



Making Waves Academy  
**Student-Parent/Guardian Handbook**  
***2019-20***

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# Making Waves Academy Mission, Vision, & History

## Mission

Making Waves Academy (“MWA”) commits to rigorously and holistically preparing students to gain acceptance to and graduate from college to ultimately become valuable contributors to the workforce and their communities.

## The History of MWA

Twenty four years ago, John Scully, Managing Director of the investment firm, SPO Partners, had a vision. He shared this vision with fellow Branson School (a private school in Ross, CA) Board Member, the late Reverend Eugene Farlough, Pastor of the Sojourner Truth Presbyterian Church in Richmond. Together they created MWA, an organization that would support the health, well-being, education and pre-career development of urban children. John’s vision grew from his experiences and his observation of numerous public education systems in the state of California and throughout the nation. He came to realize that the disparity in equal educational opportunity between the “haves” and the “have-nots” in our society was increasing at an alarming rate. John also concluded that unless innovative programs were created to support and augment the efforts of certain public school systems, this circumstance would continue to worsen. This deteriorating condition was unacceptable because of its inevitable outcome: millions of Americans lacking the skills required to provide an adequate quality of life for themselves, their families and the communities in which they reside.

MWA has grown dramatically since its founding in 1989. From its origins as an after-school tutoring and teaching program, it evolved into a comprehensive, holistic program. The program was founded on a focus on the whole child and provided an array of services, including, but not limited to, academic support, transportation, meals, mental health counseling, placement and financial aid counseling, high school and college visits and scholarship support.

Based on a solid foundation built over 20 years, the organization took the next logical step, the development of a charter school. MWA Academy, a charter school serving grades 5 through 12, targets students classified as socio-economically disadvantaged and educationally underserved students in Richmond and San Pablo Title I public schools. In July 2007, MWA opened with its Wave of 100 fifth grade students, the 12th Wave. After two years of successful growth with 200 Wave-Makers MWA moved to its permanent site, 4123 Lakeside Drive in July 2009. In the fall of 2011, MWA added the Upper School, to serve students in grades 9-12. In June of 2015, MWA graduated its first class of seniors - Wave 12! In the 2019-20 year, we project an enrollment of about 1018 students in grades 5-12.

## Core Values

During the 2013-14 school year, as part of the WASC Accreditation renewal process, the MWA community went through an inclusive process of revisiting and refining MWA's Core Values. Participation in this process included students, parents, faculty/staff, administrators, School Site Council members, and Board Members. The result of the process is that the twelve original values were condensed down to five values. Discussions by various constituent groups included discussing how and if specific values could be or were embedded within one another. The revised five MWA Core Values are as follows:

### ***Community***

We combine our intellect and critical thinking to support each other and make healthy choices for ourselves and positive changes in our community.

### ***Resilience***

We are agents of change, who, through hard work and perseverance, have the power to define ourselves and to control our destiny.

### ***Respect***

We believe each person is valuable and we demonstrate respect by following our community norms.

### ***Responsibility***

We have integrity; we are accountable for our decisions and actions and their impact on self and community.

### ***Scholarship***

We are life-long learners who aspire to and achieve academic excellence.

# MWA Expectations

MWA is committed to educating students in an environment of safety, discipline, and high standards for all. Self-discipline is necessary for each student's success in school and within the community. MWA's goal is to facilitate the development of student self-discipline with the support of students, parents, and staff. In order to effectively develop, implement, and support school-wide discipline, all parties must work in partnership to achieve this goal.

## Student Expectations

In order to assist you in creating a more meaningful experience, achieving success, and making positive contributions to your community, Wave-Makers are expected to:

- Know, understand, and follow all rules and regulations.
- Interact with other students, faculty, and staff in a respectful and positive manner.
- Accept fair and consistent discipline.
- Work hard to develop an intellectual understanding of the Core Values.
- Understand that harmful conduct to self or to others is not allowed.
- Respect and care for the property of self, others and school.
- Show consideration for peers, adults and self.

**Each student must read, sign, and return the "Student Commitment Form" and Acknowledgment Form**

## Parent/Guardian Expectations

Family involvement is essential to the MWA community and student development and achievement. While not required for admission or enrollment, Parents are encouraged to volunteer at MWA. For information regarding volunteering opportunities please feel free to contact MWA administration. Parents play a vital role in the ongoing success of our school and our students. MWA parents/guardians are encouraged to:

- Be active partners with us.
- Model the Core Values we aim to instill in our students.
- Work with school officials to resolve any discipline incident in a patient, objective, and fair manner.
- Review and sign off on assessments and class assignments, as assigned by the teacher.
- Attend parent-conferences and school meetings.
- Actively monitor and assist with student progress.
- Communicate with all MWA staff in a professional and respectful manner.
- Reinforce MWA's academic and behavioral standards at home.
- Help with special events (e.g., dances, fundraisers, etc.) when possible.
- Attend all monthly parent meetings.
- Communicate with MWA by phone or note to verify student absences.

**Parents/Guardians must read, sign and return the "Parent/Guardian Commitment Form" and Acknowledgment Form**

## Staff Commitments

MWA has high expectations of both students and staff. Staff members at MWA are committed to the highest levels of learning, achievement and integrity for themselves and others. MWA staff will adhere to intellectual and scholarly development:

- Teach a curriculum that is rigorous and culturally relevant.
- Consistently reinforce MWA's system of behavioral accountability.
- Incorporate positive reinforcement as a key component of discipline.
- Consistently integrate routines and procedures as part of the daily routine.
- Teach and model appropriate behavior.
- Communicate acceptable behavior on a daily basis throughout the school year.

- Show consideration and respect for students, families, and the MWA community at all times.
- Handle all situations in a professional manner.

## Professional Boundaries: Staff/Student Interaction Policy

MWA recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

### Corporal Punishment

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

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

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

- A. Examples of PERMITTED actions (NOT corporal punishment)
1. Stopping a student from fighting with another student;
  2. Preventing a student from committing an act of vandalism;
  3. Defending yourself from physical injury or assault by a student;
  4. Forcing a student to give up a weapon or dangerous object;
  5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
  6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.
- B. Examples of PROHIBITED actions (corporal punishment)
1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
  2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
  3. Paddling, swatting slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

### Acceptable and Unacceptable Staff/Student Behavior

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

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

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

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

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

### **Duty to Report Suspected Misconduct**

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

**Examples of Specific Behaviors**, the following examples are not an exhaustive list:

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

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Meeting with students for a non-school purpose, or intentionally being alone with one (1) or more students away from MWA.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- (k) Being in communication with a student outside of school hours unless it is pertaining to specific classroom assignments or student club activity responsibilities.

### **Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission**

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

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

### **Cautionary Staff/Student Behaviors**

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

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

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

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Managing Director of Human Resources about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

## **Annual Notices for Academic Programs**

### **California Assessment of Student Performance and Progress ("CAASPP")**

MWA shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress.) Notwithstanding any other provision of law, a parent's or guardian's written request to School officials to excuse his or her child from any or all parts of the state assessments shall be granted.

### **Teacher Qualifications**

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

## Homework Policy

Homework is an important part of the instructional program at MWA. Homework assignments increase appropriately in quantity and variety as a student progresses each year. Homework reinforces classroom studies and helps to develop student capacity to do independent work. Students will be given a planner and are required to use it daily for recording homework assignments. Students are expected to complete homework neatly, on time and with a parent signature (as required by teacher). Any problems or concerns regarding the completion of homework should be communicated with the classroom teacher.

In the event of an unplanned absence, students are expected to request and make arrangements to complete missing work upon their return to school. If students will miss class due to an approved absence, they must advise their teachers at least a week in advance so that the assignments may be compiled. For every day of an excused absence, students have that number of days to turn in and make up assignments.

## Cal Grant Program Annual Notice

MWA is required by state law to submit the GPA of all high school seniors by Oct. 1 of each year, unless the student over age 18 or parent/guardian for those under 18 opt-out. Students currently in eleventh (11th) grade will be deemed a Cal Grant applicant, unless the Student (or Parent, if the Student is under 18) has opted out by or before February 1, 2019.

## Upper School Interscholastic Athletics Program Annual Notice

Interscholastic Athletic Participation is an enriching co-curricular opportunity for the students in the Upper School. While all students are welcomed to try out and participate, there are expectations set by the Bay Area Conference (BAC), North Coast Section (NCS) and California Intercollegiate Federation (CIF), the three governing bodies for our participation in high school athletics. In addition, MWA has expectations for its student athletes as well. Participation in athletics helps teach resilience, teamwork, cooperation, sportsmanship, dedication, perseverance, fitness, and so much more. Please be advised that parents/guardians must sign a concussion/head injury information sheet on a yearly basis if their student is an athlete on any of the MWA's athletic teams. This does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course. For eligibility and participation requirements, please review our MWA Athletics Participation Policy located at the Upper and Middle School offices.

- For a full list of sports offered at MWA, visit our Athletics Page on the MWA website

## Concussion/Head Injuries

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

yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

## Sudden Cardiac Arrest

MWA is invested in the health of its athletes, especially their heart health. Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. Those wishing to participate in athletics at MWA must review the information sheet on sudden cardiac arrest via the link below and provided prior to participation: ([http://assets.ngin.com/attachments/document/0115/1081/Sudden\\_Cardiac\\_Arrest\\_Info\\_.pdf](http://assets.ngin.com/attachments/document/0115/1081/Sudden_Cardiac_Arrest_Info_.pdf).)

## English Learners

MWA is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for English language learning. MWA will meet all applicable legal requirements for English Learners as they pertain to annual notification to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. MWA will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

## Availability of Health Insurance

Children—regardless of immigration status (including foster youth, pregnant women, and legally present individuals, including those with deferred action for childhood arrivals ["DACA"] status) may be eligible for no- or low-cost Medi-Cal insurance. Medi-Cal covers immunizations, checkups, specialists, vision and dental services, and more for children and youth at no- or low-cost. Medi-Cal enrollment is available year-round. Covered California is where legal residents of California can compare quality health plans and choose the one that works best for them. Based on income and family size, many Californians may qualify for financial assistance. Enroll during Open Enrollment or any time you experience a life-changing event, like losing your job or having a baby. You have sixty (60) days from the event to complete enrollment. Information regarding the availability of insurance is provided with enrollment forms and available at:

[http://hbex.coveredca.com/toolkit/PDFs/ALL\\_IN\\_Flyer\\_EnrollGetCareRenew\\_CC.pdf](http://hbex.coveredca.com/toolkit/PDFs/ALL_IN_Flyer_EnrollGetCareRenew_CC.pdf)

MWA shall not discriminate against a student who does not have health care coverage or use any information relating to a student's health care coverage or interest in learning about health care coverage in any manner that would bring harm to the student or the student's family.

## Sexual Health Education

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

- Inspect written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.
- Excuse their child from participation comprehensive sexual health education and HIV prevention education in writing to MWA.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by MWA personnel or outside consultants. When MWA chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
  - The date of the instruction
  - The name of the organization or affiliation of each guest speaker
- Request a copy of Education Codes 51930 through 51939.

Anonymous, voluntary, and confidential research and evaluation tools to measure student's health behaviors and risks may be administered to students. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey ("opt-out"). Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to MWA.

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

## Tests on Personal Beliefs

Unless you give written permission, your child will not be given any test, questionnaire, survey, or examination containing any questions about your child's, or his/her parents' or guardians' personal beliefs or practices in sex, family life, morality, or religion.

## California Healthy Kids Survey

MWA will administer the California Healthy Kids Survey ("CHKS") to those students whose parents provide written permission. The CHKS is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency that enables the Charter School to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence.

## Animal Dissections

Students in at MWA perform animal dissections as part of the science curriculum. Any student who provides his or her teacher with a written statement, signed by his or her parent/guardian, specifying the

student’s moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, may be excused from such activities if the teacher believes that an adequate alternative education project is possible. The alternative education project shall require a comparable time and effort investment by the student. It shall not, as a means of penalizing the student, be more arduous than the original education project. The student shall not be discriminated against based upon his or her moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof. students choosing an alternative educational project shall pass all examinations of the respective course of study in order to receive credit for that course of study. However, if tests require the harmful or destructive use of animals, a student may, similarly, request alternative tests as set forth above.

## Middle School Academic Program

At MWA we strive to create holistic students who have a well-rounded educational experience. MWA’s instructional program is designed to empower students to become analytical thinkers who can apply subject knowledge to solve real-world problems. MWA offers a broad range of academic and enrichment courses across all subject areas. Upon request, MWA will make available to any parent or legal guardian, a school prospectus, which includes the curriculum offered (titles, descriptions, and instructional aims of every course). Listed below are the course offerings:

Grade	Math	English	Science	History	Encore	Physical Education
5 <sup>th</sup>	Math 5	Language Arts 5	Integrated Science	Social Studies Early United States	Intro to Technology  Intro to Art	Health & Wellness
6 <sup>th</sup>	Math 6	ELA 6	Integrated Science 6	Social Studies  The Ancient World	Art  Technology	Health & Wellness
7 <sup>th</sup>	Math 7	ELA 7	Integrated Science 7	History Medieval Times	Music	Health & Wellness
8 <sup>th</sup>	Math 8	ELA 8	Integrated Science 8	History US History	Art	Health & Wellness

## Middle School Promotion

Promotion at MWA (Middle School) is an event that symbolizes the student’s transition from the Middle School to the Upper School. It is our expectation that every Middle School student will be eligible for 8<sup>th</sup> Grade Promotion. It is the belief of the Academy that with parent support all students will be able to attend the promotion ceremony. However, if the student does not meet the behavioral and academic requirements, your student may not *walk* on stage during the Promotion Ceremony and may not participate in any events (rehearsals, field trips, etc.) relating to Promotion. Students may however; participate in collegiate events (e.g., college visits). Additionally, any monies that were paid beforehand

intended for end of the year activities *will not* be refunded. For further information regarding the minimum requirements for promotion, please also see the section below regarding retention.

## Middle School Grading Scale

A	90-100%
B	80-89%
C	70-79%
F	0-69%

D's are not applicable in the MWA grading scale, as a "D" does not receive credit when applying to college. However, percentages will be reflected on the report card along with the letter grade in order to show improvement (i.e., raising a 43% to a 68%). Academically, students recommended for promotion to the next grade are ones who earned an overall average of "C" (2.0 or higher Grade Point Average) or higher in their core academic classes for that academic year.

## Middle School Retention Policy

At MWA we strive to make sure that our students not only meet academic and social emotional expectations, but exceed them. MWA firmly commits to rigorously and holistically prepare students to gain acceptance to and graduate from college to ultimately become valuable contributors to the workforce and their communities. A large part of that success is predicated on academic achievement and meeting the expectations for conduct. MWA provides services that promote social-emotional development and awareness (restorative justice program, psychological support) in addition to various academic support systems (SST meetings, behavioral plan implementation, parent meetings, academic plans/contracts, etc.) to support the academic success and the mission of the Academy. Should students not meet the academic expectations, MWA Middle School will advise parents that MWA intends to retain their student in their current grade.

To be promoted to the next grade level, a student *must* have *cumulative* passing grades (equivalent to a C or better) in Science, Mathematics, Social Studies, and English Language Arts. A student shall progress through the grade levels by demonstrating growth in learning and by meeting and/or exceeding the grade-level academic and behavioral expectations as established by MWA. Should a student receive below a cumulative C average, parents will be advised by MWA Middle School's administration that the student is being retained in their current grade level. In addition to these standards, attendance, test scores, grades, teacher recommendations, and other pertinent data will be used to determine the possibility of retention. Students that are at risk for possible retention in their current grade level will be identified as early in the school year, and as early in their school careers, as practicable. To note, parents are currently notified bi-quarterly of their child's academic performance via progress reports and report cards. In addition, parents have access to their child's grades via the online *parent portal*.

The Middle School is the sole feeder for the Upper School. It is imperative that our Middle School student's successfully transition into the Upper School with the skill set required to be successful in high school, college, and in their chosen careers.

**Note:** Should the student be recommended for retention, the student may lose opportunities to participate in school-wide extracurricular events (e.g., field trips, campus celebrations, casual dress, etc.).

# Upper School Academic Programs

The aim of the MWA Upper School is to effectively prepare students to gain acceptance to, and graduate from, college. The courses offered and required of students are aligned with the A-G Admissions criteria for the University of California. These criteria are some of the highest high school standards in the country. Students successfully passing these courses with high enough grades have proven to be competitive for admission to top public and private universities around the country. At their core, students will be required to attain and develop strong writing skills, critical reading and thinking skills, and strong mathematical, computational and problem-solving skills. A variety of Core subjects are offered in the 9<sup>th</sup> and 10<sup>th</sup> grade years. In the 11<sup>th</sup> and 12<sup>th</sup> grades, Advanced Placement (AP) courses and other science, math, and art electives are available. Upon request, MWA will make available to any parent or legal guardian, a school prospectus, which includes the curriculum offered (titles, descriptions, and instructional aims of every course). Students scoring a 3, 4, or 5 (on the 5-point scale) on an AP exam earn college credit in that subject. Listed below are the course offerings for 2019-2020 [Additional courses will be added and published in August]:

Grade	Math	English	Science	History and Social Science	Language	Health & Wellness	Art	Electives & Support
<b>9<sup>th</sup></b>	Algebra I Geometry	English I	Earth and Space Science  CTE: Introduction to Health Science		Spanish I	Health and Wellness I	Fundamentals of Art	Writing and Technology  RSP Support
<b>10<sup>th</sup></b>	Geometry Algebra II	English II	Biology  CTE: Intro to Health Science  CTE: Medical Terminology	World History  AP Psychology	Spanish II  Spanish II Advanced	Health and Wellness II	Fundamentals of Art  Advanced Art  Ceramics	RSP Support

<b>11<sup>th</sup></b>	Algebra II  Pre-Calculus  AP Statistics	English III  AP English Language and Composition	Biology  Modern Physics and Chemistry  CTE: Introduction to Health Science  CTE: Medical Terminology  CTE: Anatomy and Physiology	United States History  AP United States History  AP Psychology	Spanish III	Health and Wellness II	Fundamentals of Art  Advanced Art  Ceramics	RSP Support
<b>12<sup>th</sup></b>	Algebra II  Pre-Calculus  AP Statistics  AP Calculus AB	CSU Expository Reading and Writing  AP English Language and Composition	Biology  Modern Physics and Chemistry  CTE: Introduction to Health Science  CTE: Medical Terminology  CTE: Anatomy and Physiology  CTE: Advanced Patient Care	United States Government and Economics  AP United States Government	Spanish III  AP Spanish Language and Culture	Health and Wellness II	Fundamentals of Art  Advanced Art  Ceramics	RSP Support

## Upper School Grading Scale

A	92-100%	B	82-84%	C	70-74%
A-	88-91%	B-	78-81%	F	0-69
B+	85-87%	C+	75-77%		

Percentages will be reflected on the report card along with the letter grade in order to show improvement (i.e., raising a 43% to a 68%).

## Grade Point Scale

Letter Grade	A+	A	A-	B+	B	B-	C+	C	D	F
Grade Points (MWA)	NA	4.0	3.7	3.3	3.0	2.7	2.3	2.0	-	0.0
Advanced Placement (AP) & Honors Points (MWA)	-	5.0	4.7	4.3	4.0	3.7	3.3	3.0	-	0.0
Grade Points (UC)	-	4.0	-	-	3.0	-	-	2.0	1.0	0.0
Advanced Placement (AP) & Honors Points (UC)	1.0 additional grade point will be added for each semester in which a 'C' or better is earned.									

