needed to keep the student out of the juvenile justice system.

ii. Manzanita's Truancy Policy

At the first instance of truancy, we will contact the family by phone or mail, and provide information about the student's attendance history, plus a copy of the education code.

If truancy occurs a second time, we will arrange a time to meet with the student, parents, and a minimum of two teachers plus the Executive Director to discuss a solution to the problem. Possible solutions include mandatory community service, or other consequences to be agreed upon by the parents and school staff. These agreements will be drawn up, and signed by all parties.

If truancy occurs a third time we will follow the notification procedures outlined in the education code, and ask the parent to come to school for a full day with the student.

Possible further steps in the process may include the parent/guardians being asked to come in to speak with the Board. A copy of the education code is available at the school office.

iii. Truancy Penalties

The following truancy penalties are allowable by the California Department of Education:

Student:

- 1st time: Personally given written warning by peace officer - copy kept in file for 2 years and forwarded with records, copy kept by PD if applicable
- 2nd time: Assigned to an after school or weekend study program
- 3rd time: Classified as habitual truant, referred to review board (SARB) or truancy mediation program

4th time: juvenile court may make the student a ward of the court, and as such the student may need to:

- complete court-approved work at a non-profit for 20-40 hrs within 90 days(outside school time)
- payment of fine of up to \$100 (possibly liable with parent)
- attend truancy prevention program
- suspension of driving privileges (only for students who have attended a SARB program)

Parent:

1st conviction: Fine of up to \$100

2nd conviction: Fine of up to \$250

3rd conviction and on: If willfully refused to comply, fine of up to \$500 in lieu of fines, court may order parent to be placed in an education and counseling program.

f. Behavior Slips

In situations where student behavior is disrespectful to self, others or to the school environment, students will be asked to complete a Yellow Slip. If a student fills out three Yellow Slips in one week, they will complete a lunchtime detention. If a student does not make a sincere effort on the reflective questions on the Yellow Slip, they will receive a detention.

For more serious or repeated offenses, the student and teacher will fill out a Pink Slip describing the event and consequences. The teacher will call home regarding the behavior that resulted in the Pink Slip. Repeated problems with discipline will result in a request for a meeting between a parent and one or more teachers. If a student receives three Pink Slips, the student will be suspended.

A student may receive a Pink Slip for the following infractions, falling into the categories of disrespect of self, disrespect of other, and disrespect of the environment:

- Inappropriate language
- Disruptive behavior
- Being off task
- Talking out of turn
- Eating/Drinking anywhere on campus outside of the gym (except for water or any nutrition that is medically required)
- Bad Interaction with peer
- Failure to follow class/school rules
- Out of seat without permission
- Acting disrespectfully
- Playing in class
- Academic dishonesty or plagiarism

g. Suspension/Expulsion

The following information has been excerpted from Element J of the Manzanita Charter document, available at www.manzy.org.

i. Suspension

Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion. Students who come to school during the term of their suspension or expulsion may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, Manzanita shall consider suspension from school only when other means of correction have not been successful or where the student's presence would constitute a danger to persons or property or seriously disrupt the educational process.

ii. Authority to Suspend

1. A teacher may suspend a student only from the classroom for the day of the suspension plus the following school day.
2. The Executive Director or designee may extend a student's suspension pending final decision by the Manzanita Board of Directors on a recommendation for expulsion.
3. A student with an IEP being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Manzanita Board of Directors on a recommendation for expulsion.

iii. Jurisdiction

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to a Manzanita school activity, 2) occurs at a Manzanita, 3) occurs at a Manzanita school's sponsored event or 4) occurs between any of the above and home (door-to-door)

iv. Suspension Alternatives

The Executive Director may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and anger management programs for students subject to suspension or expulsion. An additional alternative may be community service on school grounds or, with written permission of the parent or guardian, off school grounds during the student's non-school hours. [Education Code 48900.6]

v. Grounds for Suspension and Expulsion

The following offenses constitute grounds for suspension and expulsion:

- a. Caused, attempted to cause, or threatened to cause physical injury to another person or (2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the student had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Executive Director or the designee of the Executive Director.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- 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, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a student of their own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- k. Knowingly received stolen school property or private property.

- l. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m. Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243-4 of the Penal Code.
- n. Harassed, threatened, or intimidated a student who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that student from being a witness or retaliating against that student for being a witness, or both.
- o. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre initiation 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 subdivision, "hazing" does not include athletic events or school-sanctioned events.
- q. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - 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 as defined in Section 48900.2, 48900.3, or 48900-4, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - A. Placing a reasonable student or students in fear of harm to that student's or those students' person or property.
 - B. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - C. Causing a reasonable student to experience substantial interference with their academic performance.
 - D. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - 2. "Electronic act" means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - A. A message, text, sound, or image.
 - B. A post on a social network Internet website including, but not limited to:
 - i. Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
 - ii. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in paragraph (1).
 - (1) "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.
 - (2) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "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. Notwithstanding paragraph (1) and subparagraph (A), 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.
 4. "Reasonable student" means a student, including, but not limited to, an exceptional needs student, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with their exceptional needs.
- r) 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, pursuant to this section, 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 harm.

