Nevada City School of the Arts Charter Governance Council Regular Meeting Agenda Thursday, September 21, 2023 13032 Bitney Springs Rd, Building 3 (Holly's Office), Nevada City, California

Call Order: 5:00 p.m.

Roll Call:

Public Forum: Members of the public who wish to comment during the Board meeting will be limited to three (3) minutes. If an interpreter is needed for comments, they will be translated to English and the time limit shall be six (6) minutes. The Board of Directors may limit the total time for public comment to a reasonable time.

Plaudits:

Action Items

1. Approve Agenda

Consent Agenda

2. Approve August 17, 2023 Minutes - See attached

Reports

- 3. Director's FYI Report Holly Pettitt
- 4. Board and Committee Reports
 - a. Nomination & Recruitment
 - b. Finance *canceled*

Discussion Items

- 5. Discuss Raven Springs Financial Statements See attached
- 6. Discuss AB452 & SB906 Annual Notice to Parents About Safe Firearms Storage See attached
- 7. Discuss Policy 328. Discipline, Suspension and Expulsion Revision See attached

Action Items

- 8. Approve Policy 331. Student Attendance Review Board Revisions See attached
- 9. Approve Ends Policy *See attached*
- 10. Review & Accept 2022-23 Unaudited Actuals Handout
- 11. Review & Accept 2022-23 Alternative Form *Handout*

Adjournment 7:00 p.m.

Access to Board Materials: A copy of the written materials which will be submitted to the School Board may be reviewed by any interested persons on NCSA's website along with this agenda following the posting of the agenda at least 72 hours in advance of this meeting.

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by calling (530) 273-7736. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

Nevada City School of the Arts Charter Governance Council Regular Meeting Minutes Thursday August 17, 2023 13032 Bitney Springs Rd, Building 3 (Holly's Office), Nevada City, California

Call Order: 5:06 p.m.

Roll Call: LeeAnne Haglund, Lauren Hesterman, Meshawn Simmons, Jaylee McGregor, Trisha Zakon, Jon Lefeber, Abby Oas, Qayyuma Didomenico and Andrew Todd (5:07 arrival)
Absent: N/A
Guests: Holly Pettitt, and Melissa Brokenshire

Public Forum: Members of the public were invited to address the Governance Council regarding issues for future agendas. Comments were limited to 3 minutes.

Plaudits: Jenn Goulart & Angie Defeytor- Positive Discipline support; CJ Taylor- Tech support; Toni & Joseph, facilities/custodial team, and all who helped this summer, and for moving the office; Chris Espedal- support with safety plan.

Action Items

1. Approve Agenda
Motion: Lauren Hesterman2nd: Trisha Zakon
Unanimous Assent

Consent Agenda

2. Approve June 15, 2023 Minutes Motion: Meshawn Simmons Unanimous Assent

2nd: Qayyuma Didomenico

Reports

- 3. Director's FYI Report Holly Pettitt
- 4. Board and Committee Reports
 - a. Nomination & Recruitment
 - b. Finance

Discussion Items

- 5. August Intensive Date Discussion
- 6. Discuss DEI Work
- 7. Discuss Beginning of the Year Activities
- 8. Discuss Discipline Policy See attached

Action Items

- 9. Approve Policy 331. Student Attendance Revisions Motion to table until next meeting
- 10. Approve Final 2022-23 Education Protection Account (EPA) Expenditures
Motion: Abby Oas2nd: Meshawn Simmons
Unanimous Assent
- 11. Approve Projected 2023-24 Education Protection Account (EPA) Expenditures
Motion: Lauren Hesterman 2^{nd} : Trisha Zakon
Unanimous Assent

Adjournment 6:45 p.m.

Submitted by: Abby Oas, Board Secretary

Approved by the NCSA Charter Council

LeeAnne Haglund, Board Chair

Abby Oas, Board Secretary

8/17/23

Date

Date



Director FYI Report September 21, 2023

This report details highlights of the month, operational achievements and items that the Board may like to know and helps to satisfy compliance with our B-6 Communication to the Board policy as well as indicates progress toward our Ends. It is organized by the following:

- 1. Relevant financial information.
- 2. School level issues that help the board see the big picture.
- 3. Public events (activities and gatherings both on and off premises) of a nature that may affect the perception of the School in the community.
- 4. Internal and external changes like significant modifications to the normal pattern of school business.
- 5. Progress towards Ends Policies and LCAP

Plaudits

- The Admin team has also been wonderful this year and because of them, the school year is off to a really smooth start.
- To our new teachers Gladiz, Anthony, Jessica, Erin, and Cheri they are wonderful teachers and welcome additions to NCSA. We are so lucky to have them here!
- We are so happy to have Jenn Dennard, RBT and Lauren Cooper, School Psychologist here as well!
- I am so appreciative of the middle school team for making connection a priority in middle school they went to Tahoe with 8th and Memorial Pool with 6th and 7th and it really shows in how happy the kids are at UC!
- Starting the year with Jai and Qausu our Youth Advocates has been wonderful as well!

Financial Information

• Unaudited Actuals and Financial Statements on the agenda.

Facilities Update

 Lots of projects were completed over the summer. Big thanks to Melissa, Toni, Joseph and their crew who moved a TON of storage stuff and their business office over the summer. It's a bit staggering when you think of how much got done over summer and yet still needs to be done!

Building 8 (Lower Campus)

- New fencing has been put in place in two locations. Near the slide, closing off an unsafe (and unofficial) pathway. Also, along the railing in front of B8. Here, we used hog fence because it is more resilient against bending when the children sit there.
- The kinder slide was removed and replaced with a climbing dome.
- Wood chips and sand have been replaced.
- Mr. Sanzone's door closer was replaced.
- A fire alarm handle was pulled last Friday, and everyone did well with the unexpected drill.

Building 2 (Theater)

- The door at the music room hall had the door closer replaced.
- Quotes have been received for replacing the film on the windows.

Building 3 (Upper Campus)

- Ian and Al think they have found the reason the air conditioner periodically stops. A small burnt wire in one of the motors was replaced.
- Woodchips and sand were replaced in the TK yard and a climbing dome was installed.
- Locker removal has started. Two sets have been moved into the dance room and three others are in building 9. More lockers to come out before the installation of new backpack pegs.

Building 9 (Kitchen/Business Office)

- Prep continues for the installation of new kitchen equipment.
- Kodiak Roofing came out and repaired several leaks in the roof around one of the air handlers. These repairs will stop the water leaking on the carpet area of the East end second floor.
- Completion of the teacher storage room should be starting in the next few weeks. After that, the organization of that area can start. We will ask that Al wire some of the lights there to a switch for easier access. The doors have been made with an E and I key retaining 9M usage.
- Two new offices were made available for NCSA staff in the admin office.
- TLC Classroom has had a bid for more security film on all windows. A fence with two gates has been installed. All the locks in the area that this classroom is using have been converted to the same key to make access easier for the staff there.