## Upper School Requirements for Graduation/ Grade Promotion

### Graduation

MWA Upper School offers a comprehensive academic program aligned with the A-G Admissions criteria for the University of California. Below, MWA Graduation Requirements are displayed in comparison to the required and recommended courses for University of California and California State Universities. In order to graduate, students must successfully complete each of the required courses with a grade of 'C' or better. Students who will not have enough credits earned in time for a June graduation are not eligible to participate in the graduation ceremony.

a-g	Content Area	MWA Required	Total Units	UC/CSU Required	Total Units	UC/CSU Recommended	Total Units
a	History*	3 Years	6.0	2 Years	4.0	2 Years	4.0
b	English	4 Years	8.0	4 Years	8.0	4 Years	8.0
c	Math	3 Years	6.0	3 Years	6.0	4 Years	8.0

<b>d</b>	<b>Science**</b>	2 Years	<b>4.0</b>	2 Years	<b>4.0</b>	3 Years	<b>6.0</b>
<b>e</b>	<b>Language</b>	2 Years	<b>4.0</b>	2 Years	<b>4.0</b>	3 Years	<b>6.0</b>
<b>f</b>	<b>Art</b>	1 Year	<b>2.0</b>	1 Year	<b>4.0</b>	1 Year	<b>2.0</b>
<b>g</b>	<b>Electives</b>	***	<b>0.0</b>	1 Year	<b>2.0</b>	1 Year	<b>2.0</b>
<b>CA</b>	<b>Health &amp; Wellness*</b>	2 Years	<b>4.0</b>				
<b>TOTAL S</b>			<b>34.0</b>		<b>32.0</b>		<b>38.0</b>

\*California Department of Education requires 3 years of History and 2 years of Physical Education.

\*\*Science requirement includes one Life Science and one Physical Science course

\*\*\* G requirement satisfied by 3<sup>rd</sup> year of history (A).

### Grade Level Promotion

Students must successfully complete a minimum number of course units to be promoted to the next grade level, earning a “C” or higher in a minimum of four “core classes” each year, earning at least 8 credits in courses required for graduation. Each successfully completed semester course earns 1 credit. Students who do not successfully earn this minimum number of credits may be retained in their current grade level and reclassified into a different Wave. Reclassification occurs at the close of the spring semester based on credit standing.

<b>Grade Level</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
Min. Req. Credits for Promotion	6 Credits*	14 Credits*	22 Credits*	34 Credits
Total Required Credits Possible	10 Credits 10 Total	12 Credits 22 Total	12 Credits 36 Total	12 Credits 48 Total

\*Must pass grade-level English Course

### Courses Offered By Grade Level

Each year, students will take courses appropriate for their grade level, and earn credits toward graduation. The types of classes students will take will reflect the offering listed below.

<b>9<sup>th</sup> Grade</b>	<b>10<sup>th</sup> Grade</b>	<b>11<sup>th</sup> Grade</b>	<b>12<sup>th</sup> Grade</b>
English	English	English	English
Math	Math	Math	Math
Science	Science	Science	Science
Language	Language	Language	History
Health and Wellness	History	History	Art/ Elective
Writing/Technology*	Art	Art/ Elective	Health and Wellness
Math Lab*			

\*Not required for graduation, these courses provide foundational skills critical to success in later courses.

## School-wide Services, Expectations, & Guidelines

### Student Support Services

MWA recognizes the importance of providing educational opportunities to all students regardless of physical challenges or special needs. MWA is committed to serve the exceptional needs of such students in accordance with applicable federal and state laws. MWA collaborates with parents, the student, teachers, and other agencies, as may be indicated, in order to appropriately serve the educational needs of each student.

Special Education Services are provided to allow students with disabilities to participate in their educational experience within the least restrictive environment (LRE). Special education services are provided by MWA staff and contracted service providers to all eligible MWA students in accordance with the Individuals with Disabilities Education Act (IDEA) and the policies/requirements of MWA's SELPA. MWA is part of the El Dorado Charter SELPA (Special Education Local Plan Area). Students may be referred for special education support services through the Response to Intervention model adopted by MWA.

Identification and referral by MWA is generally made through the Student Study Team (SST) process, by evaluating the student's response to intervention and possible need for a higher level of support, and by consulting with WCCUSD's appointed Special Education approved designee. Parents/guardians may also request assessments in any areas of suspected disability. Identification can take place at any time in the school year and support will be given as soon as eligibility is determined by an Individual Education Plan (IEP) team. Eligibility of students with disabilities for special education shall be determined by the IEP team, which can include district specialists (psychologist, resource specialist, speech and language therapist, program specialist, etc., as appropriate), MWA's Student Support designee, MWA administrator(s), MWA classroom teachers, the parent/guardian of the student, and often times the student themselves.

If a student's need cannot be met in the LRE within the MWA program, the student's needs are subject to a more appropriate setting [non-severe handicap] (NSH) and turned over to WCCUSD or The Contra Costa County Office of Education (CCCOE) or designee program specialist to have needs met within the district or allow the district to decide to provide services outside of the district.

### 504 Policies and Procedures

Students with a disability may qualify for regular or special education and/or related aids, services, and/or accommodations under Section 504. Please refer to the 504 Policy which can be found in both the Middle and Upper School offices.

## Enrichment

MWA offers supplemental instructional support and enrichment as additional opportunities for academic success.

**Middle School:** Students are offered the opportunity to participate in enrichment programming through the DREAM Program during the Extended Day period from 3:30 pm–6:00 pm M-TH and from 2:00 pm-6:00 pm Fridays.

**Upper School:** Eligible students have the opportunity to participate in extra-curricular clubs and interscholastic athletics during this time, while other students may be required to participate in the Academic Support Program to focus on areas of academic need.

## Attendance

It is imperative that each student be present, punctual, and prepared to participate in each of his or her classes. A student's academic success is dependent on the ability of him/her attending school regularly. If students are absent, their parent/guardian must call MWA **or** provide written documentation of the absence no later than 8:30 am on the day of the absence. Parents/Guardians are also required to call if a student is going to be late. MWA will call all Parents/Guardians of absent students unless they have already notified MWA. Parents cannot arbitrarily take students out of school before the start of vacation days.

**Middle School Impact:** Children chronically absent in kindergarten and first grade are much less likely to learn to read by the end of third grade. By sixth grade, chronic absence is a proven early warning sign of drop-out. By ninth grade, good attendance can predict graduation even better than eighth-grade test scores. Clearly, going to school regularly matters!

**Upper School Impact:** Moving on to high school can be an opportunity to reset attendance patterns for your students. A recent study by the University of Chicago found that 9<sup>th</sup> grade students who miss more than two weeks of school, on average, fail two courses regardless of their regular academic performance. The same study found that nearly 90% of 9<sup>th</sup> grade students who miss less than a week of school per semester will graduate. Clearly, going to school regularly matters!

We look forward to working with you in a meaningful partnership for your child. We at MWA will continue to work very hard with you to ensure that your child receives the best education possible. To provide your child with an outstanding education, your child must maintain excellent attendance.

<b>MWA's Absence/Tardy line is: 510-262-1511</b>
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All school children of school age (6-18 years old) are legally required to attend school. MWA will aggressively pursue solutions to attendance issues.

MWA allows 10 days of excused absences for illness or other purposes specifically identified below (see the section entitled “Excused Absence”) without the need for verification from a doctor; however, absences without verification after 10 days will be considered unexcused. No student may have his or her grade reduced or lose academic credit for any excused absence, when missed assignments and tests that can be reasonably provided are satisfactorily completed within a reasonable amount of time.

Should students have 10 or more full-day unexcused absences students may be subject to the SARB process below.

### Tardies/Lateness

Arriving to class and school on time is a critical element of academic success, as well as representing a skill that is necessary for success in post-secondary and work environments. Habitual tardiness or lateness may affect a student’s good standing at MWA.

Middle School	Upper School
<ul style="list-style-type: none"> <li>● Student reports to the Front Office for Tardy Referral</li> <li>● Tardy Referral is recorded in PowerSchool</li> <li>● Student attends 30-minute lunchtime or after-school detention*</li> </ul> <p>*Student may opt to serve his/her detention during lunch or afterschool.</p>	<ul style="list-style-type: none"> <li>● Student reports to the Front Office for Tardy Referral</li> <li>● Tardy Referral is recorded in PowerSchool</li> <li>● If student was late to an AM class, the student attends 25 minute lunchtime detention</li> <li>● If student was late to a PM class, the student attends a 25 minute after-school detention</li> </ul>

***It is the student’s responsibility to attend detention on the date that s/he is assigned. Arriving late to detention, or incurring multiple tardies on a single day, will result in the issuance of a referral.***

**Tardies excused for medical reasons require written verification by a medical professional.**

### School Messenger System

One of our goals at MWA is to improve all of our students’ academic success. A necessary component to achieving success is by having your student attend school consistently, arriving on time and ready to learn. MWA uses an automated notification feature that will call parents and guardians in the event that your student has an unexcused tardy or absence.

If you receive an automated notification that your student is tardy, it is critical that you work with your student to ensure they arrive on time every day. Tardiness disrupts the classroom setting and interferes with the learning process, often significantly impacting student performance. Arriving on time is a critical skill for success in post-secondary education and in the workforce, and patterns of tardiness may affect your student’s good standing at MWA.

If you receive a notification that your student had an unexcused absence, please contact MWA by phone immediately at 510-262-1511 to explain and clear the absence. Also, please bring a signed note to verify the absence. For example, a note from a doctor counts as an “excused” verification of an absence. The note should be brought to school within 72 hours of your child’s return to school.

## Excused Absences

The following are **excused** absences:

- Illness of student (more than 10 absences excused for this reason are considered excessive; verification by a medical professional is required)
- Medical, dental, optometry, or chiropractic appointments. **Parents are encouraged to schedule appointments after school hours.**
- Quarantine under the direction of a county or city health officer.
- Funeral of immediate family (parent, grandparent, sibling or any relative living in the immediate household of the student) limited to 1 day in state, 3 days out of state
- Legal matters\*
- Religious holidays or ceremonies
- Religious retreats, not more than 4 hours per semester \*
- Funeral ceremony other than immediate family \*
- Unforeseen emergencies (i.e. natural disasters) will be handled on a case-by-case basis
- For the purpose of spending time with a member of the student’s immediate family, who is an active duty member of the uniformed services, as defined in EC § 49701\*
- For the purpose of jury duty in the manner provided for by law
- Attendance at the student’s naturalization ceremony to become a United States citizen
- Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.

*\*Must be requested in writing by parent/guardian prior to absence and approved by district-designated official.*

### **As a reminder, the following will not be excused:**

- Family vacations/trips
- DMV Appointments
- Trips related to off campus activities not related to school
- Work

## Excuse To Obtain Confidential Medical Services

Students in grades 7 to 12 may be excused from school for the purpose of obtaining confidential medical services, without the consent of the student’s parent/guardian.

## Unexcused Absences

Student absences will be recorded as unexcused for any absence other than those listed above as excused absence. More than 3 unexcused absences per year are considered excessive and results in a referral to the **School Attendance Review Team (SART)** for truancy proceedings (see sections below).

## Excessive Absences

Students accumulating more than 10 excused absences are considered excessive and may be referred to the **Contra Costa County Office of Education School Attendance Review Board (County SARB)** for truancy proceedings (see sections below).

## Early Release

Early Release is a privilege granted by the Division Director to specific students who meet the attendance, academic and behavioral expectations outlined below. This privilege allows students the opportunity to leave school after their last core classes in order to engage in an alternate enrichment activity.

## Authorized Reasons for Early Release and Absences

MWA students will only be considered for early release and absences based on the following reasons:

- Personal Reasons (e.g., funeral service, legal obligations, medical/dental appointments)
- Observance of or attendance to a religious celebration, holiday, ceremony, or retreat
- Sports, outdoor education, or other educational programs
- Socialization (peer group, psychological services, etc.)
- Additional academic support.

## Attendance Expectations and Requirements

Students are allowed to leave at the end of their last core academic class at 3:30 pm. Students are not allowed to leave before then, unless it is an emergency.

## School Attendance Review Team (SART)

When a student is a habitual truant, or is irregular in attendance at school, the student may be referred to the **School Attendance Review Team (SART)**. The first intervention is conducted by MWA SARB which is composed of representatives from MWA (administrator, social worker, teacher, staff) and/or member(s) of the county (law enforcement, members from the county office, or welfare). During the first intervention, the family and MWA sign an agreement regarding the student's attendance. Should the student continue to have attendance difficulties that lead to a violation of that agreement, the student may be referred to the Contra Costa County SARB. At the County SARB hearing, the problem is addressed, possible solutions proposed, and a formal, legal binding contract is made between the parent, student, and school. Violations of the contract may lead to referral for legal action to the District Attorney's office.

It is the responsibility of MWA to maximize the use of all available resources and services to resolve attendance and behavior problems. The law states that parents must be made aware of their child's absence in the most cost-effective method possible.

The following procedure will be followed to insure parents are aware of their student's absences and the interventions to be implemented:

- **First Notification of Truancy Letter**
  - Sent for any combination of **3** Unexcused Absences (UA) or Unexcused Tardies (TX), or excessive (more than 10) excused absences
- **Second Notification of Truancy Letter** (Habitual)
  - Sent for **6** full day Unexcused Absences (UA) or Unexcused Tardies (TX) or excessive (more than 10) excused absences

- A mandated parent/student conference is held to identify areas of support. SART team meeting is required and fulfills mandated conference requirement.
- **Third Notification of Truancy and Referral to SARB Letter**
  - Sent for **8** or more full day Unexcused Absences or Unexcused Tardies, or excessive (more than 10) excused absences. Letter is sent only when site is prepared to send the SARB Referral packet, as the letter alerts the family that this will take place.
  - During this hearing, the student's attendance and academic record will be reviewed. A formal legal, binding contract is made between the parent, student, and school. Violations of the contract may lead to referral to the County's Student Attendance Review Board.

### School Attendance Review Team (SART) Hearing

The parent/guardian will be given notice by certified mail for the scheduled hearing to meet with MWA's SART to consider a proper plan for correcting problems with attendance. Notices for SART are sent by mail 10 days in advance to address on file. The parent/guardian and student will be asked to sign an attendance contract. Failure to comply with the contract will result in the order of a citation to appear in a SART hearing.

Students should attend all classes daily and on time. Parents/Guardians are expected to notify MWA when the student is out for valid medical reasons by phone or written note. Parents/Guardians may also contact MWAs' Registrar on a regular basis to make sure there are no attendance issues that have been missed. There is a maximum allowable amount of one week from the date of the absence to clear it before it becomes unexcused.

### Contra Costa County Office of Education Student Attendance Review Board (County SARB)

A student may be referred to the County SARB once MWA has utilized all available interventions to support a student's attendance. The CCCOE conducts district-level SARB hearings for students referred from its county-operated community school and its county-authorized charter schools. The County SARB will review information presented by MWA and will interview the student and parent/guardian. Following the hearing, the student may be placed in a contractual agreement with the County SARB, be required to report their progress, and be referred to the County's District Attorney's Office if they fail to meet the requirements of their agreement.

More information about the Contra Costa County Office of Education's SARB can be found on their website: [https://www.cccoe.k12.ca.us/programs/for\\_educators/sarb](https://www.cccoe.k12.ca.us/programs/for_educators/sarb)

### Involuntary Removal Process

No student shall be involuntarily removed by MWA for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action ("Involuntary Removal Notice"). The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student's basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with MWA's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until MWA issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or

terminated, but does not include suspensions or expulsions pursuant to MWA suspension and expulsion policy.

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

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

If as a result of the hearing the student is disenrolled, notice will be sent to the student’s last known district of residence within thirty (30) days. A hearing decision not to disenroll the student does not prevent MWA from making a similar recommendation in the future should student truancy continue or re-occur.

### Arrival/Dismissal Policy

In order to protect and ensure student safety, MWA is a **closed campus**. This means that from the time of Arrival to the time of Dismissal to home, students may not leave campus. All Parents, Guardians and students are expected to follow MWA’s Arrival and Dismissal policy, including traffic guidelines, time frames, and directives from MWA Staff members and volunteers facilitating Arrival/Dismissal in order to maintain a safe environment for all students.

	<b>Time Frame</b>	<b>Procedure</b>
Early Arrival	7:00- 7:45	<ul style="list-style-type: none"> <li>▪ All students (MS/US) report directly to MPR</li> <li>▪ Car drop-off behind Building 2 at MPR rear entrance</li> <li>▪ Students must remain in the MPR under supervision of site supervisor</li> </ul>
Arrival	7:45-8:05	<ul style="list-style-type: none"> <li>▪ Car drop-off at side gates to basketball courts. Student drop-off may only happen in designated drop-off area. Parents/Guardians may not park in MS lot or along Lakeside Drive to drop-off students</li> <li>▪ MS students report directly to MS campus</li> <li>▪ US students report directly to US campus</li> </ul>
Dismissal	3:30-4:00	<ul style="list-style-type: none"> <li>▪ Students may leave campus via MWA bus, bike, car, walking to public transportation or home</li> <li>▪ US students may <b>not</b> enter MS campus. MS siblings should report to Dismissal area to meet US siblings</li> <li>▪ Students not leaving campus are expected to report to sports, club activities, or after school programming under the direct supervision of</li> </ul>

		<p>MWA Faculty or Staff. Any student remaining on campus after 4:00 pm will be placed in an academic program upon the close of Dismissal</p> <ul style="list-style-type: none"> <li>• <b>Students may not</b> leave campus and return without permission from the Director or their designee [exception: students participating in sanctioned MWA activities, such as athletics*]</li> </ul> <p><small>*After the close of the Dismissal, Parents/Guardians picking up MS and US students will need to notify the Front Office to grant permission to MS and US students to wait in the US Front Office for pick-up.</small></p>
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### Expectations for Parents/Guardians and Students

Parents/Guardians are responsible for clearly communicating with their students every day regarding student Dismissal plans.

Students can make phone calls home from the front office during breaks or lunch times if they need to speak their Parents/Guardians about pick-up times, after-school plans, sports and other plans.

Students and Parents/Guardians are expected to respectfully and courteously follow traffic laws, posted signs, and the directions of all MWA Staff and Volunteers during Arrival and Dismissal. Additionally, please be mindful of the volume and appropriateness of your music when you are on camps.

To ensure student safety, and to ensure family get through the arrival and dismissal line quickly, please follow the directions of staff at all times.

The Dismissal process takes approximately 25-30 minutes. Students and Parents/Guardians should plan ahead if there is an appointment or other commitment for which they need to leave school promptly. Parents/Guardians should review the Early Release procedure if they anticipate needing to leave school early in order to attend an appointment (appointments are excused per the reasons outlined in the Attendance Policy).

### Traffic Procedures

To ensure student and community safety, it is essential to follow the traffic procedure. Families and/or Students found violating traffic regulations or operating in an unsafe manner may lose their parking privileges on campus. The local police department will be involved if necessary.

### Guidelines

- Always follow directions of the staff directing traffic
- Always to use the crosswalk
- Never “j-walk”
- U-Turns on Lakeside are prohibited
- Never park in the bus loading zones
- Speed limit is 5 mph while driving in the parking lots or on the campus
- Students may only park in designated areas
- Students may not park in faculty or visitor parking spaces
- Students must be dropped off in designated areas ONLY

Students and Parents/Guardians who do not follow the Arrival/Dismissal Policy jeopardize the safety of our students and staff, and will be subject to the following:

- Detention or Suspension for student
- Suspension from after-school programming
- Inability to receive transcripts
- Report to Law Enforcement as mandated by law
- Meeting with Division Directors to discuss student placement at MWA

*\*US Athletes are permitted to leave campus and return for later practices and games with the permission of the Athletic Director. Athletes must return promptly at the start time of their activity supervised by MWA staff, or wait in the designated academic program area. Athletes may **not** bring unapproved food back to campus.*

## Immunizations and Physical Examinations

To ensure a safe learning environment for all students, MWA follows and abides by the health standards set forth by the state of California. Students will not attend school until all required records have been received. The immunization status of all students will be reviewed periodically. Those students who do not meet the State guidelines may be excluded from school until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of MWA.