In addition to the grounds specified above, a Manzanita student may be suspended from school or recommended for expulsion if the Executive Director of the school determines that the student has:

- Committed sexual harassment as defined in the Education Code section 212.5.
- 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.
- Intentionally engaged in harassment, threats, or intimidation, directed against any Manzanita personnel or students, that are sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or students by creating an intimidating or hostile educational environment.
- Made terroristic threats against school officials or school property. Possessed or used any electronic signaling device that operates through the transmission or reception of radio waves, including, but not limited to, paging and signaling equipment, cell phones, pagers, game devices, lasers, laser-pointers, and music playing devices while students are on campus or attending a school-sponsored activity, or while under the supervision and control of any Manzanita employee.

vi. Procedures in Cases Requiring Suspension

1. Incident Investigation - The Executive Director or teacher investigates the incident and determines whether or not it merits suspension.
2. Determination of Length of Suspension - The Executive Director determines the appropriate length of the suspension in conjunction with school policy and school-specific disciplinary management plans (up to five consecutive school days).

As defined in Education Code 48903(a), except as provided in subdivision (g) of Section 48911 and in Section 48912, the total number of days for which a student maybe suspended from school shall not exceed 20 school days in any school year, unless for purposes of adjustment, a student enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of school days for which the student may be suspended shall not exceed 30 days in any school year.

For the purposes of this section, a school district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year.

3. Legal Notifications - Prior to the suspension or expulsion of any student, the Executive Director or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. Upon reporting such an

incident, the Executive Director or designee will secure a written copy of the police report and a copy of that report shall be placed in the private student files.

The Executive Director or designee also shall notify appropriate city or county law enforcement authorities of any student acts that may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10.

Within one school day after a student's suspension or expulsion, the Executive Director or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind.

When the Executive Director or other school official releases a student to a peace officer for the purpose of removing the student from the school premises (after the release), the Executive Director or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the student regarding the release of the minor to the officer, and regarding the place to where the minor is reportedly being taken. Note: The responsibility to notify the parent, guardian, or other responsible relative concerning the release of a student does not apply to the release of a student who has been taken into custody as a victim of suspected child abuse.

4. Suspension Conference - Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or designee with the student and their parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Executive Director.
5. Notice of Suspension - The Executive Director or designee must complete a Manzanita suspension form. The parent will be given written notice of the suspension using this form. The Manzanita suspension form serves as written notification of the student's suspension and indicates 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.

A copy of this form is also placed in the student's in-house Manzanita folder - suspension notices should not be placed in the student's cumulative file.

vii. Suspension Appeals Process

A student or the student's parents/guardians may appeal those disciplinary actions, other than expulsion, imposed upon a student for his/her school-related offenses.

- Appeals must be made first in writing, and should be directed to the Executive Director. The Executive Director or Executive Director's designee will attempt to resolve the appeal with a written response within ten (10) school days.
- If further review is desired, the appeal may be forwarded to the Manzanita Executive Committee for resolution with a written response within twenty (20) school days.

If any appeal is denied, the parent may place a written rebuttal to the action in the student's file.

viii. Expulsion

Expulsion is the involuntary removal of a student from Manzanita and all Manzanita programs for acts of specified misconduct.

Except for single acts of a grave nature, expulsion should only be used when:

- there is a history of misconduct,

- other forms of discipline (including suspension) have failed to bring about
- proper conduct,
- or when, due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the students or others

ix. Authority to Expel

A student may be expelled by the Manzanita Administrative Panel. The Administrative Panel will consist of at least three members who are certificated and neither a teacher or Executive Director of the student nor a member of the Manzanita Board of Directors. The Manzanita Administrative Panel may recommend expulsion of any student found to have committed a suspendable or expellable offense (APS 5144.1).

x. Expellable Offenses

1. Mandatory Expulsion

The Executive Director or designee shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school's jurisdiction. The Manzanita Administrative Panel will also expel the student. *Mandatory Expulsion does not require a second finding of fact.*

- Possessing, selling, or otherwise furnishing a firearm, unless student had obtained prior written permission to possess the firearm from a certificated school employee
- Brandishing a knife at another person
- Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
- Committing or attempting to commit a sexual assault or committing a sexual battery
- Possessing an explosive

2. Mandatory Recommendation for Expulsion

The Executive Director or designee shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school's jurisdiction. The Manzanita Administrative Panel may order the student expelled. *Mandatory Recommendation for Expulsion requires a second finding of fact.*

- Causing serious physical injury to another person, except in self-defense
- Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis
- Robbery or extortion
- Assault or battery upon any school employee as defined in (Penal Code 240 and 242)

3. Permissive Expulsion

Upon recommendation of the Executive Director or designee, the Manzanita Administrative Panel may order a student expelled upon finding that the student, at school or at a school sponsored activity on or off school grounds, violated any of the suspendable acts listed under suspension. *Requires a second finding of fact.*

xi. Special Procedures for the Consideration of Expulsion of Students with Disabilities

1. Notification of District of Residence

Manzanita shall immediately notify the District of Residence and coordinate the procedures in this policy with said District for any student with a disability or student who is currently undergoing assessment for a possible disability. Manzanita is responsible for ensuring that students with known disabilities are provided educational services during and following expulsion proceedings until they enroll in a different LEA.