Overall Facilities

- Need to repair blacktop around building six. The heavy equipment there and water penetration have accelerated the need for this to be done.
- An updated internet bridge was installed at building eight to building one to replace a failing system.
- A few errors and alerts have been coming in from the solar field. We are monitoring the system along with Cal Solar.

 Despite various challenges, the water and waste systems continue to operate surprisingly well and seem ready to go for the coming year. We do need to consider major upgrades to our waste and water plants.

School Wide Issues

 Nothing major to note at this time. The school year feels like it has begun well and we are getting into the swing of things. Knock on wood. It is very helpful to have a Registered Behavior Technician and two Youth Advocates who can help support students with big behaviors.

Events

- BTSNs were well attended.
- AGC has begun \$40,000 and 25% Participation so far I will have new numbers at the board meeting. Please reach out to your classes and encourage participation.

Arts Based Choice for Education

- We have added Cello and Hip Hop Justice to our middle school electives. Both are going well.
- We have purchased \$7,500 in music items from smaller fiddles to shoulder rests to strings, etc. in order to get our instrumental program freshened up!
- Waiting for the Excellence in Arts grant to open up so we can apply for that as well.

Academic, Arts & Social Emotional Achievement

CAASPP Test Scores have not come out yet for all the schools so I cannot do a comparison, but I can tell you we did well again. This info is in the Ends Report, but I like to call it out here as well.

CAASPP		6th-8th	ELA CAASPP	66%	67%	+1%
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6th-8th	Math CAASPP	41%	46%	+5%
8th	CAST (Science)	69%	67%	-2%

*Although we dropped 2%, our Science scores are still incredibly high.

Safe, Respectful and Equitable Conditions for Learning and Working

- Teachers have been wonderful in incorporating circles into their classes including elective teachers.
- We have held several repair circles already this year.
- While we still have students with behavior needs, so far we are addressing it better

than last year.

- Students in the Therapeutic Learning Classroom are working hard on earning their levels so they can participate in general education classes.
- Jai, Qausu and Scott will be working on getting students trained in Restorative Justice Classes, and Jai and Andrea Conte will be combining RJ with Student Council which is exciting!
- We received the Antibias in Education grant for \$200,000 so teachers will be receiving more training soon! The board's responsibility is to ensure our policies are equitable using a <u>Racial Equity Impact Assessment</u> and this <u>Policy Review Tool</u> (page 4)

Contributor and Collaborator to the Greater Community

- Dog Training on our campus in a few weeks
- Ravenwolf
- Music in the Mountains
- Lyric Rose Theater

Statement of Financial Position

As of September 18, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	105 004 0
9121-65 Cash in Bank - Raven Springs - General Checking - 5165	495,801.04
9122-45 Raven Springs - CIP Checking Total Bank Accounts	5,044.00 \$500,845.0 4
	\$500,645.0-
Other Current Assets	
9140 Undeposited Funds	3,819.24
9330 Prepaid Expenditures (Expenses)	0.00
Total Other Current Assets	\$3,819.24
Total Current Assets	\$504,664.28
Fixed Assets	
9400 Capital Assets	
9410 Land	1,335,647.1
9425 Accumulated Depreciation - Land	-79,190.00
9430 Buildings & Improvements	3,396,558.24
9435 Accumulated Depreciation - Buildings	-489,581.15
9440 Machinery & Equipment	24,509.00
9443 Fixed Asset Vehicles	13,846.75
Total 9440 Machinery & Equipment	38,355.75
9445 Accumulated Depreciation - Equipment	-10,122.00
Total 9400 Capital Assets	4,191,667.95
9450 Construction in Progress	619,514.26
Total Fixed Assets	\$4,811,182.21
TOTAL ASSETS	\$5,315,846.49
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
9501 Accrued Accounts Payable	-997.43
9610 Due to NCSA	0.00
9650 Deferred Revenue	0.00
Total Other Current Liabilities	\$ -997.43
Total Current Liabilities	\$ -997.4

Statement of Financial Position

As of September 18, 2023

	TOTAL
Long-Term Liabilities	
9670 Lease Deposits	13,578.00
9671 Tri Counties Property Loan	0.00
9672 Tri Counties Construction Loan	0.00
9673 Tri Counties Refi Property Loan - 84560	2,070,535.18
9673-01 Debit Issue Costs	0.00
Total 9673 Tri Counties Refi Property Loan - 84560	2,070,535.18
9676 Kubota Parts Loan	0.00
Total Long-Term Liabilities	\$2,084,113.18
Total Liabilities	\$2,083,115.75
Equity	
9793 Retained Earnings	3,155,170.10
Net Revenue	77,560.64
Total Equity	\$3,232,730.74
TOTAL LIABILITIES AND EQUITY	\$5,315,846.49

Statement of Activity

July 1 - September 18, 2023

6,468.00 14,832.00 11,457.72 1,312.03 2,400.00 7,115.22 1,080.00 1,240.00 568.50 300.00 179,625.00 226,398.47 -8,597.72 \$217,800.75
14,832.00 11,457.72 1,312.03 2,400.00 7,115.22 1,080.00 1,240.00 568.50 300.00 179,625.00 226,398.47 -8,597.72 \$217,800.75
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\$217,800.75
3,265.13
3,265.13
3,265.13
1,041.50
417.07
8,020.40
79.67
2,198.69
1,202.66
12,959.99
13,225.00
1,650.00
5,562.77

Statement of Activity

July 1 - September 18, 2023

	TOTAL
5600 Rentals, Leases & Repairs	
5615 Repairs & Maintenance - Building	36,964.16
5618-01 Property Vehicles - Gas	1,657.36
5631 Rental, Leases & Repairs	2,669.00
Total 5600 Rentals, Leases & Repairs	41,290.52
5800 Other Services & Operating Expenses	43,946.25
5809 Bank Charges & Fees	165.00
5848 Licenses & Other Fees	163.00
Total 5800 Other Services & Operating Expenses	44,274.25
5910 Utilities - Phone/Internet	2,002.25
5910-01 Bldg #1	-450.00
5910-07 Bldg #7	103.10
5910-09 Bldg #9	-458.25
Total 5910 Utilities - Phone/Internet	1,197.10
Total 5000 Services & Other Operating Expenses	120,159.63
7438 Debt Service	
7438-01 Interest for land	16,729.15
Total 7438 Debt Service	16,729.15
Melio Credit card fee	30.00
QuickBooks Payments Fees	56.20
Unapplied Cash Bill Payment Expense	0.00
Total Expenditures	\$140,240.11
NET OPERATING REVENUE	\$77,560.64
NET REVENUE	\$77,560.64

Sample Firearms Safety Memorandum

To: Parents and Guardians of Students at Nevada City School of the Arts

From: Holly Pettitt

Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the **Nevada City School of the Arts** of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.¹
 - Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.²

¹ See California Penal Code sections 25100 through 25125 and 25200 through 25220.

² See California Penal Code section 25100(c).