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

## Diabetes Annual Notification to Parents

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

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

# Nutrition Policy

Part of the MWA holistic approach involves children being properly nourished. Statistics show that brain function is related to nutrition, and unfortunately, many students are less prepared to learn because they do not consume consistently nutritious meals on a regular basis. The purpose of MWA’s Nutrition/Food Guidelines is to serve as a point of nutritional reference to provide consistency for both staff and students.

**Our priority is the health of our young people.** Any contradictory messages (regarding healthy food choices and nutrition) undermine our approach and philosophy on student health. We want our students to build healthy eating habits that they follow now and in the future, but they need help in doing this. Some of our students live in communities where a large part of the population suffers from preventable diseases directly related to diet and food choice. As a result of living in communities where healthy food options are not always available, we want to ensure that our community has the requisite knowledge to make healthy food choices.

MWA participates in the National School Lunch Program. Applications for free or reduced price meals are included in the first day packets to all families and can also be obtained in the main office. All families are encouraged to complete the application form in order to include as many eligible students as possible.

## Food Drop-Offs

Any food being dropped off to students by families during the school day must be brought directly to the Front Office of the Middle School or Upper School. Students may pick up their food from the Front Office once it has been approved by the Director or their designee. **Students may not utilize food delivery services, such as Uber Eats, Grub Hub, pizza delivery, etc.**

### MWA Food Service is committed to:

- Providing students with healthy and nutritious foods; all students will have access to healthy and nutritious food from MWA.
- Encouraging the consumption of fresh fruits and vegetables, low fat milk and whole grains.
- Supporting healthy eating through nutrition education.
- Encouraging students to select and consume all components of the school meal.

The following outline provides a guide to the foods and beverages that are **approved** by MWA for students to bring for everyday breakfast, snack, and lunch:

APPROVED	Why is this the healthy choice?
<ul style="list-style-type: none"> <li>• <b>Snack/protein bars</b></li> <li>• <b>Healthy sandwiches</b></li> <li>• <b>Cereal/oatmeal</b></li> <li>• <b>Baked savory snacks (i.e. pretzels, crackers)</b></li> <li>• <b>Homemade meals (for your child only)</b></li> <li>• <b>Fruit</b></li> <li>• <b>Vegetables</b></li> <li>• <b>Yogurt</b></li> <li>• <b>Whole grains</b></li> <li>• <b>Food items that are low in fat/ calories</b></li> </ul>	<ul style="list-style-type: none"> <li>• Whole grains provide fiber and vital nutrients to fuel a healthy metabolism.</li> <li>• Lean protein allows for proper muscle development.</li> <li>• Diets rich in calcium support healthy bone growth.</li> <li>• Fruits and vegetables provide necessary vitamins and nutrients for proper development and brain function.</li> <li>• Water keeps the body hydrated and operating. It also helps flush out toxins.</li> </ul>

• <b>Water</b>	
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The following outline provides a guide to the foods and beverages that are **not approved** by MWA for students to bring to school other than on special occasions identified on the school calendar:

<b>NON- APPROVED*</b>	<b>Why is this <i>not</i> healthy for our daily food choice?</b>
<ul style="list-style-type: none"> <li>• <b>Sodas</b></li> <li>• <b>Sport drinks</b></li> <li>• <b>Juice (20+ grams of sugar)</b></li> <li>• <b>Candy</b></li> <li>• <b>Gum</b></li> <li>• <b>Chips</b></li> <li>• <b>Sunflower seeds</b></li> <li>• <b>Cookies/Brownies/ Desserts (<i>outside of recommended personal serving size</i>)</b></li> <li>• <b>Fast food</b></li> <li>• <b>Ramen/Cup of Noodles</b></li> <li>• <b>Caffeinated beverages</b></li> </ul>	<ul style="list-style-type: none"> <li>• High sugar consumption can lead to diabetes and excessive weight gain.</li> <li>• Diets that include too much sodium can lead to high blood pressure and heart disease.</li> <li>• Foods high in fat can lead to high blood pressure, high cholesterol, excessive weight gain, and diabetes.</li> <li>• Caffeine is a stimulant, affecting your heart rate and blood pressure. Caffeine also has addictive properties- meaning the growing/developing body can become dependent.</li> <li>• Processed and artificially-flavored foods contain unhealthy chemicals and discourage healthy body development.</li> </ul>

\*Non-approved foods will be confiscated. Students receiving multiple infractions of this Policy will be issued a referral.

Note: The Nutrition Policy can be flexible to accommodate special events and celebrations throughout the year when pre-approved by Senior Leadership.

## Bus Rights and Responsibilities

Use of the MWA Bus Service is a privilege. For the safety of all bus riders the following guidelines must be followed:

- Food and drink (including water) are prohibited on the bus.
- Wave-Makers must board and exit the bus in an orderly manner. Enter the bus quietly and in a straight line. Upon exiting, wait for the Bus Monitor to call your name and check for your Authorized Transporter.
- Wave-Makers must follow the directions of the Bus Monitor at all times.
- Wave-Makers must line up in a single-file line and board or exit the bus quickly, quietly, and safely (QQS).
- Voices must be kept at a level 1 at all times. If a Wave-Maker has a question or a concern, they should raise their hand.
- Wave-Makers may not use inappropriate or disrespectful language at any time, on the bus or out of bus windows, or at the bus stop.
- Wave-Makers must occupy one seat and place backpacks and other belongings on their lap or under the seat.
- Wave-Makers must remain in their seat at all times, keeping the aisles clear, and facing forward.
- Wave-Makers must ask the Bus Monitor for permission to open and close windows.
- Wave-Makers must not leave litter or throw anything out of the windows.
- The Bus Monitor has a cell phone for emergencies and phone calls to parents/guardians.
- If a Wave-Maker is unable to follow the bus rights and responsibilities, the student will have their bus privileges temporarily or permanently removed. The family will be responsible for transporting the student to and from school.

Upon registration, MWA is required to provide safety regulations to all fifth (5<sup>th</sup>) and sixth (6<sup>th</sup>) grade new students and students who have not previously been transported by school bus. Additionally, MWA must also provide safety instruction to all students in fifth (5<sup>th</sup>) through eight (8<sup>th</sup>) grade who receive home-to-school transportation. For more information about MWA's Policy, please see the complete policy located at the front office.

# Expectations for Outdoor Activities and Use of Facilities

To maintain consistency and a positive school climate throughout the MWA community the following rules and expectations apply in all outdoor spaces across the MWA campus:

## **GENERAL RULES:**

- 1.) Follow all directions from MWA staff members and adhere to all school rules.
- 2.) Share equipment and space.
- 3.) Keep all areas clean and tidy.
- 4.) Say "NO" to bullying. Tell a teacher if you see or experience bullying.
- 5.) Practice good sportsmanship.
- 6.) Freeze at the end of recess when the whistle is blown, then proceed immediately to designated line-up areas.

## **THE GARDEN:**

- Students are never to stand on, get inside, or jump over concrete raised beds.
- Students must never pull or pick at plants in the garden without teacher permission.
- Students are never to eat anything from the garden without consulting with a teacher.
- Students are not to hide behind plants at any time.

## **TURF FIELD/COURTS:**

- No food, beverages, or eating allowed on turf.
- No backpacks or students wearing backpacks allowed on turf.
- No lounging, hanging out, sitting, or loitering on turf area; students must be actively playing a game or sport.

## **FENCES/GATES:**

- Stay inside MWA's fences at all times. No students are permitted to be outside of fences.
- Students may not play or climb on fences.
- Students may not throw any objects through or over the fences or gates.
- Gates at the front entrance, picnic area, and basketball courts are for adult use only.

## **EQUIPMENT:**

- Students will not have access to MWA Health and Wellness equipment. Students may bring recess equipment from home to share with others, and may store their own equipment in their lockers.
- If personal equipment brought from home goes over the fences, students and parents may retrieve it after school.
- If MWA or Health and Wellness equipment goes over the fences, MWA staff will supervise retrieval.
- No bats or hardballs are permitted for use at MWA.
- No jump ropes may be tied on fences or used in any physical way towards another person.
- No rollerblades, Heeley's, scooters, or skateboards.
- Students may not climb poles or hang from hoops on the basketball courts. Hoops are for balls only.

## **PICNIC BENCHES AND CEMENT LEDGES/BENCHES:**

- Students are to clean up after themselves after consuming food or beverages, trash is to be picked up and disposed of appropriately upon staff member instruction.
- Students cannot stand on picnic tables, benches, or cement ledges/benches anywhere on campus.

## **RESTRICTED ACTIVITIES, AREAS, AND EQUIPMENT:**

- Any areas outside of the fences are off limits to students.
- Any area around or near storage sheds are off limits to students.
- Students are to remain off all landscaped and garden areas, including the sand/pebble/bark areas.
- Unsupervised students are not allowed in classrooms or hallways.

- No rock throwing; what is on the ground stays on the ground.
- Tag or Flag football only; no tackling or contact sports.
- No dog piling, wrestling, play-fighting, or similar games.
- No cheerleader flips, cartwheels, or gymnastics.

#### **TURF RULES**

- No Backpacks or students wearing backpacks on the turf. Drop backpacks in the backpack zone by the playground/building 2 prior to entering Turf area.
- No Food, Drink or Eating is permitted on the Turf. No Gum. Drinking Water Is Permitted on the Turf only in sealed bottles resting against the fence.
- No Sitting/Laying (Turf is for exercise/practice/walking only).
- Students will not climb or play on the fences surrounding the turf.
- Students will not have access to Health and Wellness equipment during recess. Students must bring equipment from home and store it in their lockers/backpacks.
- If there are H&W classes using the turf, no students will be able to use turf for recess.
- Adult supervision is mandatory in order for students to use the turf.
- No tackling, tripping, wrestling, or play fighting is permitted on the turf.
- When whistle blows, any equipment continued to be used will be confiscated. 10 second rule!
- No Phones on the turf.

#### **GYM RULES:**

- Food, gum, beverages are not allowed
- Non-marking athletic shoes are REQUIRED on the gym floor
- Scheduled events have priority
- Return all equipment after use
- Do not wear jewelry during workouts
- Lock all valuables in your assigned lockers
- No backpacks on the court
- Report all injuries to your instructor immediately
- Anyone found damaging or defacing the gym or equipment will be held financially responsible and subject to disciplinary action
- If the space needs custodial services, please notify your instructor immediately
- No hanging or jumping on any equipment
- No dunking, hanging on basketball hoop nets, volleyball stands/nets, bleachers

## MWA Dress Code

MWA now has moved to a school uniform as opposed to just a dress code. As such, families are expected to purchase pre-approved uniform items from the MWA school uniform vendor or similar clothing matching MWA colors as indicated below. Uniform items for purchase include shirts, pants, sweaters, and ties. MWA makes accommodations for students/families who request support with having the uniform or dress-code compliant clothing. Students now have more choices among other items they wear to school such as outerwear, socks, belts, shoelaces, and hair accessories.

MWA strives to foster high standards in all areas of the school program, including student attire and personal appearance. At MWA, we believe that student attire has a significant impact on student mindset and behavior. In order to cultivate a sense of pride in one's appearance, to provide the daily

opportunity to acclimate to an external standard of dress, and to promote and maintain a safe and inclusive learning environment, MWA has implemented a school-wide dress code policy.

All students are required to follow the MWA uniform dress code outlined below, from the time they arrive until the time they leave campus. In general, students' clothing should fit properly and reflect a sense of professionalism to the academic environment- clothes should not be ripped, torn, overly baggy, inappropriately tight or revealing. If students or parents are unsure about the MWA dress code, it is their responsibility to seek clarification.

MWA Dress Code applies to in-class, on-campus, and off-campus field trips.

For students who violate the Dress Code, the following steps will apply:

- Discussion of Infraction and Reminder of MWA Dress Code Expectations
- Student receives a Dress Code Demerit
- Student is sent to the Front Office to adjust Dress Code as necessary
- Dress Code Demerit is entered in EdClick and becomes a part of the student's discipline record

Following Dress Code is a general proxy for being able to follow school rules and contributes to keeping the campus safe. After multiple Dress Code Infractions within a quarter, the student may also incur the following consequences:

- Parent-Student Conference with Dean
- Loss of privileges, including eligibility for Casual Dress and Professional Dress Days
- In house suspension
- Discussion of appropriateness of placement at MWA

## Uniform for Normal School Days

- **Bottoms (pants, shorts, skorts, & skirts)**
  - ONLY uniform bottoms or similarly colored bottoms (NAVY BLUE uniform pants, shorts, skorts, and skirts)
    - Must be worn at waist level (belts are encouraged)
    - Shorts and skorts must extend to the end of the fingertips (with the student's hand resting comfortably by their side and CANNOT be tight fitting)
    - Skirts cannot be more than 3 inches from the top of the knee and CANNOT be tight fitting
- **Shirts**
  - ONLY uniform tops or similarly colored tops (WHITE or SKY BLUE collared sports-shirt ("polo" shirt) or a button-down collared dress shirt (an "Oxford" shirt)
    - No t-shirts (exceptions: college t-shirts on "College Friday"; NO MWA Wave t-shirts either)
    - Long-sleeve undershirts are acceptable
- **Sweaters**
  - ONLY uniform or similarly colored cardigan sweaters, sweaters or sweater vests
  - Any color University/College sweaters and hoodies are permitted
- **Jackets**
  - Must be navy blue, black, white or grey and may not contain any images or logos (except MWA logos)
  - Should be taken off upon entering class

- **Shoes**

- Closed-toed shoes – sneakers, flats, and casual shoes are acceptable (any color is okay unless it becomes an issue)
  - Heels must not be higher than ½ an inch
  - Soles must not be thicker than 1 inch
  - No shoes with cleats or spikes
  - Different shoestrings are okay as long there are no offensive images or wording on them
  - Not permitted: open-toed shoes, sandals, slippers, or slides. Shoes must have a hard-soled bottom.

- **Identification Badges**

- Each student will be issued a MWA ID badge and lanyards are to be worn around the collar all times
- Students are expected to wear the ID badge at all times
  - *Students should NOT have ID badges hanging from pant pockets, belt loops, etc.*
- Students are not allowed to decorate/deface ID badges
- It is the student's responsibility to replace lost / willfully damaged ID badges. The ID badge replacement cost is \$5

- **All visible clothing accessories (including vests, socks, belts, ties/bowties etc.):**

- Ties/Bows Ties: Are NOT part of the uniform but can be worn to school – even on non-professional dress days.
- Socks may be any color as long as they do not display inappropriate images or words, including but not limited to gang or drug related images or words.
- Hats, caps, beanies and gloves are allowed, but must be removed once a student enters a school building (beanies are permitted for inclement weather; hats are permitted for MWA athletics teams during afterschool hours or during team-related events).
- Religious headwear is permitted to be worn at all times.
- Not permitted: inappropriate language, slogans, or symbols, including those associated with alcohol, drugs, vulgarity, gangs, illicit or illegal activities.
- Students who have hats or other inappropriate accessory items visible after arriving on campus will have them confiscated. Students will get them back at the end of the day the first time, picked up by their parent/guardian the second time, and held for the remainder of the school year the third time.

## Middle School Attire for Special Designated Days

*Business Attire, Formal Wear, College Attire and Casual Dress Days*

### MS Dress Code: Dressing Appropriately for Business Attire Days

“Business Attire” days are held *monthly* at the Middle School to provide students with regular opportunities to demonstrate wearing appropriate attire for professional business environments. Ensuring that you look both stylish and professional at school will do wonders for your confidence, self-esteem, and image. First impressions really count, especially in the workplace, and people may make judgments about your abilities based on how you are dressed. By choosing the right clothes and accessories to wear, you will influence how people behave towards you in a positive way. Please note that students are **expected** to wear business attire on the designated “Business Attire” days. If 75% or more of middle school students do not dress for mandatory business attire days, then the proceeding casual dress day will be cancelled.

Here are the guidelines on how to dress professionally and stylishly during “Business Attire” days at MWA:

*Professional Dress Days, occurring once each month, provide students with regular opportunities to demonstrate wearing appropriate attire for professional business environments. Ensuring that we prepare our students to appear confidently and appropriately in professional environments is the key to their success in the workplace and post-secondary education. The following clothes are appropriate for professional dress:*

**professional dress:**

- Slacks, pants, or knee-length skirts in **black, brown, navy blue or gray**
- Formal blouses or long sleeved, buttoned up, collared dress shirts in **white, pastels or muted colors**
- Blazers, suit jackets in **black, brown, navy blue or gray**
- Sweaters in **black, brown, navy blue, gray, pastels or muted colors** are acceptable
- Suits and ties
- **Formal dress shoes** (not to exceed 2” if heels) and a **belt**
- Earrings should be quarter-sized or smaller, and any jewelry or accessories should be discreet.

**\*Note:** if a student does not own or cannot obtain Business Attire, Standard Dress Code attire is acceptable.

## MS Dress Code: Formal Wear

### (For Special Events such as the Night of Lights or 8<sup>th</sup> grade graduation ceremony)

- Suits and ties, the classic navy, black, gray suit, formal dress shoes and a belt are all considered appropriate formal wear. All shirts must be collared shirts. The acceptable colors for business wear at MWA and business dress code include black, grey, and dark blue.
- Additionally, knee length dresses or skirts or slacks and a sport or dress jacket are considered appropriate formal wear.
- Tube top, spaghetti strap, or sleeveless dresses/tops will be accompanied by a shawl, bolero, or other formal jacket. Scholars must cover any visible straps of dress. No undergarments should be visible on any Scholars.

**Note:** if a student does not possess or cannot afford appropriate “Business” or “Formal Attire,” then standard Middle School Dress Code attire will be acceptable.

## MS Dress Code: Dressing Appropriately on College Attire Days

As part of our comprehensive efforts to develop a college-going culture at MWA, students have the opportunity to participate in weekly “College Attire” days **every Friday** to foster an early appreciation for and sense of pride related to colleges and universities of a student’s choice or interest. On “College Attire” days, students may wear the following attire:

- Any pants, skirts, shorts, bottoms, sweaters, hoodies, jackets, or accessories representing official colleges and universities.

The following attire is **NOT** permissible on “College Attire” days:

- No ripped or tattered clothing
- No spaghetti straps/ tube tops
- No inappropriate logos
- Shorts and skirts CANNOT be more than 3 inches above the knee and CANNOT be tight fitting

## MS Dress Code: Dressing Appropriately on Casual Dress Days

MWA students have the opportunity to earn “Casual Dress” days to demonstrate individuality and personal responsibility through choosing their own attire on selected days. On “Casual Dress” days, students may wear the following attire:

- Name brand clothes
- Colored clothing
- Clothes with logos

The following attire is **NOT** permissible on “Casual Dress” days:

- No ripped or tattered clothing
- No spaghetti straps/ tube tops
- No inappropriate logos
- Shorts and skirts **CANNOT** be more than 3 inches above the knee and **CANNOT** be tight fitting.

“Casual Dress” days may be earned for grade levels that show the greatest participation during “Spirit Week,” and by collectively demonstrating MWA’s Core Values at MWA and throughout the community.

## Upper School Attire for Special Designated Days

### *Casual Dress and Professional Dress Days*

### Upper School Dress Code: Casual Dress

MWA students have the opportunity to earn the privilege of “Casual Dress” to demonstrate individuality and personal responsibility through choosing their attire on selected days. On “Casual Dress Days”, students may wear the following attire:

- Jeans and T-shirts
- Name Brand Clothing
- Colored Clothing
- Clothes with Logos

The following attire is **NOT** permissible on Casual Dress Days:

- Leggings, sweats, or athletic pants
- Slippers, sandals or flip-flops
- No ripped or tattered clothing- this includes tops, bottoms, and outerwear
- No tank tops or tube tops
- No inappropriate logos or images that display or promote illegal or illicit content
- Shorts, skirts and dresses **CANNOT** be more than 2 inches above the knee (skirts) or above fingertips (skirts/dresses) and **CANNOT** be tight fitting.

\*If a student is not able to comply with the Casual Dress Guidelines, s/he will be required to wear the standard MWA uniform. Upper School students may participate in Casual Dress Day depending on their eligibility.