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 student's IEP. 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 student with a disability because of a violation of a code of student conduct, the Executive Director or designee, the parent, and relevant members of the IEP/ 504 Plan Team shall review all relevant information in the student's file, including the student'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 student's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Executive Director or designee, the parent, and relevant members of the IEP/504 Plan Team determine that either of the above is applicable for the student, the conduct shall be determined to be a manifestation of the student's disability. If the Manzanita Executive Director, the parent, and relevant members of the IEP/504 Plan Team make the determination that the conduct was a manifestation of the student's disability, the IEP/ 504 Team shall:

- c) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such student, provided that Manzanita had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- d) If a behavioral intervention plan has previously been developed,
 - i. review the behavioral intervention plan,
 - ii. and modify it, as necessary, to address the behavior; and
- e) Return the student to the placement from which the student was removed, unless the parent and the Executive Director or designee agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Executive Director or designee, the parent, and relevant members of the IEP/504 Plan 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 Manzanita may apply the relevant disciplinary procedures to students 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

In situations where the parent of an Manzanita student with a disability disagrees with any decision regarding placement or the results of a manifestation determination hearing, or Manzanita believes that maintaining the current placement of the student is substantially likely to result in injury to the student or to others, either party may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings to resolve the disagreement.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or Manzanita, 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 Manzanita agree otherwise.

5. Special Circumstances

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

The Executive Director 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 premise, 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 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/ADA and who has violated the district's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if Manzanita had knowledge that the student was disabled before the behavior occurred.

Manzanita 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 Manzanita administrative personnel, or to one of the student's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the student.
- c) The student's teacher, or other Manzanita school personnel, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the Executive Director or to other Manzanita administrative personnel.

If Manzanita 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/ADA-eligible students with disabilities, including the right to stay-put.

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

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

h. Academic Dishonesty/Plagiarism

Academic dishonesty and Plagiarism includes cheating or copying on quizzes, tests, homework, projects and/or assignments. All teachers who assign essays and term papers will require students to cite their sources to ensure originality of work. Plagiarism may take the form of repeating another's sentences as your own, or even presenting someone else's line of thinking in the development of a thesis as though it were your own. Plagiarism applies to ideas in written, verbal, or electronic form. In short, to plagiarize is to give the impression that you have written or thought something that you have in fact borrowed from another. Although a writer may use another person's words and thoughts, they must be acknowledged as such. Manzanita will not tolerate plagiarism as defined above or any other form of academic dishonesty, including invading teachers' records and property. Students who aid in another student's attempt at cheating will be held accountable as well.

i. Tobacco, Alcohol, and other Drugs

Smoking by Students: The Board recognizes the health hazards associated with smoking and tobacco use. Smoking, the use of tobacco, and the possession of tobacco products by students are prohibited on campus and at school sponsored activities. Repeated failure to comply with this policy may result in suspension and ultimately expulsion.

Alcohol Abuse by Students: The Board reaffirms the position of prohibiting the possession and consumption of alcohol on campus and school sponsored activities. Students found with alcohol will immediately be suspended and may have the privilege of attending Manzanita withdrawn.

Drug Abuse by Students: Any student found within the school or at school functions, to be in possession, or buying or selling, giving or receiving any narcotic, stimulant, depressant, or hallucinogenic drug will immediately be suspended and may have the privilege of attending Manzanita withdrawn.

j. Electronic Devices (personal/on campus)

Students are not allowed to use electronic signaling devices or non-signaling electronic music players while on campus, unless approved for use in the classroom by a teacher. This includes cell phones, iPhones, iPods, iPads, mp3 players, hand-held gaming devices, and any other electronic devices with internet capability.

Manzanita is not responsible for loss or theft of personal belongings on campus.

If a student is found to be using electronic devices without permission on campus, the devices will be taken to the office. Parents will be asked to come to school to pick the items up. The items will not be released to the student. The school shall not be liable for any lost or stolen devices that are confiscated.

No student with documented medical need will be prohibited from possessing or using an electronic signaling device that is health-related.

k. Cyber-Bullying/Acceptable Use Policy

A safe and civil environment in school is necessary for pupils to learn and achieve academic standards. Cyber-bullying by a student in the school directed toward another student or staff member is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Manzanita prohibits acts of cyber-bullying by students through the use of any school owned, operated and supervised technologies. Cyber-bullying is the use of electronic information and communication devices to include but not be limited to; email messages, instant messaging, text messages, cell phone communications, internet blogs, internet

chat rooms, internet postings on sites such as Facebook, Instagram, Twitter, Snapchat, and defamatory websites that:

- Deliberately threatens, harasses, intimidates an individual or group of individuals
- Places an individual in reasonable fear of harm to the individual or damage to the individual's property; or
- Has the effect of substantially disrupting the orderly operation of Manzanita

It is Manzanita's belief that students represent Manzanita even when they are off campus and their ability to utilize resources and technologies on campus is tied to their behavior off campus.

Students and Parents at Manzanita sign an Acceptable Use Agreement at the beginning of the school year (see section 10).