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.³
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.⁴

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Sincerely,

Holly Pettitt

Date published: 10/01/23 California Department of Education

³ See California Civil Code Section 29805.

⁴ See California Civil Code Section 1714.3.

CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street, Sacramento, CA 95814-5901 • 916-319-0800 • WWW.CDE.CA.GOV

June 1, 2023

Dear County Superintendents, Administrators including Charter Schools, and Principals:

School Safety Legislation

Assembly Bill 452 Pupil safety: parental notification, firearm safety laws Senate Bill 906 School safety: homicide threats Effective July 1, 2023

There is an urgent need to ensure parent and guardian responsibility for safe storage of firearms and prevention of access to firearms. It is also critically important for all schools, districts, and county offices of education to engage multidisciplinary behavioral threat assessment teams to assist in identifying student behavior that could lead to homicidal incidents, to intervene swiftly and effectively to prevent such disasters, and to address identified mental health needs of students.

Two bills were legislated in response to the alarming increase in school shootings in California and throughout the United States, some of which are committed by children who have access to firearms and whose actions lead to injuries and death that could have been prevented.

This communication provides an overview of the new laws and a link to model content for parent and guardian notification of California laws regarding safe storage of firearms and prevention of child access to weapons.

The California Legislature has found and declared the following:

- Firearms are the third leading cause of death of children in America. Every day, eight children and teens are shot in instances of family fire, which is a shooting involving an improperly stored or misused gun found in the home resulting in injury or death.
- Data shows that 75 percent of school shootings are facilitated by children having access to unsecured or unsupervised firearms at home. Eighty-seven percent of children know where their parents' firearms are stored and 60 percent report that they have handled them.
- Over 80 percent of teens who have died by suicide used a firearm that belonged to someone in their home.



May 9, 2023 Page 2

• Data suggest that 93 percent of school shooters planned their attacks in advance and exhibited concerning behavior and communications.

Assembly Bill (AB) 452 Pupil safety: parental notification, firearm safety laws. Section 48986 is added to the *Education Code* requiring that beginning on July 1, 2023, all kindergarten through grade twelve school districts, county offices of education (COEs), and charter schools shall annually inform parents and guardians of California's child access prevention laws and laws relating to the safe storage of firearms at the beginning of the first semester or quarter of the regular school term. You can find AB 452 on the California Legislative Information web page at

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB452.

Senate Bill (SB) 906 School safety: homicide threats.

Sections 49390 through 49395 are added to the *EC*. This bill seeks to address homicidal threats in middle and high schools and applies only to local educational agencies that serve pupils in any grades from 6-12 as part of a middle school or high school. LEAs serving these pupils must include information about child access prevention laws and laws relating to the safe storage of firearms in the annual notifications to parents/guardians at the beginning of the first semester or quarter of the regular school term. The law states that school officials are required to report homicidal threats or perceived threats, as defined, to law enforcement who must conduct an immediate investigation and threat assessment, as defined. You can find SB 906 on the California Legislative Information web page at

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB906.

Parent/guardian annual notification that satisfies the model content requirement of AB452 and SB906 can be found here https://www.cde.ca.gov/ls/ss/vp/documents/safefirearmseng.docx.

It is our collective responsibility to ensure that students, staff, families, and communities are as prepared and safe as possible. Thank you for your attention and commitment to school safety.

If there are questions, please contact the School Health and Safety Office by email at <u>SHSO@cde.ca.gov</u>.

Sincerely,

Tony Thurmond

State Superintendent of Public Instruction

TT:nz



DISCIPLINE, SUSPENSION AND EXPULSION POLICY AND PROCEDURES

The Nevada City School of the Arts ("NCSA" or "Charter School") Board of Directors ("Board") and the community at NCSA believes that it is important to treat each person with respect. We try to make sure we are considerate of each other so that everyone can fulfill their roles. Students can learn, teachers can teach, and staff can work in a safe and enjoyable environment.

Teachers will help students learn to do their part with instruction in ways to solve problems with conflict resolution. Classes will meet together regularly to explore ways to keep things comfortable for everyone. We want students to develop the confidence and skills they need to stand up for themselves. As such, the NCSA Board has adopted the following discipline rules and expectations that we ask all NCSA students to follow:

Expectations

Students are expected to:

- Come to class on time
- Speak with polite language and without profanity
- Treat each person with respect and without teasing or put-downs
- Remain within bounds and within sight of adult supervision
- Use the restrooms appropriately
- Walk quietly in the halls and on the sidewalk
- Play without physically aggressive behavior (such as play-fighting or wrestling)
- Take care of their own trash and recycling
- Eat only at the designated eating areas or in classrooms
- Follow the dress code
- Refrain from chewing gum
- Comply with all NCSA rules and policies

Discipline Policy and Process

Part of our job as educators is to teach students to be responsible, to be respectful, to be safe and to be kind to others. However, there are times when a student may have a lapse in judgment and make a poor choice. We have defined these types of infractions and broken them into three categories below. In addition, the consequences for the poor choices are detailed below each category.

Minor Infractions

- chewing gum
- talking in class when inappropriate
- running in halls
- forgetting materials/homework
- distracting students
- out of supervision within school building
- minor swearing not directed at an individual

Consequences



These types of behaviors simply warrant a written reminder, a.k.a., a "You've Been Noticed" (Y.B.N.) form. **If a student receives three (3) of these forms within the semester** the student will meet with the School Director first, to review behavior expectations and then, for restitution if additional YBNs are received by the student. The purpose of assigning restitution to a student for multiple YBNs is for the student to make up for the time and effort lost by those who are reminding the student of these rules and for the student to make up for their failure to comply with these rules.

Moderate Infractions

- 3 or more referrals for the same behavior within the same semester
- littering, (5 regular occurrences)
- gossiping with intent to harm
- vulgar language directed at an individual
- disrespect toward any adult on campus
- roughhousing/minor physical altercation
- Significantly disrupting the learning process (the teacher should have tried other interventions first).
- Out of supervision outside building (this may result in a suspension if it is a significant safety issue).

Consequences

Often times these moderate behaviors will be handled by the classroom teacher who will choose the consequence appropriate to each child. However, teachers may choose to refer a student to the *School Director* if the teacher feels the student's behavior warrants more counseling or the student has repeated the offense several times.

If a student is continually referred to the School Director and does not appear to be willing to change his/her behaviors, he or she may be suspended, in compliance with the suspension policy below, and a **Behavior and/or Academic Contract** will be created through the Student Success Team (SST) process.

Bottom Line Behaviors

- causing/attempting to cause physical harm intentional or unintentional (depends on circumstances)
- vicious gossip/bullying/cyber-bullying
- verbally/physically disrupting school activities or direct defiance of an adult
- drug use/possession
- weapon on campus
- theft
- harassment/sexual harassment

Consequences

Depending on the circumstances, these behaviors may result in an immediate

suspension/removal from the classroom or expulsion from school in compliance with the suspension and expulsion policy set forth below. Depending upon the circumstances, there may be times when the School Director determines that a suspension is warranted, or times when the suspension should be followed by restitution so that the student has a chance to redeem himself/herself, in accordance with NCSA policy. Parents may meet with the School Director if they disagree with the consequences, but they must also understand the ultimate decision lies with the



School Director. Parents may wish to submit a formal complaint. If so, please refer to our "Complaint Policy".