### Upper School Dress Code: Professional Dress Guidelines

Professional Dress Days, occurring once each month, provide students with regular opportunities to demonstrate wearing appropriate attire for professional business environments. Ensuring that we prepare our students to appear confidently and appropriately in professional environments is key to their success in the workplace and post-secondary education. The following clothes are appropriate for **professional dress**:

- Slacks, pants, or knee-length skirts in **black, brown, navy blue or gray**

- Formal blouses or long sleeved, buttoned up, collared dress shirts in **white, pastels or muted colors**
- Blazers, suit jackets in **black, brown, navy blue or gray**
- Sweaters in **black, brown, navy blue, gray, pastels or muted colors** is acceptable
- Suits and ties
- **Formal dress shoes** (not to exceed 2" if heels) and a **belt**
- Earrings should be quarter-sized or smaller, and any jewelry or accessories should be discreet.

**Note:** If a student does not own or cannot obtain Professional Dress attire, Standard Dress Code attire is acceptable.

## MWA Student Discipline

MWA believes that each student has liberties that include freedom of expression (artistic, intellectual, individual), freedom from physical aggression, and freedom from concerns regarding personal safety in the school environment. To support the growth of our students (*Wave- Makers*), MWA believes in the Youth Model. This model of student support asserts that students, especially students coming from urban environments, are not broken, but have valuable skill sets to be accessed. In addition, MWA provides resources that target the development and acquisition of various skills (academic, intellectual, and socio-emotional in preparation for collegiate and professional environments). MWA's discipline philosophy is predicated on the belief that students' needs and strengths should be assessed in order to assist her/him in navigating towards academic and life goals.

## Discipline Policy

- Discipline at MWA is a collaborative effort that involves administration, faculty, parents, and students. Students are expected to alert an adult should they witness a behavior that may harm or violate the norms of the community. Discipline is understood through the lens of reflection, empathy, respect, and relationship. Discipline is not intended nor used as punishment to limit holistic development, but administered to guide the development and needs of students.
- The teacher is the first point of contact for behavioral infractions. If a student commits an egregious act, they are immediately sent to the Dean of Students. The role and responsibility of the Dean of Students is to aid in the development of the students' character and academic acuity, while working closely with families and various constituencies to further support the students' socio-emotional development.

Effective discipline teaches soft skills- the characteristics that define an individual's disposition and influence his or her relationships with peer groups and the community, which are necessary for college readiness/matriculation and life-long success. The core values serve as a basis for developing these skills, as well as providing our community with a series of norms for accountability. By reinforcing the Academy's core values, we are teaching the soft skills necessary to cultivate the students' overall character, so that Wave Makers become positive contributing members of society.

## Student Code of Conduct

Teaching and learning for all students is the highest priority. Therefore, one student's misbehavior will not be allowed to interfere with the learning opportunities of other students, or the teacher's responsibility to teach all students. In working to promote both academic and social development,

MWA's school-wide discipline policies are intended to enforce school-wide behavior and academic expectations. Students who fail to adhere to these expectations by committing a disciplinary infraction(s) will be given a disciplinary consequence(s).

## Searches

MWA is fully committed to promoting a safe learning environment. To ensure this MWA will act in accordance with state law to provide procedures and policies with the goal of eliminating the possession and use of prohibited items such as weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, law enforcement, academy security personnel, and/or Executive/Senior Leadership may search a student's personal property, and/or property belonging to MWA under the student's use and control and may seize illegal, unsafe, or otherwise prohibited items. A student and his/her belongings may be searched if there is reasonable suspicion that the student is engaged in a violation of the law or established school rules. Any illegal items and the possession of illegal items (as defined by state law and MWA's policies and guidelines) may be subject to law enforcement. As such MWA will conduct periodic locker searches throughout the year. Copies of the MWA Search and Seizure policy can be requested at the Middle and Upper School offices.

## Restorative Practices

One of the core tenets of MWA is the importance of Community, one of MWA's Core Values. As such, where applicable, students are assigned restorative action as part of their disciplinary consequences. Restorative Practices are a set of school principles and practices used to build positive relationships, respond and address harm/conflict, and restore students back into the MWA community.

Students may be offered an opportunity to participate in a restorative circle/conference to address and resolve conflict and/or harm with another student, teacher or staff member. The outcome of the restorative process are agreements and actions that the student will be required to uphold. If the same behavior persists, it may result in progressive discipline which can include suspension, and expulsion.

## Classroom Management Policy

When a student does not follow classroom expectations, the following are strategies utilized by faculty to redirect behavior for positive individual and learning outcomes:

1. Verbal Warning: spoken cue to student that behavior is not appropriate
2. "Pause" or "Check-In": provision of time/space for student to reflect, de-escalate as necessary and make the choice to positively change his/her behavior
3. Application of classroom consequences per teacher's Classroom Management System, listed in syllabus
4. Parental Contact by teacher
5. Scheduling of Parental Conference by teacher as needed
6. Application of Academic and/or Behavioral Intervention Strategies by teacher

If the student does not positively redirect his or her behavior, s/he will be issued a Referral and sent to the Dean of Students.

## Disciplinary Consequences

A disciplinary consequence is an action taken as a direct result of a disciplinary infraction. Disciplinary consequences are assigned to students at the discretion of the Dean of Students and may vary depending on the severity and frequency of the disciplinary infraction. Our Middle and Upper Schools have different approaches to behavior management due to the difference in age and stage of development of the students. The section below outlines the discipline system by school where applicable.

<p><b>Middle School</b></p>	<p>If it has been determined that a student has committed a disciplinary infraction, the student may be subject to, but not limited to, the consequences outlined below under the section titled, "Disciplinary Infractions."</p>
<p><b>Upper School</b></p>	<p>If it has been determined that a student has committed a disciplinary infraction, the student may be subject to, but not limited to, the following consequences:</p> <p><b>Loss of privileges:</b> A specific period of time wherein a student may not participate in school-sponsored activities and/or events.</p> <p><b>Detention:</b> A period of non-instructional time when the student is detained because of a school rules infraction is called a detention (e.g., being benched during recess or staying after school).</p> <p><b>Writing activity:</b> Depending on the topic of the consequence (e.g., bullying, name calling) the student may be required to write an essay. Students may be required to present their essay to their peers during community building time.</p> <p><b>Beautification:</b> A period of supervised non-instructional time in which a student participates in campus clean-up.</p> <p><b>In-House Suspension:</b> When sent out of class with a Behavioral Referral, students are not allowed to return to class for the duration of the period. Student can also remain on campus but out of class for the rest of the day. Student and parent/guardian must participate in re-entry meeting prior to return to the classroom.</p> <p><b>Confiscation of possession(s):</b> MWA may at any time confiscate items that are considered to be "prohibited items." Subject to any legal obligations, these items may be withheld until the end of the school year, and/or may be retrieved at this time by the parent/guardian.</p> <p><b>Required parental attendance:</b> MWA believes that parental involvement plays an instrumental, important, and significant role in the resolution of classroom behavior problems. As such, parental presence may be requested in the case that student misbehavior is persistent and for cases in which it has been determined that it is the best strategy to promote positive interaction between the student and the teacher and to improve classroom behavior. If a student receives 3 or more Referrals in a month, a parent/guardian or guardian may be required to shadow that student for a period of time.</p> <p><b>Denial of school-provided transportation:</b> A specific length of time (which may extend the duration of the school year) wherein a student is not permitted to ride school-provided transportation. During this time, it is the parent/guardian's responsibility to arrange alternate transportation for the student.</p> <p><b>Out-of-school suspension:</b> 1-5 days in which the student may not attend school, return to campus, or attend any school-sponsored events. Student and parent/guardian must participate in re-entry meeting prior to return to the classroom.</p>

	<p><b>Expulsion:</b> The permanent removal of a student from MWA. Such action must be recommended by the Director. The Disciplinary Committee of the MWA Board along with the MWA CEO conduct a formal hearing to determine if the recommendation for expulsion will be accepted.</p>
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## School Safety Policy Guidelines

It is the policy of MWA to provide a safe environment for students and staff by removing students whose actions cause a potential or continuing danger to students and/or staff. In addition to disrupting the educational opportunities of other students, should any student commit any of the following infractions, the student **will be recommended for expulsion** from MWA:

**Possession of a weapon and/or dangerous object(s):** Students are prohibited from possessing weapons, imitation firearms, knives of any type (including Swiss-army or multi-tools including a knife attachment), or dangerous instruments of any kind in school buildings, on school grounds or buses, at a school-related events or school-sponsored activities on school grounds.

**Committed an obscene act or engaged in habitual profanity or vulgarity:** Students that are habitual offenders of derogatory/prejudiced remarks regarding another student's skin color, ethnicity, sexual orientation, etc., will not be tolerated.

**Sexual Harassment:** Sexual harassment is a violation of state and federal laws and is not permitted at MWA.

**Fights/Threats/Bullying:** Students are encouraged and expected to take the following steps to resolve conflict instead of resulting to physical action, threats, or intimidation:

- Inform a Dean of Students, teacher, site monitor, security or any adult in the general vicinity.
- Walk away from the situation that appears to be escalating, then seek out assistance.
- Take deep breaths to help calm down.
- Request a conflict mediation meeting with the Dean of Students to help resolve potential conflicts.

Consequently, fighting, repeated threats to fight, or bullying as a means of creating or resolving conflicts will result in a recommendation for expulsion.

### **Controlled Substances (Drugs or Alcohol):**

The following circumstances can result in suspension and a possible recommendation for expulsion:

- Using, possessing, attempting to buy or selling a controlled substance (illegal drugs or alcohol) or being under the influence.
- Students possessing, attempting to buy, under the influence of, using or selling alcohol or other drugs or related paraphernalia at school or at a school event will be recommended for an Expulsion.
- Possession of tobacco or nicotine products, including but not limited to cigarettes (including electronic smoking devices, e-cigarettes, hookah pens) snuff and smokeless tobacco.

**(Please Note:** Any of the aforementioned offenses may be reported to the proper legal authorities. Further, repeated or severe violations of the school disciplinary policies may also result in a recommendation for expulsion as identified below in the Suspension and Expulsion Policy and Procedures.)

***The above school rules and regulations apply to all school activities, on or off campus, including***

Submitting someone else's work as one's own, including that of tutors, friends, parents or siblings or paraphrasing *without giving credit to the source*:

- Turning in purchased papers or papers from the internet written by someone else
- Helping others plagiarize by sharing one's work, even if a student is unaware it will be copied
- Using someone else's idea *without giving credit to the original source*

**Note:** Students **can** use other people's ideas and even paraphrase or quote their words, but they must give them credit in the ***school-sponsored activities and events, as well as in transport to/from school grounds.***

## Academic Integrity

At MWA (MWA), students are expected to give their best at all times and to consistently put forth the effort needed to achieve academic excellence. Forgery, plagiarism, and academic dishonesty of any kind are not tolerated.

**Plagiarism** writing. Using phrases such as "According to..." and "In the book..." acknowledges the original author or content owner. Students should cite all sources in a bibliography.

## Cheating

- Copying assignments that are turned in as original work
- Trading assignments with other students
- Using unauthorized notes or technology, such as bringing notes into a test or using a computer program to translate an assignment and turning it in as one's own
- Sharing answers before, during or after quizzes or tests. Students must be responsible for their own papers and make sure others cannot copy their work

## Ways to Avoid Plagiarism and Cheating

- Plan ahead. Rushing to get one's work done the night before a big project is due may make it more tempting to cheat or plagiarize.
- Be sure to understand the assignments. Students should not rely on their friends for information about what is required.
- Students should not read someone else's paper or homework before doing their own work. Students should seek clear direction from teachers about when and how collaboration with partners is appropriate.
- ALWAYS cite the sources used in drafting a paper, report, project, etc. Follow the citation format required by the teacher or content area.
- Keep a list of the sources used (including the author, title, publisher and copyright date). Make sure to note which information you got from which source.
- Students should protect their own work. Ensure that other students do not have access to homework, essays, projects, tests, or other assigned work that has been completed. If someone else plagiarizes a student's work, the academic integrity of both assignments or assessments is compromised and both students will receive the same grading consequence.
- When in doubt about what to do to avoid cheating or plagiarism, ask the teacher or administrator.

## Consequences for Plagiarism

Middle School	Upper School
<p><b>1<sup>st</sup> Infraction</b></p> <ul style="list-style-type: none"> <li>• Student warning with a phone call home in addition to the student having to re-do the assignment.</li> <li>• The student should spend lunch recess reviewing the policy of plagiarism and write a reflection essay (which can be found at the front office).</li> </ul> <p><b>2<sup>nd</sup> Infraction</b></p> <ul style="list-style-type: none"> <li>• Should the student commit a second infraction, the student will receive an automatic “F” with a phone call home informing the parents of the infraction.</li> </ul> <p><b>3<sup>rd</sup> Infraction</b></p> <ul style="list-style-type: none"> <li>• The student will receive an automatic “F” for the assignment</li> <li>• Student is sent directly to the DOS with a consequence to follow that may involve, but not limited to: possible suspension, parent shadowing, and an essay regarding the importance of proper citation, etc.</li> </ul>	<p><b>1<sup>st</sup> Infraction</b></p> <p>The student...</p> <ul style="list-style-type: none"> <li>• is issued a referral</li> <li>• is given a “0” or “F” on the assignment</li> <li>• has a phone call to their home informing the parents/guardians</li> <li>• has to re-do the assignment.</li> <li>• Has to serve Detention - which includes the student reviewing the consequences for plagiarism and writing a reflection essay</li> </ul> <p><b>2<sup>nd</sup> Infraction</b></p> <ul style="list-style-type: none"> <li>• The same consequences for the 1<sup>st</sup> Infraction</li> <li>• Parent/guardian conference with the College and Career Counseling office to discuss the implications of academic dishonesty in the present and in the future</li> </ul> <p><b>3<sup>rd</sup> Infraction</b></p> <ul style="list-style-type: none"> <li>• The same consequences for the 2<sup>nd</sup> Infraction</li> <li>• Possible suspension</li> </ul> <p><b>Note:</b> Students with repeated acts of academic dishonesty are subject to immediate removal and ineligibility for online courses.</p>

## Middle and Upper School Discipline Systems

MWA is committed to educating students in an environment of safety, discipline and high achievement for all students. As a result, MWA makes significant efforts to help students understand the rules of comportment at MWA, the self-discipline necessary for success in school and the community, and the way to interact with other students, staff and community members in a respectful and positive manner.

MWA develops and maintain a comprehensive set of student discipline policies. These policies are printed and distributed as part of MWA’s student handbook. This handbook clearly describes MWA’s expectations regarding attendance, mutual respect, work habits, safety, fighting, violence and substance use, as well as MWA’s policies regarding the grounds for suspension or expulsion.

- Students accused of any infractions of the discipline code are provided their due process rights as mandated by state and federal law, and in accordance with MWA’s policies. This includes notification of any suspension to the student’s parent(s)/guardian(s) in their home language, a comprehensive collection and examination of the facts, a meeting with the students involved and their families concerning the facts, and a fair and timely conclusion/consequence.

- Behaviors that may lead to suspension include, but are not limited to, physical violence or threats of violence, possession of controlled substances, and possession of weapons. These behaviors are detailed below.
  - In order to address incidents of relatively minor student misbehavior, the first step will typically be for our SST to meet, so that staff and family members can discuss and determine appropriate interventions to be taken, and for our SST to subsequently hold a follow-up meeting. MWA believes students should be in school during school hours so they are learning, and so as not to put any undue burden on their working families. We will make every effort not to suspend children when feasible and prudent, by imposing in-school alternatives to sending children home.

A student whose conduct constitutes a clear and present danger to herself/himself or others may be immediately suspended and later expelled by our Board of Directors upon the recommendations of the Dean of Students, Head of School and Chief Executive Officer. Our Middle and Upper Schools have different approaches to behavior management due to the difference in age and stage of development of the students. The section below outlines the discipline system by school where applicable.

### Middle School Disciplinary Infractions

A disciplinary infraction is considered to be any action in violation of MWA’s code of conduct that occurs while the student is at school, in route to or from school, or at a school-sponsored event/activity (also known as “extended learning spaces”). This includes waiting for, or riding on, school-provided or public transportation to and from school or any school-sponsored event or activity. Determinations of disciplinary infractions are subject to the discretion of Dean of Students or the Division Director/designee(s). Students that have committed a disciplinary infraction(s) are subject to a disciplinary consequence(s).

INFRACTION TYPES	DESCRIPTION	CONSEQUENCES <u>A Referral is issued for each of these infractions, in addition to other consequences listed below</u> (unless otherwise specified)
<p><b>Procedural:</b> Behaviors that affect only the misbehaving student are disruptive to the classroom learning environment and non-compliant with standard classroom operating procedure. The teacher is the primary respondent.</p>	<ul style="list-style-type: none"> <li><b>Not having appropriate equipment and materials-</b> When class begins, students must be prepared and have all necessary materials (books, organized binder, paper, pen, pencil, etc.).</li> <li><b>Sleeping in class-</b> Students are required to sit upright and be active participants in class.</li> <li><b>Gum chewing and unauthorized eating in classroom or hallways-</b> Students may not chew gum at any time. Students may not eat or drink at unauthorized times or places at MWA.</li> <li><b>Being off task, but not disrupting others-</b> All students are expected to remain focused and follow their teacher’s direction.</li> </ul>	<p><b>Range of Consequences:</b></p> <ul style="list-style-type: none"> <li>Loss of Privilege (lunch recess)</li> <li>Detention (1 day)</li> <li>Student to present essay during community building time</li> <li>Phone call home</li> <li>Parent Shadow (Parents may be requested to shadow their student should the student</li> </ul>

	<ul style="list-style-type: none"> <li>● <b>Improper use of school equipment or materials-</b> All equipment must be used as directed by teacher/MWA staff. Students must receive permission to use special equipment.</li> <li>● <b>Dress code violations-</b> Students are required to follow the daily school dress code at all times (Please see Dress Code requirements)</li> <li>● <b>Truancy/Repeated lateness-</b> Students are expected to attend all classes every day and to be on time. Students must present an official note excusing their absence. Parents may not arbitrarily take students out of school without returning with a clearance note from a doctor.</li> <li>● <b>Skipping/Cutting class-</b> Students may never skip or choose not to attend any of their classes.</li> <li>● <b>Failing to follow a reasonable request of a staff member or volunteer-</b> Students must respect the requests of all adults. If there is confusion, or any problems, it is the responsibility of the student to respectfully resolve the situation in an appropriate manner (i.e. ask for help, have dialogue, etc.).</li> </ul>	<p>consistently not meet the behavioral expectation of the Academy.) Parents can receive volunteer hours for shadowing their child during school hours.</p> <p><b>Staff Oversight:</b> Teachers</p>
<p><b><u>Self-Management:</u></b> Behaviors in the classroom or extended learning space that interfere with the learning of others. Teacher is the primary respondent, with Dean of Students providing support</p>	<ul style="list-style-type: none"> <li>● <b>Horseplay-</b> All students are required to behave in a manner that is productive and appropriate to the learning environment. Students may not horseplay and/or play fight.</li> <li>● <b>Being off campus or in an unauthorized area without permission-</b> All students must remain on campus until dismissed by a teacher, and/or staff member. All students must have authorized permission (i.e. hall pass) to be outside of their designated class.</li> <li>● <b>Inappropriate display of affection-</b> A student may not engage in sexual activity of any kind or touch himself/herself or others inappropriately.</li> <li>● <b>Inappropriate/inadequate participation in school activities-</b> It is important that all students have a safe and supportive environment in which to learn. All students are expected to participate in a manner that is consistent with the student expectations of MWA.</li> <li>● <b>Cheating or plagiarism-</b> Students may not cheat or copy the work of others (or allow other students to copy work). All work must contain appropriate citations and plagiarism (copying) is strictly prohibited. In addition to</li> </ul>	<p><b>Range of Consequences:</b></p> <ul style="list-style-type: none"> <li>● Parent meeting with Dean of Students</li> <li>● Loss of privilege (lunch and/or recess/2 days)</li> <li>● Detention (2 days)</li> <li>● Student to present essay during community building time</li> <li>● Phone call home</li> <li>● Parent Shadow (Parents may be requested to shadow their student should the student consistently not meet the behavioral expectation of the Academy.) Parents can receive volunteer hours for shadowing their child during school hours.</li> <li>● Possible Suspension (depending on the severity)</li> </ul> <p><b>Staff Oversight:</b> Teachers, Dean of Students</p>