I. Anti-Bullying Policy

Manzanita believes that all students have a right to a safe and healthy school environment. As a community we have an obligation to promote mutual respect and acceptance for all students regardless of color, race, ethnic identity, nationality, gender, gender identity and expression, sexual orientation (real or perceived), special needs, popularity, economic status, athletic ability, intelligence, or religion.

Manzanita will not tolerate behavior that infringes on the emotional or physical safety of any student. Bullying causes pain and stress to the victim. It is never justified or excusable as "kids being kids", "just teasing", or "that's just how kids play". The victim is never responsible for being a target of bullying.

Parent volunteers are expected to immediately report incidents of bullying to the Executive Director, teacher or other staff member. Staff is expected to immediately intervene when they see a bullying incident occur, and to respond at once to reports of an incident by a parent volunteer. This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus.

Any student who engages in bullying may be subject to disciplinary action up to and including expulsion. Students are expected to immediately report incidents of bullying to the Executive Director, teacher or staff member. Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the victim or the victim's family feel that appropriate resolution of the investigation or complaint has not been reached, they should contact the Executive Director or the Board Chair. Manzanita prohibits retaliatory behavior against any complainant or any participant in the complaint process. The procedures for intervening in bullying behavior include, but are not limited, to the following:

All staff, students and their parents will receive a summary of this policy prohibiting bullying as part of the student handbook each year. All staff, students and their parents will sign Manzanita Anti-Bullying Pledge at the start of each year (see section 11). Student Concern Forms will be distributed at the start of each school year, printed in the student planner, and made available throughout the year.

Students are also encouraged to fill out the school's online student concern form, available on the school website. Parents/guardians are invited to complete a Praise or Concern form at any time, available in paper format in the school office and electronically on the school website.

The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.

What is Bullying?

Bullying is exposing a person to abusive actions repeatedly over time.¹ Bullying becomes a concern when hurtful or aggressive behavior toward an individual or group appears to be unprovoked, intentional, and (usually) repeated.

Bullying is a form of *violence*. It involves a real or perceived imbalance of power, with the more powerful child or group attacking those who are less powerful. Bullying may be *physical, verbal* or *emotional*. Bullying can occur face-to-face or in the online world.

Bullying is also one or more acts by a pupil or group of pupils directed against another pupil or group of pupils that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act, as defined.

An "electronic act" is defined as transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. (See Section K, Cyber-Bullying)

What do Bullies do?

Bullying actions may be direct or indirect. Direct bullying or identifiable bullying actions may include:

- Hitting, tripping, shoving, spitting, kicking, pushing, pinching, and excessive tickling
- Verbal threats, taunting, name-calling, racial slurs, and insults
- Demanding money, property, or some service to be performed
- Stabbing, choking, burning, and shooting, or miming these actions

Indirect bullying may be more difficult to detect and may include:

- Rejecting, excluding, or isolating target(s)
- Humiliating target(s) in front of friends
- Manipulating friends and relationships, spreading rumors
- Sending hurtful or threatening e-mail or writing notes
- Blackmailing, intimidating, terrorizing, or posing dangerous dares
- Developing a Web site devoted to taunting, ranking, or degrading a target and inviting others to join in posting humiliating notes or messages.

Do Both Boys and Girls Bully?

Typically, boys are direct and more physical while girls bully in more indirect ways. Some bullies use both direct and indirect strategies. Ultimately, it is important to the bully to be able to choose methods that produce the most success. Although bullying among youths involves both bullies and targets of bullying, some students can be both a target and a bully at the same time.

What are the Consequences of Bullying?

Bullying behavior permeates a school in the same way that it starts and continues in families. Adults who overlook bullying are, in essence, allowing bullying to continue. Just as a student may bully a student thinking they are motivating that student, adults who socially ostracize or humiliate a student in front of others may believe they are motivating or disciplining the student when, in fact, the student being embarrassed is actually being bullied.

¹ Dan Olweus, *Bullying at School: What We Know and What We Can Do*, Malden, Mass.: Backwell Publishers Ltd., 1993, p. 1.

m. Classroom and Campus Environment

Students are encouraged to contribute to the attractiveness of their school environment by discarding trash and recyclables in the appropriate receptacles and by refraining from producing graffiti and vandalism. Special work assignments will be issued to students involved in such activities. Students and their families will be charged for any damage to school property.

n. Dress Code

Consistent with our educational goal of providing safe and secure schools, students are expected to dress and groom themselves in a manner which demonstrates respect for the seriousness appropriate in a learning environment.