Restitution

Purpose:

To develop/teach a personal sense of responsibility in students within our school community and in life. The student must take responsibility to figure out an appropriate recompense for his/her poor choices. The emphasis is on compensating the victim for harm done. The message a student should learn is "Students can make it right by fixing it or giving back." This fosters self-responsibility and self-esteem.

The Essential Characteristics of Restitution

- It is tied to a higher value or mission
- It strengthens the person who has offended
- It is a satisfactory amend to the person harmed (victim)
- Effort is required from the offender
- Little incentive to repeat the offense
- No resentment, guilt, criticism, anger by the adult helper or victim*

Given the age or circumstance surrounding the offense, accepting the restitution may be difficult for the victim - this will be modeled and taught, but may require time.

How Restitution Works

A student is referred for restitution by his/her teacher or by receiving multiple (more than 3) YBN's for the same offense.

Restitution is generally facilitated by the School Director but can be facilitated by a small group made up of a teacher, staff and the School Director. Restitution meetings will be held as needed for the entire year in order to meet with students who are in need of completing restitution.

Upon arrival to restitution, the School Director or teacher explains to the student that this process is designed to help them not to scare them or to make them feel guilty. They are told that the end result will not be a punishment, but that they will be the one who creates the restitution on their own.

The following questions are examples of the questions asked of the student:

- Describe what you did to get referred to the Restitution Committee.
- How did your actions help others? Help the person harmed? Help our community?
- How did your actions interfere with ______'s right to respect, safety (emotional/physical), or their right to be treated with kindness?
- Why does that person have the right to be respected, to be safe and to be treated with kindness?
- Would you like the chance to fix this situation or make it better?
- What can you do for the person(s) hurt?*
- How will you know this worked?



If the reason for restitution is for multiple YBNs, the School Director will assign restitution. Otherwise, students are given general examples of how they can fix the mistake or offer restitution to the person who was harmed:

- Fix it (if something was broken)
- Pay back (give back what was taken/broken/harmed)
- Say two positives about the person harmed (only if sincere)
- Give your time or handmade gift to the person

The parents should NOT think of the restitution for the students, nor should they complete it for the student or give the money to pay it back. The effectiveness of this process relies on the student expending thought and effort on the restitution. If the parents undermine this process it will be entirely ineffectual.

The student returns the next day with their idea of restitution. They meet with the teacher or School Director and explain their idea. The teacher/School Director helps facilitate the restitution, by bringing the victim and offender together. The teacher/School Director works with the victim by preparing them for acceptance and/or forgiveness.

Suspension and Expulsion Procedures

The Nevada City School of the Arts Board of Directors has adopted this Pupil Suspension and Expulsion Policy in order to promote learning and protect the safety and well-being of all students at Nevada City School of the Arts. In creating this policy, NCSA has reviewed Education Code Section 48900 et seq., which describes the non-charter 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. NCSA 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 NCSA'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. NCSA staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be provided to parents via the school's website and available upon request at the NCSA office and will clearly describe discipline expectations.

This policy and procedures process has been prepared to provide due process to all students. Adherence to the list of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serves the best interests of the school's pupils and their parents/guardians.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment that all discipline policies and procedures are posted on the Nevada City School of the Arts website and are available in hard copy upon request at the Nevada City School of the Arts office.



Each disciplinary case will be reviewed on a case-by-case basis. Staff shall enforce disciplinary rules and procedures fairly and consistently among all students.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, and use of alternative educational environments, suspension and expulsion. Suspended or expelled students shall be excluded from all school and school- related activities unless otherwise agreed during the period of suspension or expulsion.

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

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 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws 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 (5) 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 the School or at any other school or a School sponsored event, occurring at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses – Suspension Offenses

1. Discretionary Suspension Offenses: Students may be suspended for any of the following



acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self- defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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 pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive."
- l) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- m) 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.
- n) Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.



- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or schoolsanctioned events.
- r) Made terrorist 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.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated 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 pupils in any of grades 4 to 12, inclusive.



- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - "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 school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil 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 pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil 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 pupil or a profile using the likeness or attributes of an actual pupil other than the pupil 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 pupil to another pupil 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.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- 2. **Non-Discretionary Suspension Offenses**: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
 - a) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the School Director or designee's concurrence.

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 School Director or the School Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the School Director. The conference may be omitted if the School 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 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 pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i).

This conference shall be held within two (2) school days, unless the pupil waives this right



or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of suspension, the School Director 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 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 (10) consecutive school days per suspension.

Upon a recommendation of Expulsion by the School Director or School Director's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil 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 pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

D. Enumerated Offenses – Expellable Offenses

- 1. **Discretionary Expellable Offenses:** Students may be expelled for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self- defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.



- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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 pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
- k) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- 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 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 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 pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-



sanctioned events.

- q) Made terrorist 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 pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- 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 pupils 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.
 - "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 school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil 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 pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil 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 pupil or a profile using the likeness or attributes of an actual pupil other than the pupil 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 pupil to another pupil 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 pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or



attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

- 2. **Non -Discretionary Expellable Offenses:** Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:
 - a) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the School Director or designee's concurrence.

If it is determined by the Governing Board and/or the Administrative Panel that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil 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.

E. 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 a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Board following a hearing before it or by the Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the pupil nor a Board member of the School's governing board. 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.



F. 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 School Director or designee determines that the Pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentially rules under FERPA) unless the pupil 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 pupil. The notice shall include:

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

G. 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 which shall be examined only by the Charter School, Administrative Panel Chair or the hearing officer in the expulsion. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.



- 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 person or panel conducting the 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 (presiding official/officer) 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 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/officer shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding official/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 the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.



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.

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

The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (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 alterative educational setting.

3. <u>Procedural Safeguards/Manifestation Determination</u>

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:

- (1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- (2) 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:

- (1) 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;
- (2) 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
- (3) 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. <u>Due Process Appeals</u>

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 Section 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 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent 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. <u>Special Circumstances</u>

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 School 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:

- (1) 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;
- (2) 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
- (3) 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:

(1) 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.



- (2) The parent has requested an evaluation of the child.
- (3) 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 IDEA-eligible 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 of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

I. 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.

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

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



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

K. Written Notice to Expel

The School Director or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

- (1) Notice of the specific offense committed by the student
- (2) 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 School Director or designee shall send a copy of the written notice of the decision to expel to the County.

This notice shall include the following:

- b) The student's name
- c) The specific expellable offense committed by the student

L. Right to Appeal

A student expelled from Nevada City School of the Arts can appeal the decision of the Nevada City School of the Arts Board to the Nevada County School Board. The Nevada County School Board will ensure that Nevada City School of the Arts followed all due process requirements.