	<p>other disciplinary consequences, this offense may result in suspension. This also includes <u>forgery</u>. Forging signatures is prohibited (see page 26).</p> <ul style="list-style-type: none"> <li>● <b>Violations of the computer and network use policy not pertaining to Level IV infractions--</b> Students must treat computers, printers, and other technology with care. MWA does not tolerate attempts to access MWA's files or other inappropriate uses of technology or the internet. Students may not use school computers to access chat rooms or web sites or files that contain profanity, sexually explicit language, excessively violent themes, and/or other material inappropriate for minors. Students are allowed to check personal email with permission of their teacher.</li> </ul>	
<p><b><u>Disruptive:</u></b> Disruptive behaviors that negatively affect an orderly environment. Dean of Students is the primary respondent, with support from the Division Director.</p>	<ul style="list-style-type: none"> <li>● <b>Disturbing another student in any way-</b> Students may not disrupt another student.</li> <li>● <b>Theft and/or the defacement or destruction of property-</b> Students may not steal, damage, break and/or graffiti any property. Students are expected to return items to their rightful owner in its original condition or to reimburse the owner and/or MWA for lost, damaged, or stolen property. It will be the responsibility of the parent(s) to pay for appreciated cost, and/or the replacement of property.</li> <li>● <b>Possession of inappropriate literature, images, music, and/or videos-</b> Students are not allowed to bring books, magazines, music, pictures, videos or articles that contain vulgar, profane, or sexually explicit material</li> <li>● <b>Profanity and/or abusive language-</b> Students may not use abusive, threatening, vulgar, coarse, or degrading language (including racial epithets and sexist or homophobic remarks).</li> <li>● <b>Disrespect/non-compliance toward adults or peers-</b> A school cannot function properly if students are permitted to be disrespectful toward adults. For that reason, students may not be disrespectful toward a staff member or any other adult associated with MWA.</li> <li>● <b>Possession of a non-lethal object not allowed at school-</b> Students cannot possess beepers, Walkman, CD players, iPods, MP3 players, cell-phones, cameras, laser pointers, electronic equipment, games, printed text or lyrics that are vulgar, profane, or sexually explicit, or any other items</li> </ul>	<ul style="list-style-type: none"> <li>● Student sent to the Dean of Students</li> <li>● Loss of privilege (5 days)</li> <li>● Detention (5 days)</li> <li>● Parent meeting with the Dean of Students</li> <li>● Student to present essay during Community Building Time</li> <li>● Parent Shadow (Parents may be requested to shadow their student should the student consistently not meet the behavioral expectation of the Academy.) Parents can receive volunteer hours for shadowing their child during school hours.</li> <li>● Possible Suspension (depending on the severity)</li> <li>● Mediation with a representative from the Richmond Police Department (RPD)</li> </ul> <p><b>Staff Oversight:</b> Teachers, Dean of Students, Division Director</p>

	<p>inappropriate for school. In the event you are seen with any of these devices on campus they will be taken away and <b>returned on the last day of school</b>. Subject to any legal obligations, such items will be confiscated regardless of the owner and irrespective of any costs or fees students and/or their families may incur as a result. (See Appendix E)</p>	
<p><b>Aggressive:</b> Behaviors that impact the physical and/or mental safety of others and/or are illegal. Dean of Students is the primary respondent with support from the Division Director. Student may be suspended for the maximum number of days allowable by law with the possibility of expulsion for all Level 4 infractions.</p>	<ul style="list-style-type: none"> <li>● <b>Unauthorized possession, sale, or otherwise furnishing of any firearm, knife, explosive or other dangerous object-</b> Students are not allowed to bring a weapon of any sort to school, have a weapon on him/her or his/her property, or use any object in a dangerous or threatening manner. Weapons include, but are not limited to: air rifle, starter/pellet pistol, blackjack knife, gun, or any object that can be used to inflict serious bodily harm.</li> <li>● <b>Intimidation/extortion/threats</b> - Students are not allowed to bully, use intimidation tactics, blackmail or threaten another student or adult.</li> <li>● <b>Hitting, grabbing, shoving-</b> Students are not allowed to engage in physically aggressive behavior at MWA.</li> <li>● <b>Fighting – assault or battery of any kind-</b> MWA students may not fight with other students from MWA or any other school. Harassing, pushing, touching, or any form of unwanted physical contact is not tolerated. In addition to fighting, students may not commit assault, including sexual assault, or assault and battery on a student, school employee, or another person. Assault is an attempt or threat to physically harm another person; assault does not require physical contact. Battery is any unlawful touching of another person.</li> <li>● <b>Gross disrespect toward adults or peers-</b> MWA fosters an environment of respect, academic success, and safety. Gross disrespect (cursing, name calling, obscene gesturing) is not tolerated.</li> <li>● <b>Possession, sale, distribution, or use of tobacco, alcohol, drugs, any controlled substance, or any intoxicant of any kind-</b> Students may not use or possess any non-prescribed controlled substance, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind. In addition, students may not offer, arrange,</li> </ul>	<p><b>Range of Consequences:</b></p> <ul style="list-style-type: none"> <li>● Immediate Referral to Dean of Students</li> <li>● Parent meeting with the Dean of Students</li> <li>● Parent Shadow (Parents may be requested to shadow their student should the student consistently not meet the behavioral expectation of the Academy.) Parents can receive volunteer hours for shadowing their child during school hours.</li> <li>● Possible Suspension or In-House Suspension (depending on the severity)</li> <li>● Mediation with a representative from the Richmond Police Department (RPD)</li> <li>● Parent Meeting with Division Director &amp; Dean of Students</li> <li>● Recommendation for Expulsion</li> </ul> <p><b>Staff Oversight:</b> Dean of Students &amp; Division Director</p>

	<p>or negotiate to sell any of the aforementioned substances. Students may not be in possession of prescribed or over-the-counter drugs. Prescribed drugs must be delivered to the Nurse or Office Manager by a parent or guardian with a doctor-signed Medication Authorization Form. Students with a parent note may possess daily amounts of over the counter medication.</p> <ul style="list-style-type: none"> <li>● <b>Pulling a fire alarm without cause or otherwise making a false alarm-</b> Students may not intentionally set off a false alarm or make a destructive threat.</li> <li>● <b>Harassment of any kind-</b> Harassment and/or bullying is not tolerated by any means.</li> <li>● <b>Arson and possession/use of explosive devices-</b> Students may not set a fire or be in possession of any kind of explosive device and/or material.</li> <li>● <b>Hazing-</b> Any type of abusive, humiliating, and/or form of initiation is not allowed.</li> <li>● <b>Inappropriate sexual conduct-</b> A student may not engage in sexual activity of any kind or touch himself/herself or others inappropriately.</li> <li>● <b>Violations of the computer or network use policies pertaining to Aggressive infractions—</b>Students may not use the computers, or other networks to bully humiliate, threaten or intimidate another student or adult. In addition, students may not make threats outside of the school environment pertaining to any student or adult at MWA.</li> </ul>	
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Middle School: Identified Consequences and Positive Student Acknowledgment

Range of Disciplinary Responses

The following lists of incentives and consequences will be administered to promote teaching and learning for all students. The staff member who has oversight in responding to a particular infraction of the disciplinary code will determine how to act within the range of consequences specific to each disciplinary level. MWA and its staff members are not obligated to administer every consequence within a given range or to first administer lesser consequences within a range.

**Positive Incentives**

- Visual/Verbal Praise
- Positive Contact (i.e. handshake, high-five)

- Merit Points
- Positive Acknowledgment “Big Up”
- “Rap Session” w/Staff
- Bell keeper (Student of the Week)
- Letter/Card or Gift from Staff
- Positive Phone-Call Home
- Special Classroom Job
- Increase in School Privileges (i.e. assigned study hall, bell keeper, student assistant)
- Casual Dress Privilege

## Middle School Behavioral and Immediate Referrals

Students are issued Behavioral Referrals for not responding to behavioral redirection from an adult, or for committing an infraction requiring Immediate Referral to the Dean of Students.

## Upper School Discipline System

The purpose of the MWA Upper School approach to Student Discipline is to give each student the opportunity to self-correct inappropriate behaviors before receiving consequences. It is designed to be transparent, progressive, and restorative. Nevertheless, please be aware that MWA and its staff members are not obligated to administer every consequence within a given range or to first administer lesser consequences within a range. This is true for both middle school level and upper school level discipline.

The Upper School Discipline Policy also allows for celebrating and recognizing positive choices and behaviors. Students receive recognition for numerous behaviors and acts that contribute positively to the classroom and school-wide communities and overall learning environment.

## Upper School Disciplinary Infractions

A disciplinary infraction is considered to be any action in violation of MWA’s code of conduct that occurs while the student is at school, in route to or from school, or at a school-sponsored event/activity (also known as “extended learning spaces”). This includes waiting for, or riding on, school-provided or public transportation to and from school or any school-sponsored event or activity. Determinations of disciplinary infractions are subject to the discretion of Dean of Students or the Division Director/designee(s). Students that have committed a disciplinary infraction(s) are subject to a disciplinary consequence(s).

## Upper School Behavioral and Immediate Referrals

Students are issued Behavioral Referrals for not responding to behavioral redirection from staff or for committing an infraction requiring an Immediate Referral to the Dean of Students. Please see below for the range of consequences for Behavioral Referrals, as well as for infractions requiring Immediate Referral to the Dean of Students.

**Infractions Requiring Suspensions:** Length of suspensions will be determined after investigations are complete and all facts are reviewed, they can vary in length from half a day to 5 full days.

INFRACTION	DESCRIPTION	<b>CONSEQUENCES</b> <b><u>A Referral is issued for each of these infractions, in addition to other consequences listed below</u></b> (unless otherwise specified)
<b>Non-Report to Detention</b>	Students must report to lunch or after-school detention on the date that they are assigned.	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral               <ul style="list-style-type: none"> <li>○ Mandatory Lunch Detention</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral               <ul style="list-style-type: none"> <li>○ Parent/guardian Notification</li> <li>○ Campus Beautification Lunch and After-School</li> </ul> </li> </ul>
<b>Usage or Possession of cell phone or other electronic device during school hours</b>	Please Reference <i>MWA Cell Phone/ Electronics Policy</i> .	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Confiscation of device until the end of the school day               <ul style="list-style-type: none"> <li>○ Student/DOS conference</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Confiscation of device until Parent/ Guardian pick-up               <ul style="list-style-type: none"> <li>○ Parent/guardian Notification</li> <li>○ Parent/guardian Meeting</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Confiscation of device               <ul style="list-style-type: none"> <li>○ Parent/guardian Notification</li> <li>○ Two week phone submittal to Front Office</li> </ul> </li> </ul>
<b>Violation of Arrival/ Dismissal Policy or Closed Campus Policy</b>	See <i>MWA Arrival/ Dismissal Policy</i> .	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral               <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral               <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Notification</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral               <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Meeting</li> </ul> </li> </ul> <p><i>Depending on the severity of the infraction, the following may also apply:</i></p> <ul style="list-style-type: none"> <li>○ Suspension from after-school programming</li> <li>○ Possible Report to Law Enforcement</li> <li>○ Parent/guardian Conference with US Director to discuss student placement at MWA</li> </ul>

<p><b>Out of Class or Off Campus without Permission</b></p>	<p>Students are to be in possession of a hall pass at all times, and may not leave the classroom during class time without a pass signed by an MWA Staff member. Students may not leave campus prior to dismissal without signing out in the Front Office with permission of a Parent/guardian or Guardian.</p>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Possible Suspension 1 day</li> </ul> </li> </ul>
<p><b>Forging a Document/False documentation</b></p>	<p>Students are not to place false calls, submit documents, such as absence excuses, parent/guardian permission forms, teacher clearances etc., that are not authentic. Students are not to use false ID when leaving campus or during school activities.</p>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction : Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Possible Suspension</li> </ul> </li> </ul>
<p><b>Academic Dishonesty/ Cheating</b></p>	<p>Any student who is caught cheating, such as plagiarism, copying, allowing others to copy, etc. is subject to immediate disciplinary action. Students who commit multiple acts of academic honesty are subject to ineligibility or immediate removal from online programs.</p>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Zero "0" on assignment or test</li> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Zero "0" on assignment or test</li> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference with College &amp; Career Counselor</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Zero "0" on assignment or test</li> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference with College &amp; Career Counselor</li> <li>○ Possible Suspension</li> </ul> </li> </ul>
<p><b>Internet and Technology violation</b></p>	<p>Students who sign the <i>MWAUS Computer/ Internet/Technology Acceptable Use Policy</i> are expected to live up to the agreement. Accessing, distributing and/or exposing other students to offensive or inappropriate material via internet or technology may subject your student to disciplinary action, as well as civil or criminal penalties under state and federal law.</p>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Temporary or permanent loss of Internet privileges</li> <li>○ Possible Suspension</li> </ul> </li> </ul> <p><i>Possible report to Law Enforcement.</i></p>
<p><b>Bus violation</b></p>	<p>Students who sign the <i>MWA Bus Rights and Responsibilities Agreement</i> are expected to live up to the agreement. Violation of <i>MWA Bus Rights and Responsibilities Agreement</i> may result in loss of bus privileges.</p>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Temporary or permanent loss of Bus privileges</li> </ul> </li> </ul>

		based on MWA Bus Rider Agreement
<b>Loitering in neighborhoods or restricted areas</b>	Students are not to hang out in the neighborhoods and on private property while subject to school rules. Students ignoring warnings will be considered defiant.	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> </ul>
<b>Defiance of Authority</b>	Students refusing to cooperate with ANY adult personnel at MWAUS, including parent/guardian volunteers, who are responsible for the safety and well-being of all students. This includes offering a false name and/or fleeing from school personnel	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Mandatory Parent/guardian Observation</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Possible Suspension</li> </ul> </li> </ul> <p><i>Ongoing non-compliance with staff directives may result in a recommendation for expulsion due to safety concerns.</i></p>
<b>Aggressive Language</b>	Any student who participates in the following towards any student, school employee, or adult volunteer is subject to immediate disciplinary action: <ul style="list-style-type: none"> <li>· Obscene gestures*</li> <li>· Profanity*</li> <li>· Aggressive language*</li> <li>· Any form of hateful rhetoric*</li> </ul> <p>*This includes physical, verbal, written, or electronic acts.</p>	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> <li>○ Potential Recommendation for Expulsion</li> </ul> </li> </ul>
<b>Public Displays of Affection (PDA)</b>	Students are not to engage in excessive PDA (Public Displays of Affection)	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> </ul> </li> <li>● 2<sup>nd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> </ul> </li> <li>● 3<sup>rd</sup> Infraction: Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Possible Suspension</li> </ul> </li> </ul> <p><i>Student may be suspended for the first Infraction depending on the severity of the act.</i></p>
<b>Obscene behavior, Exposure or</b>	Any student who commits an obscene act or is in possession of obscene material, is subject to	<ul style="list-style-type: none"> <li>○ Referral</li> <li>○ Restorative Action Required</li> </ul>

<b>Possession of Obscene Material</b>	immediate disciplinary action	<ul style="list-style-type: none"> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> <li>○ Possible Recommendation for Expulsion</li> </ul> <p><i>Possible report to Law Enforcement</i></p>
<b>Safety Violation</b>	Students are expected to abide by all classroom and campus safety regulations. <i>Students who repeatedly do not follow adult directions cause an unsafe environment for themselves, their classmates, and community members.</i>	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> <li>○ Possible Recommendation for Expulsion</li> </ul> </li> </ul>
<b>False Emergency Alarm</b>	Falsely alerting MWA, directly or indirectly, of a campus emergency is prohibited. Students with knowledge that such a danger exists should communicate with school authorities immediately, and remain available for interview by law enforcement and other emergency personnel.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> </ul> </li> </ul> <p><i>Possible report to Law Enforcement</i></p>
<b>Graffiti or Vandalism</b>	Willful or negligent destruction or altering of school property including unauthorized words or drawings.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> </ul> </li> </ul> <p><i>Possible report to Law Enforcement. Students will be financially liable for any damage to school property.</i></p>
<b>Theft / Burglary / Robbery Extortion</b>	Any student who unlawfully obtains the property of another where an act of force or threat is involved, any student who steals or attempts to steal school or private property will be subject to immediate disciplinary action	<ul style="list-style-type: none"> <li>○ Referral</li> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> <li>○ Possible Recommendation for Expulsion</li> </ul> <p><i>Possible report to Law Enforcement.</i></p>
<b>Possession of Stolen Property</b>	Any student who is unlawfully in possession of the personal property of another or in possession of another person's property without permission is subject to immediate disciplinary action.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Restitution to victim</li> <li>○ Parent-Student Conference</li> <li>○ Possible Suspension</li> <li>○ Possible Recommendation for Expulsion</li> </ul> </li> </ul> <p><i>Possible report to Law Enforcement.</i></p>
<b>Bullying / Cyber Bullying</b>	Any student engaging in unwanted aggressive behavior that inflicts harm upon another person through physical/verbal/electronic actions are subject to immediate disciplinary action.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> <li>○ Possible Recommendation for Expulsion</li> </ul> </li> </ul>

		<i>Possible report to Law Enforcement.</i>
<b>Instigation / Acts of Intimidation/ Harassment</b>	Any student engaging in or having any part in hazing, instigating violence, or threatening in any manner or form that may result in possible injury or public humiliation of another is subject to immediate disciplinary action.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> <li>○ Recommendation for Expulsion</li> </ul> </li> </ul> <i>Possible report to Law Enforcement.</i>
<b>Fighting / Causing or Attempting to Cause Injury</b>	Any student involved in causing injury* to another person is subject to immediate disciplinary action. Repeated acts of violence or gang-related violence will result in Recommendation for Expulsion.  *MWA does not view becoming actively involved in a fight as self-defense.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Parent/guardian Conference</li> <li>○ Possible Suspension</li> <li>○ Recommendation for Expulsion</li> </ul> </li> </ul> <i>Possible report to Law Enforcement</i>
<b>Possession of Weapon or Destructive Devices</b>	Any weapon or destructive device of any type or form is not to be brought onto campus. Any student who is found to be in possession of or who transports a weapon or any destructive device to MWA premises, or while in attendance at any school sponsored activity, or in the vicinity of MWA where students normally congregate will be subject to immediate disciplinary action.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Suspension</li> <li>○ Possible Recommendation for Expulsion</li> </ul> </li> </ul> <i>Possible report to Law Enforcement</i>
<b>Drugs and Drug Paraphernalia / Under the Influence</b>	Any student that unlawfully possesses, offers, arranges, furnishes, negotiates to sell, or is under the influence of drugs/alcohol- including paraphernalia. This includes tobacco products, alcohol, or controlled substances.	<ul style="list-style-type: none"> <li>● Referral <ul style="list-style-type: none"> <li>○ Restorative Action Required</li> <li>○ Suspension</li> <li>○ Complete Substance Use/Abuse Education Program</li> <li>○ Possible Recommendation for Expulsion</li> </ul> </li> </ul> <i>Possible report to Law Enforcement</i>

## Suspension and Expulsion Procedures

A complete copy of MWA's Suspension and Expulsion Policy, including more detailed expulsion procedures, is included at the end of this Handbook.