The dress code prohibits:

- Accessories, or any manner of grooming, which by color, arrangement, trademark or any other attribute, denotes membership or identification with a gang.
- Wearing clothing or jewelry that promotes drug or alcohol use, violence, profanity, bigotry or intolerance against people on the basis of their race, ethnicity, religion, sex or sexual orientation.
- Wearing clothing designed or altered to expose undergarments or parts of the body (including see-through clothing) except arms and legs, or otherwise inappropriate for the school environment; undergarments worn as outerwear.
- No halter tops, tube tops, crop tops, tops with spaghetti straps or backless garments.
- No short-shorts or extremely short mini-skirts.
- No extreme sagging

If a student is dressed inappropriately for school, the office will call the parent to have the student picked up to change clothes or the student will be asked to wear their PE t-shirt.

o. Public Displays of Affection

While Manzanita supports friendships, inappropriate displays of affection will not be allowed. Kissing and excessive embracing are deemed inappropriate during school and at any school event. Inappropriate public displays of affection are grounds for detention and, if excessive, grounds for suspension.

p. Liability for Damages and Losses

Parents and guardians are liable for all the damages caused by the willful misconduct of their minor children or themselves which results in the injury to or death of other students or to members of the school staff or volunteers, or in damage to school property, or damage to other personal property (car windows, school windows, house windows, etc.). Parents will be expected to pay for the costs of labor and materials needed to repair property. Parents will be expected to pay for medical treatment of the injured party.

q. Alumni Visiting Campus

Manzanita alumni are encouraged to attend special events that are designated for alumni students, or that are open to the public. However, alumni students are not allowed on campus during regular school hours when current Manzanita students are present.

r. Single-Day Field Trip Policy

Field trips are an important part of the Manzanita experience. Teachers, parents/guardians and students work as a team to ensure these events are safe and educational.

i. Teacher Expectations

- Complete field trip check list (lead teacher)
- Give notes and behavior expectations to students going on the field trip, according to the field trip space (all participating teachers)

- Explain consequences for field trip (all participating teachers)
 - 1 warning and you cannot go on the next field trip unless you have your own chaperone
- Create equally weighted assignment for students staying behind (all participating teachers) create curriculum around field trip including worksheet to fill out and homework due (all participating teachers)
- Create student groups (up to 10 per chaperone). Teachers float among groups to monitor and help refocus any misbehaving students when necessary.

ii. Parent/Guardian Expectations

- Permission slip read, initialed and signed
- Chaperone information slip read, initialed, and signed
- Pick up/drop off in the expected place (explained on permission slip)
- Chaperones must wear Manzy-Wear or Manzy PE t-shirt
- Attend the trip alone (no additional children or adults in attendance)

iii. Student Expectations

- Wear Manzy t-shirts on field trip
- Know the assignment based on the field trip
- Adhere to the student code of conduct while off campus
- Follow all teacher/chaperone requests
- Remain courteous to fellow students, teachers, chaperones, BART patrons, and individuals encountered on the trip
- Refrain from running or blocking traffic
- Refrain from horseplay
- If student does not go on field trip and/or go to school, there is still homework due

s. Local Meal Charge Policy

Manzanita participates in the National School Lunch Program by offering nutritious meals every school day. Students may buy a full-price lunch (please see office for this year's price). Eligible students may receive meals free of charge or at the reduced-price. You or your children do not have to be U.S. citizens to qualify for free or reduced-price meals. You must fill out a new Free/Reduced Lunch Application at the beginning of each school year to see if you qualify. Applications are available at our front desk any time throughout the school year. If you have any questions about applying, please contact the school office.

Payments

We ask that families pay up front for student meal purchases. This helps lunch lines move quickly, giving students more time to enjoy their meal. There are multiple options to make payments to your student's lunch account:

In-Person Payments

- Payments can be made on school days at the front desk between the hours of 8am-4pm.
- We accept cash, checks, and money orders in exact amounts.
- A receipt will be given at time of payment.

Electronic Payments through MealTime

- Payments can be made online at www.mymealtime.com
- There is no transaction fee for online payments.

Charges/Balances

- If a student takes a meal they will be charged for it. We encourage families to have a conversation with students so they know whether they can participate in the school meal program.

- Manzanita will allow students to charge a negative balance to their lunch account. The negative balance limit is \$30. Outstanding balances must be paid within 2 weeks.
- Once a week balance notifications will be sent to families. The balance statement will notify you of the current status of your student's lunch account. The balance statement will also include instructions for making payments (same as above).

Alternate Meals

For student who reached the negative balance threshold, an alternate meal will be provided. The alternate meal will consist of a leftover meal from the previous day.

Delinquent Meal Charge Debt

Failure to repay meal debt will result in the following consequences:
Spring Report cards withheld

If your family is experiencing a financial setback, please contact us so we can help. We are willing to work with you to develop a payment plan for your lunch account. Also, families may submit a free/reduced lunch application at any point during the school year. We can assist you in applying for free or reduced lunch if your income situation has changed mid-year. Please contact the school office for assistance.

4. Student Records

Only that information which is pertinent to the individual's educational progress and those items required by law are to be maintained in the student's file. A student's records are open for inspection by the student, his parents or guardians, school officials and certified employees of the school district. Copies of records shall be furnished to authorized agencies upon written request of parents, guardians or students of legal age in accordance with the FERPA policy. Students are to be enrolled by their legally given name and all school records will be recorded by that name.

a. Family Educational Rights and Privacy Act (FERPA)

This policy and the procedures included with it are designed to meet the provisions of the Family Educational Rights and Privacy Act (FERPA), and the Manzanita Charter Middle School is committed to the implementation of the policy and procedures. The Board of Education authorizes the school to inform parents, students, and the public of the policy and to exercise administrative resources to implement the policy as well as to deal with individuals who violate it. In case a parent of a student, an eligible student, or a citizen of the Manzanita Charter Middle School believes that the school is violating the FERPA, that person has a right to file a complaint with the Department of Health, Education, and Welfare. The address is:

The Family Educational Rights and Privacy Act Office
U.S. Department of Education
Room 4511 Switzer Building
Washington, D.C. 20202
The telephone number is: (202) 245-0233

b. Parent and Student Rights

The Family Educational Rights and Privacy Act (FERPA) also specify rights related to educational records. This act gives the parent or guardian the right to: 1) inspect and review their child's educational records; 2) make copies of these records; 3) receive a list of all individuals having access to those records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; 6) have a hearing on the issue if the school refuses to make the amendment; and 7) to be informed about FERPA rights. Manzanita will arrange to provide translations of this notice to non-English speaking parents in their native language.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

c. Directory Information

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. Manzanita Charter Middle School proposes to designate the following personally identifiable information contained in the student's education record as "directory information", and it will disclose that information without prior written consent. The primary purpose of directory information is to allow Manzanita to include this type of information from your child's education records in certain school publications.

Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want Manzanita to disclose directory information from your child's education records without your prior written consent, you must notify Manzanita in writing by October 1 of the current school year. Manzanita has designated the following information as directory information: [Note: an LEA may, but does not have to, include all the information listed below.]

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic mail address
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

d. Electronic Transfer of Student Data

Manzanita participates with the California School Information Services (CSIS) Program in the electronic transfer of student data for state reporting to the California Department of Education and to districts and/or public secondary institutions to which the student is transferring or applying for admission.

All data maintained by the CSIS Program is in compliance with federal and state privacy and confidentiality requirements. The benefits of participation to the student and parent are that student records can be transferred much more promptly, and that information about student assessment and academic placement will be available at the time of transfer. Schools and districts will benefit from the streamlining and reduction of required state reporting.

Parents/Guardians have the right to inspect student information maintained by the CSIS program. Please contact the school office to initiate this procedure.

5. Comments, Praise and Concerns

Whatever your experiences at Manzanita, we really do welcome you letting us know what you think. If we're doing well then please let us know, if you think there is something we could improve upon then tell us so we can make a start. If you wish to make a comment, please complete a comment form and leave it in the Drop Box, which is located in the main office. Forms are available in the main office.

Electronic comments, praise, and concern forms can be found on our school website.

There are two ways in which issues that have caused you concern can be investigated, informally by completing the Praise & Improvement form and leaving it in the drop box located in the main hallway or through the formal Williams Complaint (procedures and rights are outlined below).

6. Williams Complaints Rights

Pursuant to California *Education Code* Section 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. That means each pupil, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. A complaint form may be obtained at the school office, district office, or downloaded from the school's Web site at www.manzny.org. You may also download a copy of the California Department of Education complaint form from the following Web site: <http://www.cde.ca.gov/re/cp/uc>.

7. Uniform Complaint Procedures (UCP)

(Adopted 12/2/14 by the Manzanita Board of Directors)

This section contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by a local educational agency of federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying, noncompliance with laws relating to pupil fees and the Local Control Funding Formula (LCFF).

This section presents information about how Manzanita Charter Middle School processes UCP complaints concerning particular programs or activities in which we receive state or federal funding. A complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying and charging pupil fees for participation in an educational activity. A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and noncompliance with laws relating to pupil fees. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, Manzanita Charter Middle School shall assist the complainant in the filing of the complaint.

Programs and activities that are subject to the UCP in which Manzanita Charter Middle School receives state or federal funding are:

- Consolidated Categorical Aid Programs
- Child Nutrition Programs

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following:

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

This section also describes how Manzanita Charter Middle School will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis or a person's association with a person or group with one or more of these actual or perceived

characteristics in any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to our UCP process set forth in this section unless these procedures are made applicable by separate interagency agreements:

1. Allegations of child abuse shall be referred to County Dept of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
2. Health and safety complaints regarding a Child Development Program shall be referred to Dept of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
3. Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Dept of Fair Employment and Housing (DFEH).
4. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

a. The Responsibilities of Manzanita Charter Middle School

Manzanita Charter Middle School has the primary responsibility to insure compliance with applicable state and federal laws and regulations. We shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation, bullying and charging pupil fees for participation in an educational activity and seek to resolve those complaints in accordance with our UCP procedures.

In regards to complaints of noncompliance with laws relating to pupil fees, if Manzanita Charter Middle School finds merit in a pupil fees complaint we shall provide a remedy to all affected pupils, parents, and guardians where applicable including reasonable efforts by us to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

Manzanita Charter Middle School ensures that we will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

Manzanita Charter Middle School ensures that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, and bullying remain confidential as appropriate. We submitted our UCP policies and procedures to our local governing board for approval and adoption (see the top of this section for final adoption date).

The person responsible for receiving and investigating complaints and ensuring our compliance with state and federal laws and regulations is:

Jim Trombley, Executive Director
461 33rd Street, Richmond, CA 94804
510-222-3500

We ensure that the person above, who is responsible for compliance and/or investigations, is knowledgeable about the laws/programs that they are assigned to investigate. Complaints of noncompliance with laws relating to pupil fees are filed with the Executive Director.