M. 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 County upon request.

N. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. 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.

O. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to the Charter School for readmission.



P. Readmission

The decision to re-admit a pupil or to admit a previously expelled pupil from another school district or charter school shall be the sole discretion of the School Director following a meeting with the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. If the School Director determines that it is not in the best interest to admit the pupil, the pupil may appeal the School Director's decision at the next Board meeting in closed session. 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 pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.



STUDENT ATTENDANCE REVIEW BOARD (SARB) REFERRAL

- 1. Students can be referred to SARB for poor attendance.
- 2. The school is required to create support systems for the student to succeed prior to referring the student to SARB.
- 3. Absences
 - 3 or more absences will result in an initial email notifying parents that they are close to receiving an official 1st letter. The Attendance Review Team will email the teacher, families and director.
 - Exception if a student had over 10 absences the year before, they will
 receive an email from the Attendance Review Team to review how we can
 support you at the beginning of the school year and only be allowed 3
 unexcused absences before the 2nd letter is sent.
 - Five (5) absences will result in a 1^{st} letter, explaining the SARB Policy.
 - For absences to continue to be excused a Doctors Notes will be required after 3 patterns of matching illness symptoms.
 - Eight (8) absences will result in a 2nd letter. This letter will be sent via certified/return requested and regular mail and will be followed up with an immediate meeting with the school director.
 - Guardians will receive a reminder call about meeting with the School Director and Parent Resource Coordinator.
 - Eleven (11) absences will result in 3rd letter along with SARB referral, sent certified mail and regular mail.
 - For students who had poor attendance in the previous year, NCSA will expedite the SARB Process at 5 unexcused absences.
- 4. The Nevada County Superintendent of Schools (NCSOS) facilitates all SARB hearings, but they are considered an extension of the court system. The board members are representatives of the following county departments:
 - Child Protective Services
 - Children's Mental Health
 - Probation
 - California Welfare to Work
 - Nevada County Board of Education
 - District Attorney's Office
 - Public Defender's Office
- 5. Guardians are notified of the date and time of the hearing by a charter school representative sent to the guardian's home via certified mail, followed by an email and a phone call.
- 6. Guardians are required to attend the meeting.

- 7. Any decisions made at the SARB hearing, regardless of guardians' attendance, are enforceable by law.
- 8. At the meeting, the board will review all documentation from the school and speak with guardian about the school's concerns and student's attendance. A decision regarding the student's attendance and school placement will be made and a SARB contract will be signed. All decisions are final and enforceable by law.
- 9. If a guardian does not comply with a SARB order, they will be fined and/or prosecuted.
- 10. If a child is referred to SARB, but the guardian dis-enrolls the student before the hearing, the SARB referral will follow the student to their next school and the SARB hearing will still take place.

Ends Report Charter Governance Council Meeting: **August 9, 2023**

I report reasonable accomplishments of the Council Ends Policies.

I certify that the information contained in this report is true.

Pett Signed

At the end of this report are the answers to the questions raised at the August 2019 Intensive. I keep these in the report for reference and for newer board members.

Introduction:

This report details NCSA's efforts to accomplish the Council approved Ends Policies. The Council's Ends describe the desired outcomes that ought to result from NCSA's activities; they state the purpose of our school and provide standards for gauging success. In some cases, this report refers to plans and activities designed to support accomplishment of the Ends, but we must remember that Ends are ultimately about outcomes and not how they were achieved. With Ends, success must be seen as a series of purposeful steps which are driven by long term plans.

Monitoring Ends requires establishing a baseline or history for comparison and reliable and credible metrics. In many cases, the metrics and baselines have been established and we can see NCSA's progress (or lack thereof) towards the End. In other instances, this report attempts to better define the appropriate metric based on its relevance to the policy and the resources required to gather the data. *One of the Council's key roles here is to judge the reasonableness of the interpretations and metrics so that staff and I can understand if we are on the correct path.* These Ends policies were adopted in May of 2017.

I anticipate an everchanging process between Ends reporting and multiyear/annual Strategic planning that each year will refine our ability to understand what constitutes successful accomplishment of the Ends, how to measure that, and how to develop the means that will get us there.

Some interpretations have more developed metrics and well-established baselines than others. What I have noticed is that each year I continue to refine what our goals and metrics should look like based on the ever-changing nature of education. But a system is emerging that will allow the Council's Ends to truly and effectively guide the work of NCSA.

A - Global Ends Policy:

Nevada City School of the Arts exists so that students, families, staff and the greater community have:

- 1. an arts-based choice for elementary education.
- 2. an educational institution that facilitates academic, artistic, and social- emotional achievement.
- 3. safe, respectful, and equitable conditions for learning and working.
- 4. a collaborator and contributor to the greater community.

A1. Nevada City School of the Arts exists so that students, families, staff and the greater community have *an arts-based choice for elementary education*.

Interpretation

- 1. I interpret *"arts-based"* to mean that the academic education we provide should have clearly defined arts integration practices. Academics should be infused with each form of art dance, visual, music and performance so that student learning is more meaningful. Students should leave NCSA having been exposed to art in all its forms and are therefore able to understand how art influences our world. Ultimately, they should be able to artistically communicate their understanding of a subject to an audience.
- 2. I interpret "**choice**" to mean we are a school of choice, not a local district and any child can apply to our school without needing an inter-district transfer. I interpret "**greater community**" to mean the residents of Nevada County.
- 3. I interpret *"elementary education"* to mean an education for 420-460 students from Transitional Kindergarten through eighth grade.

Operational Definitions

- 1. Arts-Based Education
 - a. 100% of grade levels will have a clearly defined plan of how arts integration is embedded in each unit within the curriculum maps, that includes either visual art, music or performance.
 - b. Benchmark assessments at the end of 2nd, 5th, and 8th grades will indicate how well students have learned and can use the artistic concepts taught over the previous three years.
 - c. All teachers will receive Arts Integrated, Project Based Learning or Universal Design in Learning professional development every other year.
 - d. Middle School Student & Parent Surveys administered in March will indicate that students and parents are satisfied with their arts-based education.

- 2. <u>Choice</u>
 - a. NCSA will continue to have more applications than available spaces for students ensuring we continue to be a program of choice for the greater Nevada County area.
- 3. <u>Elementary Education</u>
 - a. We will have full enrollment in all grades TK-8th. Full enrollment is equal to or greater than 440 students.