## Responsibilities of Parties

### 1. STUDENTS' RESPONSIBILITIES

- Read, understand and follow the MWA school rules and regulations;
- Submit to the authority of teachers, administrators and classified employees who have student supervisory assignments with respect to student behavior during school activities;
- Demonstrate good behavior while on MWA grounds, while going to and from school, during the lunch period, and during or while going to or coming from a school-sponsored activity;
- Respond to MWA staff in a fashion that shows individual respect;

- Read and understand the discipline policies outlined in the MWA handbook and posted in teachers' classrooms. If a rule or policy is unclear, request that the faculty member explain its meaning.

## **2. PARENTS'/GUARDIANS' RESPONSIBILITIES**

- Read and understand school rules and regulations relating to discipline;
- Discuss all components of the school Comportment Policy with the student;
- Work with the school to modify and correct unacceptable student behavior;
- Respond to the school staff in a timely and respectful manner.

## **3. TEACHERS' RESPONSIBILITIES**

- Support and enforce all school rules and regulations fairly within classrooms, halls and campus;
- Communicate with and respond to students and parents in a timely and timely manner;
- Propose, participate, and recommend conferences with parents, counselors and administrators concerning students with serious behavioral problems;
- Report to the Head of School or counselor all serious or willful acts of misconduct by students and other individuals;
- If appropriate, give detentions for tardiness, unexcused absences, minor behavior infractions, or institute other appropriate consequences for these kinds of behaviors.

## **4. ADMINISTRATORS' RESPONSIBILITIES**

- Administration shall inform teachers of each student who has engaged in any of the acts described in any of the subdivisions. Administration shall provide the information to teachers based upon any written records that the school maintains in its ordinary course of business or receives from a law enforcement agency;
- Communicate with and respond to students and parents in a fashion that shows individual respect;
- Issue suspensions and detentions for those students who demonstrate unacceptable behavior and who fail to honor this policy;
- Give suspensions from one (1) to five (5) days to students when other means of correction fail to bring about good conduct or when the action of that student presents a danger to persons or property or threatens to disrupt the educational process;
- Monitor at-risk students with ten (10) or more days of suspension, and keep parents informed about corrective actions being instituted to assist students to improve behavior.

## **5. COMMUNITY RESPONSIBILITIES**

- On a limited basis, the community police may cooperate with the MWA administration in the investigation of incidents where the law may have been violated.

# **Anti-Bullying, Harassment, Intimidation, Discrimination and Title IX Policy**

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

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying,

including cyber sexual bullying, based on the actual or perceived characteristics of the protected classes/bases described above, or any other basis protected by federal, state, local law, ordinance or regulation. This policy applies to all employees, students, or volunteers and relationships, regardless of position or gender. MWA will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted, including those on social networking sites and communication devices.

All complaints of harassment will be treated seriously. Students are expected to guide all of their actions with others using the MWA Core Values. Material that is considered verbally or physically threatening, obscene, racist, discriminatory, will not be tolerated. MWA will address harassment which includes social networking threatening posts and/or correspondence that comes to the attention of MWA. MWA reserves the right to access and review any and all information in an attempt to preserve the safety, health, and overall well-being of the student.

As used in this policy, “discrimination, harassment, intimidation, and bullying” describe the intentional conduct, including verbal, physical, written communication, cyberbullying, or cyber-sexual bullying, that is based on the actual or perceived characteristics of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. In addition, bullying encompasses any conduct described in the definitions set forth in this policy.

To the extent possible, MWA will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated and/or bullied, and will take action to investigate, respond, and address any reports of such behaviors in a timely manner. MWA staff who witness acts of discrimination, harassment, intimidation, and bullying will take immediate steps to intervene, so long as it is safe to do so.

Moreover, MWA will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which MWA does business, or any other individual, student, or volunteer. This policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. MWA will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

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

Dean of Students  
4123 Lakeside Drive  
Richmond, CA 94806  
Ph. (510) 262-1511

## Prohibited Unlawful Harassment

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

## Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 et. seq; 34 C.F.R. § 106.1 et. seq) and California state law prohibit harassment on the basis of sex. In accordance with these existing laws, discrimination on the basis of sex in education institutions is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by MWA.

MVA is committed to providing an educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

Physical assaults of a sexual nature, such as:

- Rape, sexual battery, molestation or attempts to commit these assaults and
- Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body

Unwanted sexual advances, propositions or other sexual comments, such as:

- Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
- Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct
- Subjecting or threats of subjecting a student to unwelcome sexual attention or conduct or intentionally making the student's academic performance more difficult because of the student's sex

Sexual or discriminatory displays or publications anywhere in the educational environment, such as:

- Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the educational environment
- Reading publicly or otherwise publicizing in the educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic, and

- Displaying signs or other materials purporting to segregate an individual by sex in an area of the educational environment (other than restrooms or similar rooms)

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

## What is Bullying?

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

1. Placing a reasonable student or students in fear of harm to that student or those students’ person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable student to experience a substantial interference with his or her academic performance.
4. Causing a reasonable student to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by MWA.

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

## What is Cyber Bullying?

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
  - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to:
  - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the

- depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

## Reporting

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

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

Dean of Students  
4123 Lakeside Drive  
Richmond, CA 94806  
Ph. (510) 262-1511

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights.

While submission of a written report is not required, the reporting party is encouraged to submit a written report and may use the report form available in the Main Office and at the end of this Handbook. However, oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal or physical abuses. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, Director, staff person or a family member so that she/he can get assistance in resolving the issue in a manner that is consistent with this Policy.

MWA acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

MWA prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter's filing of a complaint or the reporting of misconduct prohibited by this Policy. Such participation shall not in any way affect the status, grades or work assignments of the reporter.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

## Investigation

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of MWA, the Coordinator or administrative designee will promptly initiate an investigation. At the conclusion of the investigation, the Coordinator or administrative designee will notify the Complainant of the outcome of the investigation. However, in no case may the Coordinator or administrative designee reveal confidential student information related to other students or employees, including the type and extent of discipline issued against such students or employees.

- Complaints shall be investigated and resolved within thirty (30) school days, unless circumstances reasonably require additional time.
- All records related to any investigation of misconduct prohibited by this Policy will remain in a secure location in the Main Office of MWA.
- In those instances when the complaint filed under this policy also requires investigation under the Uniform Complaint Procedures, such investigation will be undertaken concurrently. When harassment, discrimination or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a Uniform Complaint Procedures (“UCP”) complaint form at any time during the process.

## Appeal

Should the Complainant find the Director or designee’s resolution unsatisfactory, he/she may within five (5) school days of the date of resolution, file an appeal with the Designated Appeals Committee. In such cases, at least three (3) certificated MWA employees who are unfamiliar with the case and who have been previously designated and trained for this purpose shall be assembled to conduct a confidential review of the Complainant’s appeal and render a final disposition.

## Consequences

Students or employees who engage in misconduct prohibited by this Policy are subject to the disciplinary action; students may receive discipline up to and including suspension or expulsion. MWA has a **no tolerance** bullying policy. Bullying by **any individual** at MWA is strictly prohibited. MWA will report all abuse to the appropriate legal authorities as required by the law.

In addition, any student involved who engages in misconduct prohibited by this Policy, regardless of their role, may be required to participate in the following:

- *Bullying Education*: Participation in a specific number of bullying “workshop” sessions centered around bullying education (i.e. statistics, prevalence, impact of bullying).
- *Restorative Justice*: Specific activities aimed to repair the damage cause to the MWA community by bullying (i.e. write an essay on the harmful effects of bullying and present essay to the MWA community).
- *Psychological Services*: A specific number of individual or group counseling sessions facilitated by a therapeutic clinician.

# Suicide Prevention and Intervention Policy

The CDC reports that suicide is the second leading cause of death among people 10 to 34 years of age in the United States[i]. This policy outlines MWA's suicide prevention, intervention and postvention procedures to protect the health and well-being of all MWA students. Please see MWA's Death Policy for postvention procedures on how to respond to a student who has died by suicide or other circumstances. For a copy of the full Suicide Prevention and Intervention Policy please contact the Social Worker (510-262-1511).

## Suicide Prevention Activities

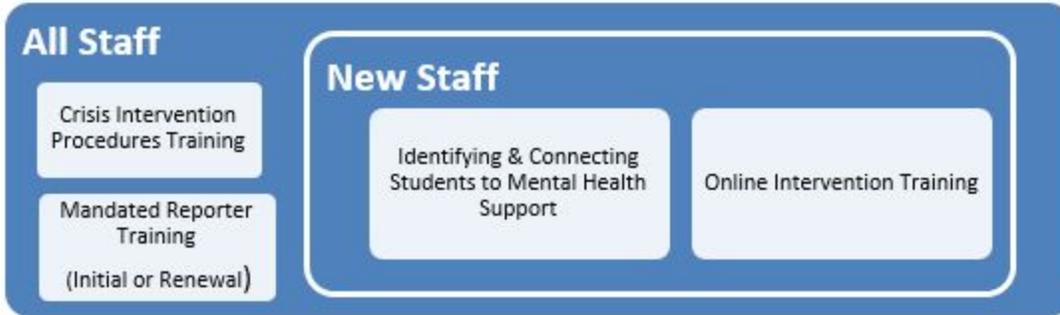
Below is an outline of the specific suicide prevention activities and trainings for MWA staff, parent/guardians, and students. Additionally, MWA will work to maintain a positive school climate, encourage caring relationships between students and staff members, and provide opportunities for students to learn and practice problem-solving and coping skills in order to promote protective factors that decrease a student's suicide risk.

## Staff Professional Development

MWA staff must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide. Staff will receive professional development on risk factors, warning signs, MWA crisis intervention procedures, referrals for mental health services, resources regarding youth suicide prevention and information regarding groups of students judged by MWA, and available research, to be at elevated risk for suicide. See below for a description and target audience for each training.

- Identifying & Connecting Students to Mental Health Support Training – In-person training led by a mental health professional that reviews warning signs and risk factors for developing mental health disorders, reviews procedures to refer students to mental health services, and provides resources. During this training staff learn the Notice, Talk, Act protocol[i] – noticing the warning signs of mental health problems, speaking with a student directly when there are concerns, and connecting the student to mental health support.
- Online Intervention Training -A one-hour, online, interactive simulation gatekeeper training program that teaches educators how to (1) identify students exhibiting signs of psychological distress, including depression, anxiety, substance abuse, and thoughts of suicide; (2) approach students to discuss their concern; and (3) make a referral to school support services.
- Crisis Intervention Procedures Training – Annual in-person training led by a mental health professional that reviews staff protocol for intervening in student crises and referring students to support. Risk factors, warning signs, and intervention and referral protocols for the following crises are included in the training: Homelessness/Loss of housing, Physical Abuse, Sexual Abuse or Assault, Neglect, Pregnancy, Self-Harm, Suicidal Ideation, Violent Threats, and Substance Use.
- Mandated Reporter Training (Initial) –Training on the identification and reporting of child abuse and neglect. The initial training for new staff members reviews in-depth signs of abuse/neglect, the process for reporting neglect and abuse, the support provided to families affected by abuse/neglect, and the legal responsibilities of mandated reporters.
- Mandated Reporter Training (Renewal) –Annual training on the identification and reporting of child abuse and neglect for returning staff members.

[i]  
<http://www.americanpsychiatricfoundation.org/what-we-do/public-education/typical-or-troubled/about-typical-or-troubled>



## Prevention Programming for Students

Students will participate in workshops and trainings that will inform them about the warning signs of suicide, symptoms of mental health disorders commonly experienced by adolescents, resources for mental health support, and how to access mental health services at MWA and in the community. Any workshops or trainings shall not use the stress model to explain suicide. See below for a description and target audience for each prevention activity.



Support Services for High-Risk Students. In order to be responsive to the needs of high-risk students, MWA will provide the following services as needed:

- Youth bereaved by suicide
- Youth with disabilities, mental illness, or substance use disorders
- Youth experiencing homelessness or in out-of-home settings, such as foster care
- LGBTQI youth
- Youth experiencing traumatic stress

### Services Offered

- Case management

- Critical incident debriefings
- Grief support groups
- Group therapy
- Individual therapy
- Referrals for external support

## Trainings and Resources for Parents/Guardians

MWA will offer the following training and resources to parents/guardians. Parents/guardians are notified of these resources by MWA's sharing of this policy.

- **Mental Health Workshop** – In-person training that reviews risk factors, warning signs, resources for support, and how to refer students for mental health support.
- **Contra Costa Resource Guide** – This guide of local resources includes contact information for mental health agencies and other supports. This guide will be disseminated throughout the year at parent workshops and will be included in family mailings.
- **Parent/Guardian Engagement Coordinator** – This staff member will act as a liaison between MWA and parents and provide pertinent resources to parents regarding key concerns (including mental health).

## Risk Factors and Protective Factors

Risk factors for suicide are characteristics or conditions that increase the chance that a person may try to take her or his life. Suicide risk tends to be highest when someone has several risk factors at the same time.

**The most frequently cited risk factors for suicide are:**

- Major depression (feeling down in a way that impacts your daily life) or bipolar disorder (severe mood swings)
- Problems with alcohol or drugs
- Unusual thoughts and behavior or confusion about reality
- Personality traits that create a pattern of intense, unstable relationships or trouble with the law
- Impulsivity and aggression, especially along with a mental disorder
- Previous suicide attempt or family history of a suicide attempt or mental disorder
- Serious medical condition and/or pain

***It is important to bear in mind that the large majority of people with mental disorders or other suicide risk factors do not engage in suicidal behavior.***

Protective factors for suicide are characteristics or conditions that may help to decrease a person's suicide risk. While these factors do not eliminate the possibility of suicide, especially in someone with risk factors, they may help to reduce that risk. Protective factors for suicide have not been studied as thoroughly as risk factors, so less is known about them.

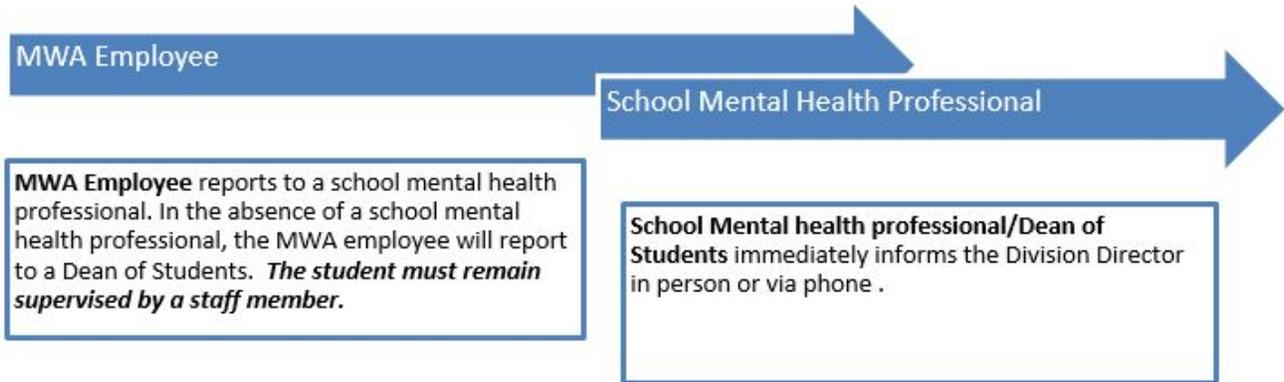
**Protective factors for suicide include:**

- Receiving effective mental health care
- Positive connections to family, peers, community, and social institutions such as marriage and religion that foster resilience
- The skills and ability to solve problems

***Note that protective factors do not entirely remove risk, especially when there is a personal or family history of depression or other mental disorders.***

## Assessment and Referral

When a student is identified by a staff person as potentially suicidal (e.g., verbal suicidal ideation, exhibits self-harm behaviors), MWA staff members will follow the protocol outlined below:



## Re-Entry Procedures

When a student returns to school after a mental health crisis, the Division Director/Dean(s) and a school mental health professional will meet with the student's parent/guardian and the student to discuss the process for re-entry and the student's readiness to return to school.

- A school mental health professional will coordinate mental health services with the student, parent/guardian, and external mental health care providers.
- The parent/guardian will provide documentation from a mental health care provider with the student's discharge plan that includes the hospitalization dates and contact information of the treating clinician.
- A school mental health professional will meet with senior leadership to discuss the support plan for the student.
- A school mental health professional or one of the Deans will share with the student's Grade Level Lead the support plan and accommodations or adjustments that should be put in place to help re-integrate the student back to school. If needed, MWA mental health professionals will work with the Special Education Coordinator to put in place an IEP or 504 plan for the student.
- A school mental health professional will assess the student's risk level for at least three weeks after hospitalization and will schedule periodic check-ins with the student and parents/guardians to help the student readjust to the school community and address any ongoing concerns. The student may engage in mental health treatment at MWA if they are not being provided by an external mental health care provider.

## Student Identification Cards

MWA will include the telephone number for the National Suicide Prevention Lifeline on all student identification cards. MWA will also include the number for the Crisis Text Line and a local suicide prevention hotline on all student identification cards.

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[1] <https://www.cdc.gov/violenceprevention/suicide/statistics/>

# Mental Health Services

MWA recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and violence. Access to mental health services at MWA and in our community is not only critical to improving the physical and emotional safety of students, but it also helps address barriers to learning and provides support so that all students can learn problem-solving skills and achieve in school and, ultimately, in life. Our students can ask for support from MWA's social worker by contacting the Main Office in person or by phone at 510-262-1511.

# Expectant and Parenting Students

The MWA mission states, "Making Waves commits to rigorously and holistically preparing students to gain acceptance to and graduate from college to ultimately become valuable contributors to the workforce and their communities." This statement is inclusive of expectant and parenting students. MWA encourages expectant and parenting students to continue their education while receiving necessary health, social service, and day care services. MWA recognizes that expectant and parenting students face challenges that may interfere with academic success and are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. This policy outlines the protocol that MWA will utilize to best support expectant and parenting students.

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

Upon return to school after taking parental leave, a pregnant or parenting student will be able to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses. Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in MWA if it is necessary in order for the student to be able to complete any graduation requirements, unless MWA determines that the student is reasonably able to complete the graduation requirements in time to graduate from high school by the end of the student's fourth year of high school. If a student chooses not to return to MWA after taking parental leave, he or she is entitled to alternative education options offered by MWA.

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

Christine Godfrey  
Managing Director of Human Resources

## What does Federal Law say?

Title IX of the Educational Amendments of 1972 stipulates the following in regards to expectant and/or parenting students:

- No rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex shall be applied (5 CCR § 4950; 34 CFR § 106.40(a)).
- Schools must treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom in the same manner and under the same policies as any other temporary disability with respect to any medical or hospital benefit, service, plan or policy MWA administers, operates, offers, or participates in with respect to MWA's students (5 CCR § 4950(d); 34 CFR § 106.40(b)(4)).
- A physician's note certifying that the student is physically and emotionally able to continue participation may be required only if such certification is required for all students for other physical or emotional conditions requiring the attention of a physician (5 CCR § 4950(b); 34 CFR § 106.40(b)(2)).
- Students are permitted to take a leave of absence for pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom for so long a period of time as is deemed medically necessary by the students' physician, at the conclusion of which the student shall be reinstated to the status which she held when the leave began (34 CFR § 106.40(b)(5)).
- Students shall not be discriminated against or excluded from education programming or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom (34 CFR § 106.40(b)).
- A student may participate in a program or activity for pregnant students, but participation must be completely voluntary and the separate program or activity must be comparable to that offered to non-pregnant students (34 CFR § 106.40(b)(3)).
- Requiring a student to take a course or participate in a program on the basis of sex is prohibited (34 CFR § 106.34).
- Discriminatory counseling and use of materials that treat students differently on the basis of sex are prohibited (34 CFR § 106.36).
- Discrimination is prohibited in activities that are part of MWA's education program even if they are not directly run by MWA. Thus, a student cannot be excluded from a program such as student exchange, study abroad, or coursework programs on any basis prohibited by Title IX (34 CFR § 106.31(d)).