Manzanita Charter Middle School ensures annual dissemination of a written notice of the LEA's complaint procedures to students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties that includes information regarding unlawful pupil fees. The UCP Annual Notice will be provided in writing to all of the six required groups each year and will include information

on how to appeal to the CDE. An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

The notice shall also include information regarding the requirements of Education Code sections 49010 through 49013 relating to pupil fees. This notice shall be in English, and when necessary, in the primary language, pursuant to Education Code section 48985, or mode of communication of the recipient of the notice.

Copies of LEA complaint procedures shall be available free of charge.

Complainants are advised that civil law remedies, including, injunctions, restraining orders, or other remedies or orders may also be available at any time. Complainants have the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. We shall make this information available in informational materials.

b. Filing a Complaint with Manzanita Charter Middle School

Except for Williams Complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancies or misassignments, and complaints that allege discrimination, harassment, intimidation, and bullying, any individual, public agency or organization may file a written complaint with our district superintendent or their designee alleging a matter which, if true, would constitute a violation by our LEA of federal or state law or regulation governing a program. A complaint of noncompliance with laws relating to pupil fees may be filed with the principal of a school under the Uniform Complaint Procedures and may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

An unlawful discrimination, harassment, intimidation or bullying complaint shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The time for filing a discrimination, harassment, intimidation or bullying complaint may be extended in writing by our district superintendent or their designee, upon written request by the complainant setting forth the reasons for the extension. The period for filing a discrimination, harassment, intimidation or bullying complaint may be extended by our superintendent or their designee for good cause for a period not to exceed 90 calendar days following the expiration of the six month time period. Our superintendent shall respond immediately upon a receipt of a request for extension.

The complaint shall be filed by one who alleges that they have personally suffered unlawful discrimination, harassment, intimidation, and bullying or by one who believes an individual or any specific class of individuals has been subjected to discrimination, harassment, intimidation, and bullying prohibited by this part.

An investigation of a discrimination, harassment, intimidation, and bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process.

Except for Williams Complaints and Pupil Fees complaints, within 60 calendar days from the date of the receipt of the complaint, we shall conduct and complete an investigation of the complaint in accordance with our UCP policies and procedures and prepare a written Decision; also known as a final report. This time period may be extended by written agreement of the complainant.

The investigation shall include an opportunity for the complainant, or the complainant's representative, or both, to present the complaint(s) and evidence or information leading to evidence to support the allegations of non-compliance with state and federal laws and/or regulations.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by Manzanita Charter Middle School to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

We shall issue a Decision based on the evidence. The Decision shall be in writing and sent to the complainant within 60 calendar days from receipt of the complaint by the local educational agency. The Decision should contain:

- (i) the findings of fact based on the evidence gathered,
- (ii) conclusion of law,
- (iii) disposition of the complaint,
- (iv) the rationale for such disposition,
- (v) corrective actions, if any are warranted,
- (vi) notice of the complainant's right to appeal our LEA Decision to the CDE, and
- (vii) procedures to be followed for initiating an appeal to the CDE.

Nothing in this section shall prohibit anyone involved in the complaint from utilizing alternative methods to resolve the allegations, such as mediation. Nor are we prohibited from resolving complaints prior to the formal filing of a written complaint. Mediation is a problem solving activity whereby a third party assists the parties to the dispute in resolving the complaint.

c. Complaints Regarding LCFF or LCAP

Complaints alleging that Manzanita Charter Middle School failed to comply with the Local Control Funding Formula (LCFF) requirements related to the Local Control Accountability Plan (LCAP) may be filed with the school.

- A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.
- A complainant not satisfied with the decision Manzanita Charter Middle School may appeal the decision to the Superintendent of Public Instruction.
- If Manzanita Charter Middle School finds merit in a complaint, the school shall provide a remedy to all affected pupils, parents, and guardians.

- Information regarding the requirements of Article 4.5 (EC sections 52060 through 52076) shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations or any successor regulation.

d. Complaints Regarding Title IX

Manzanita Charter Middle School does not discriminate on the basis of actual or perceived characteristics of age, ancestry, color, disability, ethnicity, gender, gender identity or expression, genetic information, medical condition, national origin, race, religion, sex, sexual orientation, or any other basis prohibited by California state and federal nondiscrimination laws respectively, including Title IX which requires non-discrimination on the basis of sex in educational programs.

- Complaints alleging that Manzanita Charter Middle School failed to comply with Title IX may be filed with the school's Executive Director, who serves as the school's Title IX Coordinator OR with the Manzanita Board of Directors.
- A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.
- A complainant not satisfied with the decision Manzanita Charter Middle School may appeal the decision to the Superintendent of Public Instruction.
- If Manzanita Charter Middle School finds merit in a complaint, the school shall provide a remedy to all affected pupils, parents, and guardians.



Attachment A: Acceptable Use Agreement

Computers, school network and Internet access is a privilege available to students at Manzanita Charter Middle School. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. These guidelines are provided so that students are aware of the responsibilities required to use this technology. Computer use at school may be revoked if a student does not adhere to the guidelines below.