Data:

- 1. Arts-based education
 - a. Curriculum Maps & Arts-Integrated Units: 100% of grades TK-8 have made progress on their curriculum maps (TK needs work). Each grade has a map that is 80-90% complete. These need to be updated and many need to be looked at through the lens of curriculum representation. Teachers will receive training in Curriculum Representation this year. I recommend looking at 3rd and 5th as theirs is the most fleshed out (<u>3rd Grade Map</u> & <u>5th Grade Map</u>). Music needs work in all grades. Teachers will continue to build upon these in 23/24 but they have made wonderful progress.
 - b. Benchmark Arts Assessment:

This is a <u>Link to the 5th Grade Assessment</u> with samples. <u>This link is to 2nd Grade</u>, and to the <u>8th Grade Graduation Presentations</u>. All assessments were completed this year for 2nd, 5th & 8th.

- c. Training 1 teacher participated in UDL, 3 teachers went to PBL training and no arts training was provided to staff this year. in 23-23 4 teachers are participating in UDL and SEL training.
- d. Middle School & Parent Survey:

i.

- Parent Survey (Q 7 on Parent Satisfaction Survey 2022)
 - 1. Visual Arts 87% Satisfaction +6%
 - 2. Performing Arts 70% +2%
 - 3. Music Program 73% +8%
- ii. Middle School Survey
 - 1. Did not ask students about arts education. We will add that question in next year's survey. Overall, 73% of middle school students are happy at NCSA.

- 2. <u>Choice</u>
 - a. Lottery Applications:

Year	2016	2017	2018	2019	2020	2022	2023
Applications	131	159	244	216	138	261	307
Open spaces	52	63	69	56	66	72	50

3. <u>Elementary Education</u>

a. Historical and Current Enrollment

Date	16/17	17/18	18/19	19/20	20/21	22/23	23/24
TK	13	15	16	15	16	22	28
К	40	39	42	44	40	40	42
1	40	42	42	44	42	40	42
2	40	41	42	44	43	40	42
3	40	41	42	44	42	40	42
4	40	41	49	52	52	44	44
5	41	42	50	52	48	50	50
6	52	51	53	55	46	60	60
7	50	52	53	53	52	59	60
8	51	50	52	52	47	41	60
Total	407	414	441	455	428	436	470

We are almost full and added students to TK-3rd in order to give staff raises. The teachers agreed to the increase in class sizes.

A2. Nevada City School of the Arts exists so that students, families, staff and the greater community have an educational institution that facilitates academic, artistic, and social-emotional achievement.

Interpretation

- 1. I interpret "*Academic Achievement*" to mean our students' overall ability to access and utilize the skills and standards taught in our main lesson classes from grades TK through 8th grade.
- 2. I interpret *"Artistic Achievement"* to mean our students' ability to use art as a means of expressing their understanding of the larger world.
- 3. I interpret *"Social-Emotional Achievement"* to mean our students' ability to self-regulate as well as show compassion, understanding and respect for others across all differences.

Operational Definition

- 1. <u>Academic Achievement Metrics</u>
 - a. Current data suggests that, on average, every year student scores increase by 2.8 percent overall. While 3% may seem ambitious, this is an Ends goal which should be aiming for higher than what is expected.
 - b. End-of-the-year (EOY) student scores for 1st-5th grade, on the iReady Reading local assessment, will increase by at least 3%.
 - c. End-of-the-year (EOY) student scores for 6th 8th grade, on the local Writing by Design (WBD) assessments will increase by at least 3%.
 - d. End-of-the-year (EOY) student scores for 1st- 5th grade students on the iReady assessment will increase by at least 3%.
 - e. Increase Middle School CAASPP ELA scores by 3% overall
 - f. Increase Middle School CAASPP Math scores by 3% overall
- 2. Artistic Achievement Metrics
 - a. 2nd Grade will increase arts assessment scores by 3%
 - b. 5th Grade will increase arts assessment scores by 3%
 - c. 8th Grade will increase arts assessment scores by 3%
- 3. Social Emotional Achievement Metrics
 - a. The percentage of middle school students who indicate that they are happy at school will increase each year.
 - b. The number of students who report participating in mindfulness activities will increase each year.
 - c. The number of TK-5 teachers who report holding Positive Discipline based class meetings every week will increase each year.

All Students	504	IEP	RTI Read	RTI Math	RTI Counseling	Counseling	NSLP
430	23	54	32	44	23	24	204
Grade	504	IEP	RTI Read	RTI Math	RTI Counseling	Counseling	Total
ТК	4%	4%					8%
Kindergart en	5%	3%	5%		5%		18%
1st Grade	3%	5%	23%		3%		33%
2nd Grade		18%	31%	26%	8%	5%	87%
3rd Grade		10%	15%	28%	3%	15%	70%
4th Grade	9%	11%	7%	27%	5%	7%	66%
5th Grade	8%	16%		22%	2%	4%	51%
6th Grade	7%	13%			9%	5%	34%
7th Grade	7%	20%			13%	7%	46%
8th Grade	10%	14%			2%	10%	36%
ALL Grades	5%	13%	7%	10%	5%	6%	47%
				11/14/22		NSLP Total Percentage	47%
						NSLP Percentage receiving support	38%

1. <u>Academic Achievement</u>

FYI 36 % of all students at NCSA receive academic support through IEPs, 504s or MTSS (*This is an increase of 3% in 22/23*). This varies by grade (see table above) but this makes sense given how difficult this year has been on students' academic progress and their mental health. 38 % of ALL students receive some type of support - academic or social emotional or both.

Grade Level	Assessment	<u>% At or Above</u> <u>Standard</u> <u>Spring 2021</u>	<u>% At or Above</u> <u>Standard</u> <u>Spring 2022</u>	<u>% Increase</u> (Decrease)	<u>Compliant</u>
1st-5th	Reading	79%	77%	2%	No
6th-8th	Writing	58%	53%	5%	No
1st-5th	Math	63%	57%	5%	No
		2022			
6th-8th	ELA CAASPP	66%	67%	1%	No
6th-8th	Math CAASPP	41%	46%	5%	Yes
8th	CAST	69%	67%	2%	No

CAASPP Scores increased, but iReady decreased. This is in large part due to the testing time. Next year we are scheduling the CAASPP for March for grades 3-5 and then having the iReady be the focus at the end of the year. 6-8 will continue to take the CAASPP in May as usual. I am hopeful this will help increase iReady Scores.

- 2. Artistic Achievement Baseline 2022
 - a. 2nd Grade 76% are at or above grade level +6%
 - b. 5th Grade 61% are at or above grade level -2%
 - c. 8th Grade 77% are at or above grade level + 8%

3. Social Emotional Achievement

а.							
	Year	% Satisfied	% Increase	Goal Met?			
			(Decrease)				
	2017-2018	77%		Baseline			
	2018-2019	87%	10%	Yes			
	2021-2022	74%	- 13%	No			
	2022-2023	76%	+2%	Yes			

a. Middle School students who report being happy at or glad to be a part of NCSA.