## Social Work Support

Students who are identified as expectant or parenting will be referred to MWA's Social Worker. The Social Worker will work alongside the student to ensure that MWA is providing academic and socio-emotional support in-school, in addition to referring the student to these types of support within the community. Once an expectant or parenting student is referred to the Social Worker, he/she will follow the protocol outlined below:

- The Social Worker will meet with the expectant and/or parenting student to assess the students' physical, mental, and emotional state. The Social Worker will review Title IX rights and confidentiality with the student. If the student consents, the Social Worker will set-up a meeting with the student, student's family, and school administrators.

- The Social Worker will create a roadmap to graduation with each expectant and/or parenting student, which will include maternity/paternity leave dates, academic goals, an academic plan, and academic and socio-emotional supports needed.
- The Social Worker will collaborate with school staff to ensure the delivery of support systems.
- The Social Worker will refer the student to community resources and supports that serve expectant and parenting students, including Cal-Safe Programs at Richmond and Kennedy High Schools.

## School Adjustments

MWA will make reasonable adjustments to facilitate equal access and full participation of expectant and parenting students. Adjustments will be made on a case-by-case basis, and may include:

- Home-based study with support from teachers
- Online learning
- Class schedule flexibility
- Provide a private location where the student can pump milk
- Allow additional time for passing periods, lunch, pumping, and breastfeeding as needed

## Confidentiality

Expectant and parenting students have the right to have their health and personal information kept confidential. MWA staff should make every effort to keep personal information and health records confidential within the boundaries of applicable law. Here are some important guidelines to ensure confidentiality:

- Personal information students share with the Social Worker should be kept confidential.
- The Social Worker should encourage these youth to consider informing their parents of a pregnancy. However, the Social Worker/school staff may not disclose this information to the student's parents or force or coerce the youth to inform his/her parents, or any other individual, of any pregnancy or parenting related information.
  - Fear of disclosure prevents some minors from seeking services. When minors are assured that providers will respect their privacy and provide confidential care, they are more likely to seek care, especially reproductive healthcare. Generally, when a minor has the right to consent to treatment or testing, healthcare providers and school staff should keep information related to the service confidential. However, there are circumstances in which confidentiality may not be possible, including: *cases of suspected child abuse or neglect, threats by the minor against self or others, cases where there is a serious risk to the minor's life or health (learning of a pregnancy or parenting status is not in and of itself a serious risk to the minor's life or health).*

## Attendance

Every child between the ages of 6 and 18 has the right and the obligation to attend school. Expectant and parenting students have the same right and obligation under compulsory school attendance laws. This attendance right and obligation applies to students regardless of their marital or parental status. Below are important guidelines to monitor the attendance of expectant and/or parenting students.

- Students are entitled to an extended absence or leave of absence for reasons of pregnancy and related medical conditions, including pregnancy-related illness or health condition, childbirth, and recovery therefrom. The leave shall be for at least the duration deemed medically necessary by the student's

licensed healthcare provider. Documentation from students' licensed healthcare providers may be required for verification of pregnancy and related medical conditions only if it is also required for absences due to other medical conditions. Student parents are also entitled to a fair and reasonable parental leave following the birth of a new child. That leave may be taken sequentially following pregnancy leave. The student's family, school staff and medical professionals shall specify a fair and reasonable term for parental leave with each expectant student.

- Students with excused absences or tardiness such as pregnancy-related illnesses or the medical care of related conditions shall be treated like all other students with excused absences or tardiness for short-term disability or medical reasons. Students with excused absences shall be allowed to complete all assignments and tests missed, or a reasonable equivalent of the work missed, during the absences within a reasonable time period. Students shall be given full credit upon satisfactory completion of that work.
- A student who is the parent of a child shall be considered excused when his or her absence or tardiness is due to the illness or the medical appointment of his/her child or as a result of the student's pre- or post-natal medical conditions.
- A student who is the parent of a child shall also be considered excused due to lack of child care when the student has made a reasonable effort to secure and maintain reliable child care. The Social Worker will take part in determining whether the student has made a reasonable effort to secure child care. MWA requires verification of appointments from expectant students' licensed healthcare providers or the licensed healthcare providers for students' children, however, any such oral or written verification will not appear in the student's school records and shall be stored in a separate confidential file.
- At the conclusion of a pregnancy and/or parental leave, students will be reinstated at MWA with the same status as before the leave began. MWA will support the continuation of learning during excused absence and leave with the supports listed above.

## Homeless Students

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence due to economic hardship. It includes children and youths who (42 USC 11434a):

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
  2. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
  3. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  4. Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition of "homeless."
- Homeless status is determined in cooperation with the parent/guardian. In the case of unaccompanied youth, status is determined by the MWA Liaison.
  - **School Liaison:** The Chief Executive Officer or designee designates the following staff person as the MWA Liaison for homeless students ((42 USC 11432(g)(1)(J) & (e)(3)(C).):  
Social Worker  
4123 Lakeside Drive  
Richmond, CA 94806  
Ph. (510) 262-1511

The MWA Liaison shall ensure that (42 U.S.C. 11432(g)):

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies.
  2. Homeless students enroll in, and have a full and equal opportunity to succeed at MWA.
  3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by MWA, if any, and referrals to health care services, dental services, mental health services and substance abuse services, housing services, and other appropriate services.
  4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
  5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
  6. Enrollment/admissions disputes are mediated in accordance with law, MWA charter, and Board policy.
  7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
  8. MWA personnel providing services receive professional development and other support.
  9. The MWA Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
  10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from The MWA Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.
- For any homeless student who enrolls at MWA, a copy of MWA's complete policy shall be provided at the time of enrollment and at least twice annually.

## Foster Youth

MWA has adopted a policy governing Foster Youth, consistent with state and federal law. A copy of the policy is available upon request at the main office. For any foster youth who enrolls at MWA, a copy of MWA's complete policy shall be provided at the time of enrollment and at least twice annually.

## Nondiscrimination Statement

MWA does not discriminate against any student or employee on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, citizenship,

immigration status, religion, religious affiliation, sexual orientation, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

MWA adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”).

MWA is committed to providing a work and educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination in Employment Act of 1967; The Age Discrimination Act of 1975; the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability). MWA also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race or ethnicity, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. MWA does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which MWA does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. MWA will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. The lack of English language skills will not be a barrier to admission or participation in MWA’s programs or activities. MWA prohibits retaliation against anyone who files a complaint or who participates in a complaint investigation.

Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the MWA Uniform Complaint Procedures (“UCP”) Compliance Officer:

Christine Godfrey  
Managing Director of Human Resources  
4123 Lakeside Drive  
Richmond, CA 94806  
(510) 262-1511

## School Property and Personal Possessions

### Lockers and Locks

Students will be assigned a locker with a lock. Only locks provided by MWA will be used on the lockers. Students should keep the combination to themselves. Lockers are for your belongings and school supplies. Students are responsible for the organization and cleanliness of their locker. Lockers may be searched to the extent allowed by law. As such, students should not leave items in their locker that they would be embarrassed by if seen by school officials or any illegal contraband such as weapons, cigarettes, drugs (even prescription drugs – which should be kept in the nurse’s office). Students should not leave food in their locker as it attracts rodents and ants into the school building. Students should not

leave any PE clothing in the locker over the weekend. Students should not leave any valuables or irreplaceable items in their locker including money. There will be a \$5 replacement fee for any lost locks.

## Textbooks

Students will be issued textbooks for their classes. Instructional materials are an expensive resource and MWA provides sufficient instructional materials in accordance with state law. Instructional materials provided for use by students remain the property of MWA. Students are responsible for returning borrowed materials in good condition, with no more wear and tear than usually results from normal use. Students are required to cover their textbooks. If a student textbook is found not under the possession of its owner on campus, it is returned to the Front Office and the parent is notified.

The parent or guardian of a minor student shall be liable for the replacement cost for the textbook loaned to the student that the student fails to return or that is willfully cut, defaced or otherwise damaged. The cost of the textbook varies based on the subject matter and cost of shipping. Textbooks purchased by the student or parents will not be accepted as a replacement in lieu of funds.

If the student & parent/guardian are unable to pay for the damages or return the property, they can work with MWA Administration on arriving at some period of time to pay for the damaged or missing property.

## Computer/Internet Use Policy

MWA provides internet access to students for educational purposes only. The use of the internet is necessary for many school research projects. Misuse of the internet or other MWA technology violates MWA Technology Acceptable Use Policy and subjects your child to school disciplinary consequences.

## Computer/Internet Use Guidelines

- Students must complete a cyber-ethics and safety course every year.
- Students should have no expectation of privacy at any time while using MWA technology, nor at home when it pertains to school business.
- MWA is authorized to monitor the use of MWA technology including but not limited to e-mail logs and internet histories of students and does so.
- Students may only use MWA technology including its internet network for appropriate educational purposes and research.
- Student access to the Internet shall be for school related purposes only; students may not use the network in a fashion inconsistent with directions from teachers or other staff or in violation of the MWA Technology Acceptable Use Policy, which includes, but is not limited to the following prohibited actions:
  - a. Playing games or online gaming.
  - b. Downloading software, music, movies or other content in violation of licensing requirements, copyright or other intellectual property rights.
  - c. Installing software on MWA equipment without the permission of a teacher or other authorized MWA staff person.
  - d. Downloading, viewing or sharing inappropriate content, including pornographic, defamatory or otherwise offensive material.
  - e. Conducting any activity that is in violation of MWA policy, the student code of conduct or local, state or federal law.

- f. Engaging in any activity that is harmful to other student(s), including the use of MWA technology to harass, intimidate, or bully or otherwise disrupt the educational process.
  - g. Using MWA technology to engage in political activities or conducting for-profit business.
  - h. Using hacking tools on the network or intentionally introducing malicious code or viruses into MWA's network.
  - i. Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
  - j. Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
  - k. Accessing or attempting to access material or systems on the network that the student is not authorized to access.
- Students should use the Internet/network only with the permission of designated school staff.
  - Students should be considerate of other users on the network.
  - Students must use appropriate language for school situations and must not use vulgar or profane language or images, including those with implied vulgarity and/or profanity.
  - Students should immediately report any security problems or breaches of these responsibilities to the supervising teacher.
  - Students must adhere to copyright laws and plagiarism rules when using the Internet; students should acknowledge the source of information included in their work.
  - Students may not share user IDs and passwords required to access e-mail and other programs.
  - Students may not give out personal information about themselves or where they live.
  - Students may not fill out forms on the Internet without parent/teacher permission.
  - Students may not send pictures of themselves through e-mail using MWA technology.
  - Students may not have access to e-commerce or publicly provided Internet Service Providers or e-mail services. Students will receive school e-mail accounts upon teacher request and parent permission if the accounts are needed for educational projects.
  - Students may not use proxy avoidance sites (sites that allow the user to bypass the Internet filter) or other sites indicated as blocked. Use of these sites violates MWA's Policy and could result in loss of Internet access and/or other disciplinary actions.
  - Students may not intentionally degrade or disrupt Internet network services or equipment. This includes but is not limited to tampering with computer hardware or software, vandalizing data, invoking computer viruses, attempting to gain access to restricted or unauthorized network services, unauthorized redirection of school web pages or violating copyright laws.
  - Students may not work directly on teacher or MWA websites without express written permission from MWA IT Director, and Division Director.
  - Students may not use MWA technology to construct websites using content or links that violate state or federal laws.
  - Students should treat MWA technology with care and respect; no food or drink is allowed when using MWA technology.

**Note: To see the full MWA Technology Acceptable Use Policy, please request one from the front desk of the Middle School or Upper School.**

## Cell Phone/Electronics Policy

Middle School	Upper School
<p>At MWA students are not permitted to have a cell phone and/or electronic device while on campus. MWA believes cell phones and personal electronics are disruptive to the educational environment and therefore are completely restricted. If students are instructed to bring cell phones to school by the parent for safety reasons and to communicate with them before or after school, the cell phone must be turned off, not visible in a pocket or jacket, or stored in a backpack or locker. If any student is seen with a cell phone</p>	<p>At MWA students are not permitted to use a cell phone and/or electronic device (including but not limited to music devices, hand-held electronic gaming devices, pagers, personal tablets, headphones/earbuds, or internet-based devices) on campus during school hours outside of break, lunch, and passing periods. MWA believes that cell phones/electronics are disruptive to the educational environment and therefore are completely restricted during instructional time (unless specifically authorized by a</p>

or found to be in possession of a cell phone or any other electronic device while at school and/or while riding school-provided transportation, **it can and will be confiscated.**

If students are seen with a cell phone or prohibited electronic devices, they will be warned to put it away. A second time a student is seen with a cell phone and or prohibited electronics it will be confiscated and kept until the end of the school day and the parent will be notified. From then on, the student will be asked to check their phone at the office at the beginning of the day and the student can pick it up at the end of the day when they are going home. The cell phone or prohibited electronic device can be confiscated whether or not the student is the owner of the phone or not. Cell phones and electronics may be confiscated from students by any MWA staff. If additional infractions occur involving a cell phone or electronic device, the student will be subject to more severe consequences including but not limited to suspension.

In cases where it is necessary for students to bring a cell phone on campus cell phones should be checked in to the Front Office safe upon arrival to school and picked up at the end of the school day.

teacher for instructional purposes). All cell phone and electronic devices should be turned off and not visible during instructional time. Students using a cellphone or electronic device during an authorized time will have the item confiscated.

If additional infractions occur involving a cell phone, headphones/earbuds, or other electronic device, the student will be subject to escalation intervention-including loss of privileges.

In cases where a student has lost the privilege of having a cellphone/electronic device in their personal possession during the school day and a parent/guardian is concerned about safety, then the parent/guardian should contact the Dean of Students or designee.

At no time shall MWA be responsible for preventing theft, loss or damage to cell phones, pagers, or other electronic devices brought onto campus or school-provided transportation.

No student shall be prohibited from possessing or using a cell phone or electronic device that is determined by a licensed physician and surgeon to be essential for the health of the student and use of which is limited to purposes related to the health of the student.

# Visitor Policy/Guidelines

Partnership between MWA, parents/guardians and families are essential to support student achievement. To promote family involvement, community building, and academic growth, parents/guardians and Educational Advocates are always welcome on campus, on the condition that they adhere to the visitor policy.

*Visitors who are not parents or guardians of currently enrolled students*, including but not limited to former students, former employees, family members of current students and siblings who are not currently enrolled at MWA are required to adhere to the following procedures:

**All campus visitors must have the prior consent and approval of the school leader or their designee.**

- Visitors may request school leader consent through the front office or by contacting the Executive Assistant.
- The request should include the purpose of the visit, dates, and times of the visit and the specific classroom or student being observed.
- Immediately upon arriving on campus, all visitors must check in at the front office to sign in and obtain a visitor's pass.
- All visitors must wear a visitor's pass in a visible place throughout the duration of their stay on campus.
- All visitors must sign out upon the completion of their visit and return their visitor's badge.

If the visitor is a government officer/official (including but not limited to local law enforcement officers, immigration enforcement officers, social workers, district attorneys, or U.S. attorneys) the officer/official will also be asked to produce any documentation that authorizes school access. MWA shall make reasonable efforts to notify parents or guardians prior to permitting a student to be interviewed or searched, consistent with the law and/or any court order, warrant or instructions from the officer/official. A copy of the documentation provided by the officer and notes from the encounter may be maintained by MWA, consistent with the law. The MWA Board of Directors and Bureau of Children's Justice in the California Department of Justice, at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), will be timely informed regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes, as recommended by the Attorney General.

## **Visitor Conduct While on Campus**

To maintain a safe and productive learning environment for students and staff, we request that visitors adhere to the following:

- Enter and leave the classroom as quietly as possible.
- Do not converse with students, teachers or other instructional assistant during the visit unless given permission.
- Keep the length and frequency of classroom visits reasonable, based on the activity being observed.

- No electronic listening or recording device may be used in a classroom without the teacher's and Director's written permission.

### **Administrator's Authority**

Adults and minors over 16 years of age who enter MWA and fail to adhere to the visitor policy or who defy the Director/designee's authority may be reported to the appropriate police agency and may be subject to criminal charges.

### **Parent/Guardian Rights**

- Parents have the right to observe classrooms in which their child is enrolled after making a request in advance, within a reasonable timeframe.
- Parents have the right to request a meeting with a classroom teacher, the school Director or their designee after observing their student.

### **Parents/Guardians, Visitors do not have the right to:**

- Willfully interfere with the discipline, order or conduct in any classroom or school activity with the intent to disrupt, obstruct, or inflict damage to property or bodily injury to any person.
- Disrupt class work, extracurricular activities or cause disorder in a place where a school employee is required to perform their duties.

### **Removal of Visitors**

1. The Director, or designee, may refuse to register a visitor if it is believed that the presence of the visitor would cause a threat of disruption or physical injury to teachers, other employees, or students.
2. The Director or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reason to believe that the person has willfully disrupted or is likely to disrupt MWA's orderly operation. If consent is withdrawn by someone other than the Director, the Director may reinstate consent for the visitor if the Director believes that the person's presence will not constitute a disruption or substantial and material threat to MWA's orderly operation. Consent can be withdrawn for up to fourteen (14) days.
3. The Director or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or withdrawn, promptly leave school grounds. When a visitor is directed to leave, the Director or designee shall inform the visitor that if he/she reenters MWA without following the posted requirements he/she will be guilty of a misdemeanor.
4. Any visitor that is denied registration or has his/her registration revoked may request a conference with the Director. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of conference is to be sent, and shall be delivered to the Director with fourteen (14) days of the denial or revocation of consent. The Director shall promptly mail a written notice of the date, time, and place of the conference to the person who requested the conference. A conference with the Director shall

be held within seven (7) days after the Director receives the request. If no resolution can be agreed upon, the Director shall forward notice of the complaint to the MWA Board of Directors. The MWA Board of Directors shall address the Complaint at the next regular Board meeting and make a final determination.

5. At each entrance to the campus, signs shall be posted specifying the hours during which registration is required, stating where the office of the Director or designee is located, and what route to take to that office, and setting forth the penalties for violation of this Policy.
6. The Director or designee shall seek the assistance of the police in managing or reporting any visitor in violation of this Policy.

## Criminal Background Checks

As required by law, all individuals working or volunteering at MWA will be required to submit to a criminal background investigation. No condition or activity will be permitted that may compromise MWA's commitment to the safety and the well-being of students takes precedence over all other considerations. Conditions that preclude working at MWA include conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with MWA, be convicted of a controlled substance or sex offense, or serious or violent felony, the employee must immediately report such a conviction to the Managing Director of Human Resources.

## Tuberculosis Testing

All employees of MWA must submit written proof from a physician of a risk assessment examination for tuberculosis (TB) within the last sixty (60) days. If TB risk factors are identified, a physician must conduct an examination to determine whether the employee is free of infectious TB. The examination for TB consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All employees will be required to undergo TB risk assessments and, if risk factors are found, the examination at least once every four (4) years. Volunteers may be required to undergo a TB examination as necessary. The TB risk assessment and, if indicated, the examination is a condition of initial employment with MWA and the cost of the exam will be borne by the applicant.

Food handlers may be required to have annual TB exams. Documentation of employee and volunteer compliance with TB risk assessments and examinations will be kept on file in the HR office. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to MWA will be contractually required to ensure that all contract workers have had TB testing that shows them to be free of active TB prior to conducting work with School students.

# All School Emergency Evacuation Plan

MWA has a detailed comprehensive safety and emergency plan. A copy of the plan may be requested at MWA main offices. In the case of an emergency it is important that students listen to, and follow exactly, the instructions given by any MWA staff member or emergency personnel.

## All School Lockdown Drill

In the event of a dangerous situation, crisis in process or stranger on campus, "Lockdown Campus" would be declared by the Chief Executive Officer, Directors of School, or designee.