1. **Acceptable Use:** My use of computers, the Internet, and the school network must be in support of education and research within the educational goals and objectives of Manzanita Charter Middle School. Transmission of any material in violation of any US, state, or school regulations is prohibited. This includes copyrighted material, threatening to obscene material, or material restricted by school policy or staff. The school network includes the use of school computers and computer peripherals, as well as the use of school network services such as the Internet, school e-mail/web service accounts, and network file folders. Students should have no expectation of computer privacy, as the school may monitor computer, e-mail and Internet use.
2. **Personal Responsibility:** As a member of my school community, I will accept responsibility for proper use of school technology and for reporting any misuse of technology. My use of school technology will meet the guidelines below:
 - I will respect the privacy and dignity of students and teachers at all times. I will not use, copy or delete another user's files, folders or passwords
 - I will keep my own passwords private and I will not share passwords with a friend.
 - I will be polite and use appropriate language. I will avoid swearing, vulgarities, suggestive, obscene, belligerent, and threatening language. I understand that offensive messages that originate outside the school, but disrupt the school's educational process, may be subject to school consequences.
 - I will avoid language and uses that may be offensive to other users. I will not make, distribute, or redistribute jokes, stories, or other material that is based upon slurs or stereotypes related to race, gender, ethnicity, nationality, religion, sexual orientation or gender identity or expression.
 - I will respect school equipment, including vandalism and computer viruses.
 - I will only use software that is pre-approved by Manzanita.
3. **Internet Safety:** The Internet provides opportunities to access new resources, but it also provides unique risks to students. Manzanita provides filtered access to the Internet on nearly all school computers, but to ensure my safety on the Internet, I will follow the guidelines below:
 - I will not give out on the Internet personal information such as my full name, phone number or address.
 - I will not give out on the Internet personal information about someone else such as their name, phone number or address.
 - I will not correspond or meet with someone through the Internet without the pre-approval of a teacher.
 - I will only access or download sites appropriate for school classes or activities.
 - I will immediately report any technology use that makes me uncomfortable or violates school policies.
4. **E-Mail/Communication Safety:** E-mail and other online communication services provide opportunities for students, but they require careful use. I will follow the guidelines below when using a school computer/account:
 - I will only use an e-mail account at school with the prior permission of a teacher and will get permission from a teacher each time I use e-mail at school. Instant messaging and chat rooms are prohibited.
 - I will adhere to all of the aforementioned guidelines in the acceptable Use Policy when using a school provided e-mail account or other school provided computer service at school or another location.
 - Manzanita Charter Middle School may filter or monitor school provided student e-mail accounts or other school provided computer services regardless of whether the account is accessed from school or another location.

I/we understand and agree to the provisions and conditions of this contract.

Student Name: _____

Grade _____

Student Signature: _____

Date: _____

Parent/Guardian Signature: _____

Date: _____



Manzanita Charter Middle School

461 33rd Street, Richmond, CA 94804 ~ (510) 222-3500 ~ Fax (510) 222-3555 ~ www.manzy.org

Attachment B: Anti-Bullying Pledge

All parents, guardians and students are **required** to take the anti-bullying pledge. As part of the Manzanita Charter Middle School philosophy, we believe that given encouragement and guidance, everyone has a positive role to contribute. As a community made up of parents, students, and staff, we share a collective responsibility in assuring that no one is left out or behind because of others' action or lack of action.

We believe that everyone should enjoy our school equally and feel safe, secure and accepted regardless of color, race, ethnic identity, nationality, gender, gender identity, sexual orientation, (real or perceived) special needs, popularity, economic status, athletic ability, intelligence, or religion.

Bullying causes pain and stress to the victims and is never justified or excusable as "kids being kids", "just teasing", "that's just how we play" or **any other rationalization**. The victim is never responsible for being a target of bullying.

Student Anti-Bullying Pledge

By signing this pledge, we the students of Manzanita agree to:

1. Keep myself aware of school rules and bullying policy.
2. Value my fellow students and classmates and treat everyone at Manzy (students, visitors, staff, and parents) with respect at all times.
3. Discuss this pledge with my parents the first week of school.
4. Be honest with my parents about my feelings and experiences at school.
5. Alert Manzy staff if any bullying has occurred and report all incidences of bullying to Manzy staff. I also understand that I can report incidences of bullying and other problems using the NWE boxes located in each classroom.
6. Participate fully in helping to stamp out bullying at school.

Student Name: _____ **Student Signature:** _____ **Date:** _____

Parent/Guardian Anti-Bullying Pledge

By signing this pledge, we the parents and guardians of Manzanita students agree to:

1. Keep my child(ren) and ourselves informed and aware of school rules and bullying policies.
2. Work with the school to encourage positive behavior, value differences, and promote sensitivity in others.
3. Discuss this pledge with my child(ren) the first week of school.
4. Discuss with my child feelings about school, friendships, and relationships.
5. Inform Manzy staff of changes in my child's behavior or circumstances at home that may affect their behavior at school.
6. Alert Manzy staff if any bullying has occurred and report all incidents of bullying to Manzy staff.
7. Participate fully in helping to stamp out bullying at school.

Parent Name: _____ **Parent Signature:** _____ **Date:** _____