- b. In Early 2018-19, 50% of teachers used/taught mindfulness in their classes regularly. Some reported they have no time or are not interested in teaching it. In 2021-22, 80% of 3rd-5th graders reported using mindfulness in their classrooms and 77% of 6th-8th Grade students reported using it in class (Q 4. on Student Surveys). In 2022-2023 only 62% of students reported that teachers use Mindfulness in grade 5 and 80% indicated they do in Middle School (primarily because 7th/8th has Core every week and they actively teach it).
- c. Class meetings began in January 2019. In 2021/22, 80% (20 out of 25 teachers) reported using class meetings in their classrooms either daily, weekly or monthly.

We did not ask this question in 2022-2023, but we are planning a whole school training in Positive Discipline and will make observing the class meetings a priority in 23/24. So far this year we are seeing more class meetings. Jenn G and Angie will make observing these meetings a priority and these will be the focus of the peer evaluations.

A3 - Nevada City School of the Arts exists so that students, families, staff and the greater community have safe, respectful, and equitable conditions for learning and working.

Interpretation

- 1. I interpret the goals of *"safe"* and *"respectful"* in this Ends policy as essentially another way of expressing the values stated in the Board's B4 (Student and Parent Treatment) and B5 (Staff Treatment and Compensation) limitations policies. So, if NCSA is operating within the constraints expressed in those policies, then we will achieve *"safe, respectful ... conditions."*
- 2. I interpret "equitable conditions for learning and working" to mean that we are aware of the abilities, identities and races of our students, families and staff and actively work to create an environment that supports all school members thereby ensuring that students, families and staff get what they need in order to access their fullest potential at NCSA. NCSA's Equity Statement is as follows:
 - a. NCSA is committed to creating a school culture where all members of different gender identities, sexual orientations, religions, races, ethnicities, and physical and developmental abilities are welcomed, valued, and celebrated. We are dedicated to proactively identifying and addressing biases, practices, policies, and institutional barriers that perpetuate injustice and inequality in our school. Anti-racist and anti-oppressive practices will be guideposts that allow us to consistently reflect on our policies and curriculum ensuring they are promoting equity and representation for all students. In doing so, our goal is to foster the development of positive identities for all students, promote their abilities to build productive and genuine relationships with people across differences, and work towards ensuring equal access to opportunities and achievement for all students. We want our students to be able to understand stereotypes and their counternarratives, along with systems of oppression and learn how to intervene and interrupt injustice when confronted with it. We believe that all our lives are enriched when communities are equitable and inclusive.

Operational Definition

- 1. Safe and Respectful Conditions
 - a. The most recent B4 and B5 monitoring reports will demonstrate compliance.
- 2. Equitable Conditions
 - a. Classified and Certificated wages should be within 5-7% of the county average.
 - b. NCSA shall provide 8 hours or more of equity training to 1 or more staff members every year.
 - c. The number of referrals will decrease each year, as well as the percentage per sub group.
 - d. Less than 3% of 4th-8th grade students should be suspended each year.
 - e. The number students suspended who have disabilities, are non-white or economically disadvantaged, or male should not exceed that of white, non-disabled, non-disadvantaged, female peers.

f. 100% of classrooms should reflect racial, ability and identity diversity in curriculum taught, books, posters, and classroom décor.

<u>Data</u>

1. <u>Safe and Respectful Conditions (no data for 2020 or 2021)</u>

The Board agreed that the B4 report and the B5 report will be used to demonstrate compliance.

B-4 Report	2017-18	2018-19	2021-22	2022-23
B-4	Yes	Yes	Yes	Yes
B4.1	Yes	Yes	Yes	Yes
B4.2	Yes	Yes	Yes	Yes
B4.3	Yes	Yes	Yes	Yes
B-5 Report				
B5 (Trainings)	No	Yes	No	Yes
B5.1 (Policies)	Yes	Yes	Yes	Yes
B5.2 (Inconsistency)	Yes	Yes	Yes	Yes
B5.3 (Records)	Yes	Yes	Yes	Yes
B5.4 (Comp. & Benes)	No	No	No (Benefits only)	N/A*
B5.5 (Dir. Comp)	Yes	Yes	Yes	N/A

*We did give a raise to all staff.

- 2. <u>Equitable Conditions</u>
 - a. In July 2022, Certificated Staff were given a 5% raise and had 2 extra inservice days added to their calendar school year bringing them within 3% of the county average. Classified staff were given a 6% raise. In 2023, Certificated and Classified were given a 4% COLA increase +plus their step =7%.

Year	Certificated	% +/- County
	(Steps 1 and 20)	Avg.
2018-19	44K - 71K	-7%
2019-20	46K - 80K	-2%
2020-21	47K - 82K	-6%
2021-22	47K - 82K	-6%
2022-23	55K - 87K	-3%
	Classified	
2018-19	\$12.00 - \$32.00	-1%
2019-20	\$13.00 - \$33.00	-2%
2020-21	\$14.50 - \$37.00	+7%
2021-22	\$15.00 - \$37.81	+6%
2022-23	\$15.50 - \$37.81	+2%

b. Equity and inclusion training should be offered to staff each year - the Director should take at least 8 hours of training every year.

Year	Organization	Hrs.
2017-18	Common Vision	8
2018-19	Eastern Educational Resource	16
2019-20	SFCESS/iGroups	8
2019-2020	iGroups with Staff - "What it Means to be White	
2020-2021	Abolitionist Challenge (H, A, S, A)	8
2020-2021	iGroups - "How to be an Anti-Racist"	9
2021-2022	Equity Institute (Ron, Angie, Holly)	40
2022-2023	Courageous Conversations (Carrie & Brittani)	40
2022-2023	Curriculum Representation - 12 Staff & Holly	10
2022-2023	IIRP Restorative Practices - Whole Staff and additional training for Jenn, Scott and Holly	16
2022-2023	SEL Cooperative - Irene, Jenn, Scott and Kim B.	40

c. Referral Data: The number of referrals will decrease each year -

Year	# Students	# of Referrals	+/- Increase (Decrease)
2019-20	460	154	
2021-22	438	77	(-50%)
<mark>2022-23</mark>	<mark>451 (3%increase in</mark> students)	<mark>165</mark>	<mark>54%</mark>

2022-23 - Student discipline was unbelievable and increased by 54%. The severity of behaviors were worse than we have ever seen. We added 3 additional staff to support this and we have trained every staff member who works directly with students in Positive Discipline. Our Youth Advocate will begin a Restorative Justice program that will help reduce suspensions and hold students more accountable for their behavior.

Referral Data 2021-2023

2021-22 Demographics	Total Students 438	% of Total Pop	93 Referrals	% of referrals
Other than White	116	26%	<mark>10</mark>	<mark>10%</mark>
White	322	73%	<mark>24</mark>	<mark>25%</mark>
Socio-Economic	208	47%	<mark>20</mark>	<mark>21%</mark>
Special Ed.	64	14%	<mark>5</mark>	<mark>.05%</mark>
Male	220	50%	<mark>28</mark>	<mark>30%</mark>
Female	215	49%	<mark>6</mark>	<mark>.06%</mark>
Non-Binary	3	.06%	0	<mark>0%</mark>

Still working on this data.