The procedure for the lock down as facilitated by faculty and staff is as follows:

- "Lockdown School" is announced over our PA system,
- Staff will quickly check outside their rooms to allow any nearby staff or students to enter before locking the door.
- Doors are locked. Lights are turned off. Windows are covered.
- All students and staff will duck out of sight, cover and remain in place until notified that the need for lockdown is over.

If your students feel anxiety as a result of this drill, students are encouraged to speak with any on site psychological counselor or staff member.

## Notice of Pipeline Hazard

An 8-inch diameter liquid petroleum pipeline, owned and operated by Kinder Morgan Energy, Partners, LP (Kinder-Morgan) traverses the western portion of the MWA' property behind Building 2 (4131 Lakeside Drive). J House Environmental, Inc. prepared a pipeline hazard analysis to identify potential safety hazards associated with school facility operations in proximity to this pipeline.

This analysis concluded, "The Kinder-Morgan refined petroleum product pipeline that traverses the western portion of the 4123 and 4131 Lakeside Drive site is not anticipated to pose a significant safety hazard to students or staff at the proposed charter school."

A copy of the complete 26 page J House Environmental, Inc. pipeline hazard analysis is available for viewing at the Main Office, MWA, 4123 Lakeside Drive, Richmond, CA.

# Directory Information, FERPA, and Student Records

## Definitions

### **Education Record**

An education record is any information recorded in any way, including, but not limited to, handwriting, print,

computer media, video or audio tape, film, microfilm, and microfiche containing information directly relating to a student that is maintained by MWA or by a party acting for MWA. Such information includes, but is not limited to:

- a. Date and place of birth; parent and/or guardian's address, mother's maiden name and where the parties may be contacted for emergency purposes;
- b. Grades, test scores, courses taken, academic specializations and school activities;
- c. Special education records;
- d. Disciplinary records;
- e. Medical and health records;
- f. Attendance records and records of past schools attended; and/or
- g. Personal information such as, but not limited to, a student's name, the name of a student's parent or other family member, student identification numbers, social security numbers, photographs, biometric record or any other type of information that aids in identification of a student.

An education record does not include any of the following:

- a. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records maintained by a law enforcement unit of MWA that were created by that law enforcement unit for the purpose of law enforcement;
- c. In the case of a person who is employed by MWA but not in attendance at MWA, records made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for any other purpose;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at MWA;
- e. Records that only contain information about an individual after he or she is no longer a student at MWA; or
- f. Grades on peer-graded papers before they are collected and recorded by a teacher.

## **Personally Identifiable Information**

Personally identifiable information is information about a student that is contained in his or her education records that cannot be disclosed without compliance with the requirements of FERPA. Personally identifiable information includes, but is not limited to: a student's name; the name of a student's parent or other family member; the address of a student or student's family; a personal identifier, such as the student's Social Security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combinations, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the MWA reasonably believes knows the identity of the student to whom the education record relates.

## **Directory Information**

MWA may disclose the personally identifiable information that it has designated as directory information, consistent with the terms of the annual notice provided by MWA pursuant to the Family Educational Rights and Privacy Act of 2001 (20 U.S.C. § 1232g) ("FERPA"). MWA has designated the following information as directory information:

- Student's name
- Student's address
- Parent/guardian's address
- Telephone listing
- Student's electronic mail address
- Parent/guardian's electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

## **Parent**

Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

## **Eligible Student**

Eligible student means a student who has reached eighteen (18) years of age.

## **School Official**

A school official is a person employed by MWA as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board of Directors of MWA. A school official also may include a volunteer or an independent contractor of MWA or other party who performs an institutional service or function for which MWA would otherwise use its own employees and who is under the direct control of MWA with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

## **Legitimate Educational Interest**

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

## **Disclosure of Directory Information**

At the beginning of each school year, MWA shall provide parents and eligible students with a notice containing the following information: 1) The type of personally identifiable information it designates as directory information; 2) The parent's or eligible student's right to require that MWA not release "directory information" without obtaining prior written consent from parent or eligible student; and 3) The period of time within which a parent or eligible student must notify MWA in writing of the categories of "directory information" that it may not disclose without the parent's or eligible student's prior written consent. MWA will continue to honor a valid request to opt out of the disclosure of a former student's directory information made while the former student was in attendance unless the student rescinds the opt out request.

## Annual Notification to Parents and Eligible Students

At the beginning of each school year, in addition to the notice required for directory information, MWA shall provide eligible students currently in attendance and parents of students currently in attendance with a notice of their rights under the FERPA. The notice shall inform the parents and eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that disclosure is permitted without prior written consent pursuant to FERPA;
4. File with the U.S. Department of Education a complaint concerning alleged failures by MWA to comply with the requirements of FERPA and its promulgated regulations; and
5. Request that MWA not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

1. The procedure for exercising the right to inspect and review educational records;
2. The procedure for requesting amendment of records;
3. A statement that MWA forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer; and
4. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

## Parental and Eligible Student Rights Relating to Educational Records

Parents and eligible students have the right to review the student's education records. In order to do so, parents and eligible students shall submit a request to review education records in writing to the MWA Director. Within five (5) business days, MWA shall comply with the request.

### Copies of Education Records

MWA will provide copies of requested documents within five (5) business days of a written request for copies. MWA may charge reasonable fees for copies it provides to parents or eligible students. However, no charge shall be made for furnishing (1) up to two transcripts of former students' records or (2) up to two verifications of various records of former students. The charge will not include a fee to search for or to retrieve the education records.

### Request for Amendment to Education Records

A parent/guardian may use a student record challenge to appeal a suspension of a student which has already been served.

To challenge a student's education record, a parent/guardian must file a written request with the Chief Executive Officer to correct or remove any information recorded in the student's education record that is any of the following: 1) inaccurate; 2) misleading; or 3) in violation of the privacy rights of the student.

Within thirty (30) days of receipt of a written request from a parent, the Chief Executive Officer or the his/her designee must meet with the parent/guardian or eligible student and the certificated employee who recorded the information in question, if any. The Chief Executive Officer must then sustain or deny the parent/guardian or eligible student's request to amend the records and provide a written statement of the decision to the parent/guardian or eligible student within forty-five (45) days of the receipt of request to amend. If MWA decides not to amend the record as requested, it shall inform the parent or eligible student of his or her right to a hearing.

## Hearing to Challenge Education Record

If MWA denies a parent or eligible student's request to amend an education record, the parent or eligible student may, within thirty (30) days of the denial, request in writing that he/she be given the opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading or in violation of the privacy rights of the student.

The Chief Executive Officer or the Board Chair may convene a hearing panel to assist in making determinations regarding educational record challenges provided that the parent has given written consent to release information from the student's records to the members of the panel convened. The hearing panel shall consist of the following persons:

1. The MWA Director of a public school other than the public school at which the record is on file;
2. A certificated employee; and
3. A parent appointed by the Chief Executive Officer or by the Board of Directors, depending upon who convenes the panel.

The hearing to challenge the education record shall be held within thirty (30) days of the date of the request for a hearing. Notice of the date, time and place of the hearing will be sent by MWA to the parent or eligible student no later than twenty (20) days before the hearing.

The hearing will be conducted by the Chief Executive Officer or his/her designee, who shall not be required to use formal rules of evidence or procedure. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues relating to the challenge to the education record. The parent or eligible student may also, at his/her own expense, be assisted or represented by one or more individuals of his/her choice, including an attorney. The decision of the Chief Executive Officer or his/her designee will be based solely on the evidence presented at the hearing and is final. Within thirty (30) days after the conclusion of the hearing, MWA's decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, the MWA decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it will amend the record accordingly and inform the parent or eligible student of the amendment in writing.

If, as a result of the hearing, MWA decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of MWA, or both. If MWA places a statement by the parent or eligible student in the education records of a student, it will maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

## Disclosure of Education Records and Directory Information

MWA must have a signed and dated written consent from the parent or eligible student before releasing any non-directory information from a student's education record except as provided below. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records and MWA shall provide him or her with a copy of the records disclosed upon request. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent.

MWA will only disclose personally identifiable information on the condition that the receiving party not disclose the information to any party without the prior written consent of the parent or eligible student and that the receiving party use the information for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below. MWA must maintain the appropriate records related to these disclosure exceptions, as described below. Except for disclosures pursuant to a warrant, judicial order or lawfully issued subpoena, or directory information or to parents or eligible students, the MWA will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior written consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made. Note specifically that MWA will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

MWA will disclose education records, without prior written consent of the parent or eligible student, to the following parties:

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

11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by MWA for student and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by MWA; and/or
12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by MWA with respect to that alleged crime or offense. MWA may disclose the final results of the disciplinary proceeding, regardless of whether MWA concluded a violation was committed.

## Record-Keeping Requirements

MWA will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.

For disclosures of personally identifiable information to institutions that make disclosures of the information on behalf of MWA in accordance with 34 C.F.R. 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of MWA and the legitimate interests that each of the additional parties has in requesting or obtaining the information.

These record keeping requirements do not apply to requests from or disclosure to parents or eligible students, MWA officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.

The records relating to disclosures of personally identifiable student information may be inspected by parents and eligible students, MWA officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of MWA.

Student cumulative records may not be removed from the premises of the MWA, unless the individual removing the record has a legitimate educational interest, and is authorized by the MWA Director, or by a majority of a quorum of the Board of Directors at a duly agendized meeting. Employees who remove student cumulative records or other student records from the MWA premises without a legitimate educational interest and authorization may be subject to discipline. Employees are permitted to take student work-product, or other appropriate student records, off premises without authorization for legitimate academic purposes (e.g. grading work-product, assigning credit, reviewing materials for classroom discussion, etc.)

### Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by MWA to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue. S.W.

## Uniform Complaint Procedures (“UCP”) Annual Notice

MWA has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, including the charging of unlawful student fees, non-compliance with the Local Control Funding Formula, and non-compliance with reasonable accommodations for lactating students.

MWA shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by our local board. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived characteristics of age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, genetic information, physical disability, mental disability, medical condition, disability, nationality, national origin, immigration status, race or ethnicity, religion, marital status, sex, sexual orientation, or on a person’s association with a person or group with one or more of these actual or perceived characteristics, in any MWA program or activity that receives or benefits from state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Adult Education
- Consolidated Categorical Aid Programs
- Migrant Education
- Career Technical and Technical Education and Training Programs
- Child Care and Developmental Programs
- Child Nutrition Programs
- Foster and Homeless Youth Services
- Every Student Succeeds Act / No Child Left Behind Act Programs
- Special Education Programs
- Safety Planning Requirements
- Pregnant, Parenting or Lactating students
- Local Control Funding Formula/Local Control and Accountability Plan
- Juvenile Court School students
- students from Military Families
- Migratory students

A complaint of noncompliance with laws relating to student fees may be filed pursuant to the local UCP. A student enrolled in a public school shall not be required to pay a student fee for participation in an educational activity. A student fee includes, but is not limited to, all of the following:

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

- A student fee complaint shall not be filed later than one year from the date the alleged violation occurred.

Complaints of noncompliance with laws relating to student fees may be filed with the Compliance Officer or the Director of MWA. A complaint regarding student fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to student fees.

Complaints other than complaints relating to student fees must be filed in writing with the following compliance officer:

Christine Godfrey  
Managing Director of Human Resources  
4123 Lakeside Drive  
Richmond, CA 94806  
(510) 262-1511

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the Compliance Officer or his or her designee in writing.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The compliance officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with MWA's procedures.

The complainant has a right to appeal MWA's Decision to the California Department of Education (CDE) by filing a written appeal within fifteen (15) days of receiving the Decision. The appeal must include a copy of the complaint filed with MWA and a copy of MWA's Decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of MWA's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

A copy of the UCP policy and complaint procedures is available free of charge in the Main Office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the front office or the Compliance Officer listed above. The UCP Form is included at the end of the Handbook.



# Uniform Complaint Procedure Form

Last Name: \_\_\_\_\_ First Name/MI: \_\_\_\_\_

Student Name (if applicable): \_\_\_\_\_ Grade: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Street Address/Apt. #: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

School/Office of Alleged Violation: \_\_\_\_\_

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

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Adult Education                         | <input type="checkbox"/> Consolidated Categorical Programs         | <input type="checkbox"/> Nutrition Programs  |
| <input type="checkbox"/> Career Technical Education and Training | <input type="checkbox"/> Migrant Education                         | <input type="checkbox"/> Special Education   |
| <input type="checkbox"/> Child Care & Development Programs       | <input type="checkbox"/> student Fees                              | <input type="checkbox"/> Local Control Funding Formula/ Local Control and Accountability Plan No Child Left Behind |
| <input type="checkbox"/> Foster/Homeless Youth                   | <input type="checkbox"/> No Child Left Behind Prog.                | <input type="checkbox"/> Safety Planning   |
|  | <input type="checkbox"/> Pregnant, Parenting or Lactating students | <input type="checkbox"/> Juvenile Court School students  |
|  | <input type="checkbox"/> Every Student Succeeds Act                | <input type="checkbox"/> students from Military Families   |
|  |  | <input type="checkbox"/> Migratory students  |

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

- |                                 |  |   |
|---------------------------------|--|---|
| Age                             | Gender / Gender Expression / Gender Identity | Sex (Actual or Perceived)   |
| Ancestry                        | Genetic Information                          | Sexual Orientation (Actual or Perceived)  |
| Color                           | National Origin                              | Based on association with a person or group with one or more of these actual or |
| Disability (Mental or Physical) | Race or Ethnicity                            |   |
| Ethnic Group Identification     |  |   |

Immigration Status

Religion/Religious Affiliation

perceived characteristics

Medical Condition

Marital Status

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

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

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

I have attached supporting documents.

Yes

No

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

Mail complaint and any relevant documents to:

Christine Godfrey  
 Managing Director of Human Resources  
 4123 Lakeside Drive  
 Richmond, CA 94806  
 (510) 262-1511

# Anti-Bullying, Harassment, Intimidation, Discrimination and Title IX Complaint Form

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

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

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

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

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

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

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

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

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

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

## **To be completed by the MWA:**

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

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

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

# Suspension and Expulsion Policy and Procedures

## A. General Principles

MWA is committed to educating students in an environment of safety, discipline and high achievement for all students. As a result, MWA makes significant efforts to help students understand the rules of comportment at MWA: the self-discipline necessary for success in school and the community, and the way to interact with other students, staff and community members in a respectful and positive manner.

MWA develops and maintain a comprehensive set of student discipline policies. These policies are printed and distributed as part of the school's student handbook. This handbook is available in English and Spanish and clearly describes the school's expectations regarding attendance, mutual respect, work habits, safety, fighting, violence and substance use, as well as MWA's policies regarding the grounds for suspension or expulsion. Each student and his or her parent or guardian is required to verify that they have reviewed and understand the policies prior to enrollment. MWA's Board, staff and school community reviews our comportment policy each year.

MWA has increased its use of restorative justice practices to replace suspensions. The aim is to help students identify and understand some of the motivations behind their choices. Restorative circles and conferences are aimed at addressing communication issues, personal injuries, and social emotional development. MWA mixes a combination of traditional discipline practices and increasing restorative justice practices. MWA wants to limit suspension as a means of student discipline when possible.

## B. Suspension and Expulsion Policy and Procedures

This student Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Division Director's office.

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

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

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 1105311058, alcoholic beverage, or intoxicant of any kind.

- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a student.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- 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 the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For

purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to students in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person

- of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video, or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
    - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile. iii. An act of cyber sexual bullying.
      - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
      - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - v) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
  - w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Division Director or designee's concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the student:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Division Director or designee's concurrence.
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the student:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 1105311058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a student.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- 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 the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property,

which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to students in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - i. A message, text, sound, video, or image.

- ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
    - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
      - iii. An act of cyber sexual bullying.
        - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
        - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
  - 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - v) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
  - w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Division Director or designee’s concurrence.
4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the student:

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

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

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

**1. Conference**

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

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

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the student waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a student for failure of the student's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent or guardian at the conference.

**2. Notice to Parents/Guardians**

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian

shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

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

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

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

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

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

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the student nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

#### **E. Expulsion Procedures**

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Division Director or designee determines that the student has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all student confidentiality rules under FERPA) unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

The following steps occur when a student is recommended for expulsion:

1. A timely investigation of what happened
2. Suspension of the student while the investigation is underway
3. The parent/guardian and student is notified of the findings of the investigation
4. The parent/guardian and student is notified whether or not the staff recommends expulsion
5. The parent/guardian and student is invited to an expulsion hearing
6. The Discipline Committee of the MWA Board of Directors and MWA CEO runs the hearing
7. The Discipline Committee will take between 24-48 hours in notifying the family of the final determination of whether or not to expel the student
8. The decision to expel is final and is documented in the student's file

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

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

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

- 7) If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
- 8) The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
- 9) Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
- 10) Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

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

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

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

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

I. Written Notice to Expel

The Division Director or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

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

J. Disciplinary Records

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

K. No Right to Appeal

The student shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors' decision to expel shall be final.

L. Expelled students/Alternative Education

Parents/guardians of students who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a student or to admit a previously expelled student from another school district or charter school shall be in the sole discretion of the Board of Directors following a meeting with the Division Director or designee and the student and parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to

others or will be disruptive to the school environment. The Division Director or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

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

**1. Notification of SELPA**

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

**2. Services During Suspension**

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

**3. Procedural Safeguards/Manifestation Determination**

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter

School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### **4. *Due Process Appeals***

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

#### **5. *Special Circumstances***

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

The Division Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

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

**6. *Interim Alternative Educational Setting***

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

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

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

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

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

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

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

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



# Student-Parent/Guardian Acknowledgment Form

Please complete, detach and return to homeroom or advisor teacher

(PLEASE PRINT CLEARLY)

Student Name \_\_\_\_\_

Wave \_\_\_\_\_

The MWA Student-Parent/Guardian Handbook is designed to promote and support student success by outlining the important policies, procedures and expectations of the Academy.

We are requiring that all parents and guardians read and review MWA's Student-Parent/Guardian Handbook with their student and return this cover sheet acknowledging that this document has been received and read.

**I have received and read a copy of the MWA Student-Parent/Guardian Handbook. I understand that if I have any questions about the Handbook, I may consult the Division Director and/or designee(s).**

Student Full Name: \_\_\_\_\_

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

Parent/Guardian Full Name: \_\_\_\_\_ Date: \_\_\_\_\_

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

# Parent/Guardian and Student Commitment Form

<b><i>Student Commitment</i></b>	<b><i>Parent Commitment</i></b>
<p><b>As a student I will:</b></p> <ul style="list-style-type: none"> <li>● Set goals</li> <li>● Be a scholar</li> <li>● Make mistakes and learn from them</li> <li>● Arrive at school on time ready to learn</li> <li>● Reflect on and evaluate my performance</li> <li>● Act with truthfulness, kindness, and respect</li> <li>● Treat all people with respect, kindness, and dignity</li> <li>● Put forth my best effort to be the best Wave-Maker I can be</li> <li>● Discover and develop my voice, my talents, and my strengths</li> <li>● Discover and develop my value to the group, MWA, and the community</li> <li>● Take responsibility for my actions, my relationships, my community, and my environment</li> </ul>	<p><b>As a parent I will:</b></p> <ul style="list-style-type: none"> <li>● Take primary responsibility for discipline</li> <li>● Work to develop in my student good behavior habits as well as proper attitudes regarding school-life and life in general by teaching through example</li> <li>● Work with school officials to resolve any discipline incident in a patient, objective, and fair manner</li> <li>● Attend parent-conference sessions and mandatory monthly meetings</li> <li>● Actively monitor and assist with my student's progress</li> <li>● Communicate and work closely with MWA staff</li> <li>● Communicate with all MWA staff in a professional and respectful manner</li> </ul>
<hr/> <p>Student Name (Print)</p>	<hr/> <p>Student Name (Print)</p>
<hr/> <p>Student Signature</p>	<hr/> <p>Parent/Guardian Name (Print)</p>
<hr/> <p>Date</p>	<hr/> <p>Parent/Guardian Signature</p> <hr/> <p>Date</p>