2022-23 Demographics	Total Students 451	165 Referrals	<mark>% of Total</mark> Pop	% of referrals
Other than White	110	17	24%	23%
White	341	56	75%	76%
Socio-Economic	221	37	49%	50%
Special Ed.	69	17	<mark>15%</mark>	<mark>23%</mark>
Male	225	53	<mark>50%</mark>	<mark>73%</mark>
Female	224	20	50%	27%
Non-Binary	2	0	0.04%	0%

d. **Suspension Data**: Less than 3% of 4th-8th grade students should be suspended each year.

Year	# of 4 th -8 th Students	# Suspended	% Total
2017-18	234	6	2.5% Total
2018-19	271	7	2.5% Total
2019-20	265	6	2.2%
2021-22	250	15	6.0%
2022-23	<mark>259</mark>	<mark>22</mark>	<mark>5.7%</mark>

While the percentage was lower, it was only because we had more students. Really it should be 8%. And if you added the suspensions for *K-3, it would be even higher. It was a tough year for suspensions!

*K-3rd Suspensions - 6 - Wow - we have never had this many suspensions in TK-3. We will

begin tracking this data as well.

e. Of those suspensions, less than 25% should be students with disabilities, less than 11% non-white and less than 48% economically disadvantaged.

4th - 8th Grade Suspension Data				
2022-2023	22 Suspensions	%		
Other than white	<mark>4 (4 UD)</mark>	<mark>26.6%</mark>		
White	18 (11 UD)	73.3%		
Socio-Economic	10 (6 UD)	40%		
<mark>Special Ed</mark>	<mark>6 (4 UD)</mark>	<mark>26%</mark>		
Male	19 (12 UD)	80%		
Female	3 (3 UD)	20%		
Non-Binary	0	0		

4th -	8th	Grade	Sus	pension	Data
	0.011				

*UD = unduplicated - 18 of the suspensions were white, but 11 of those white students were also either low income or students with disabilities.

This was one of the worst years for discipline I have ever experienced, and I thought 21/22was hard. I hope the 23/24 year will be better with regards to overall numbers. That said, we continue to suspend too many non-white, male students and students with disabilities. We did better with low income, though. This coming year we will focus on a restorative justice program in the middle school, create a peer led restorative justice program, and work toward building a more supportive culture for our male students.

f. 100% of classrooms should reflect racial, ability and identity diversity in curriculum taught, books, posters, and classroom décor.

We still have a ways to go, but we are definitely making progress. Some teachers are much further along than others, but all have made initial attempts to make their rooms more inclusive. I am excited to use the Antibias Grant to help improve in this area.

A4 - Nevada City School of the Arts exists so that students, families, staff and the greater community have a collaborator and contributor to the greater community.

Interpretation

- 1. I interpret *"collaborator"* to mean that we work with or lease to local businesses and organizations to further artistic pursuits in Nevada County
- 2. Our primary purpose is to educate students so that they are successful in high school and beyond. Therefore, I interpret *"contributor"* to mean our students are able to successfully graduate from 8th grade. Additionally, because we own 316 acres, we should be looking at ways to *"contribute"* portions of our land to support the greater community.

Operational Definition

- 1. <u>Collaborator</u>
 - a. NCSA will make leases with artists or arts organizations a priority.
 - b. NCSA will make leases with local non-profit organizations a second priority.
- 2. <u>Contributo</u>r
 - a. All NCSA students will conduct themselves in a manner that reflects community values, respects diverse individuals, and aligns with behavior expectations outlined in NCSA's School Policies.
 - b. NCSA 8th graders will demonstrate knowledge, application, and proficiency in their studies of American citizenship as well as cultural, global and environmental awareness.
 - c. 100% will graduate from 8th grade each year. Of those students the percentage of those who graduate with a 3 or better each year will increase.

Data

1. <u>Collaborator</u>

Lessee	Type of Business	Square Footage
Five Flavors & Herbs	Holistic Healing arts	2,540
GeoShip	Green Manufacturing	6,000
DS Welding	Welding	6,000
Cell Tower Lease	Land Lease for cell tower	1,000
Miners Foundry	Event Storage	160
Cosmic Shark Clothing	Apparel	600
CATS	Theater Company Storage	250
Holt Ballet	Dance Storage	250
Jason Casey	1980's Online Apparel Shop	250
Curious Forge	Maker Space	20,000
Sk8 Box	Indoor Skate Park	2,000

a. Currently NCSA has signed leases with the following 10 artists/arts organizations:

b. Non-Profit Organizations

Lessee	Type of Business	Square Footage	
Nevada City	Native American Tribe	1,000	
Rancheria (Nisenan)			
JPA - Charters	Special Education Services	950	

2. <u>Contributor</u>

- c. I am struggling to come up with a precise or valuable measurement for All NCSA students will conduct themselves in a manner that reflects community values, respects diverse individuals, and aligns with behavior expectations outlined in NCSA's School Policies.
- d. I will work with Ron Charles to create an assessment that is valuable and tracks exactly what we are looking for. That said, the majority of the 8th Grade students' art assessment incorporated social justice awareness which is a good indicator that we are on the right course.
- e. 100% of NCSA 8th Graders will graduate from 8th grade each year. 8th grade Graduation Rates

Year	# of Students	Graduation Rate	Avg. GPA	Above 3.0
2016-17	52	100%	3.32	
2017-18	52	98%	3.26	
2018-19	51	100%	3.39	83%
2019-20	50	100%	*	We now use standards based grading
2021-22	46	100%	*	
2022-23	43	100%	*	

Responses to Questions Raised at the 8-17-19 Intensive

1) Please explain what an "arts integrated unit" is.

A Unit plan is like a map that guides instruction within a unifying theme. Teachers plan a sequential set of steps or interrelated lessons that are focused on activities, teaching strategies, skills and assessments aligned with standards and clearly defined objectives. A Unit Plan organizes thinking and identifies students' needs while identifying resources, methods and processes to reach an identified learning objective. A unit can span across weeks and be comprised of several lessons or be completed within a few days and just a couple of lessons. In sum, a unit's purpose is for a teacher to plan and reflect on what students need to learn, how to learn it and a timeline for learning it.

For example, last year the 5th grade team developed a unit plan that encompassed 6 different subjects: Science, Math, Social Studies, Language Arts, Visual Arts and Music. All of them were developed under a common theme: Stories of American Diversity in the context of the origins of the United States of America. Within this theme, two essential questions were created to guide instruction: *What contributions has this diversity given to the foundations of the American Tradition? What was the role of privilege and oppression in the context of Diversity in Colonial America?*

This unit was developed to be taught in a 4-month period of time. Some disciplines expected to utilize the entire period of time, while some only required a couple of weeks. For example, Social Studies determined that in order to achieve its objective, the lessons would be taught throughout the entire four months. Conversely, Music only required a total of five lessons (equaling 5 weeks). Nevertheless, all disciplines developed a series of lessons within this unit with a clear common objective, strategies for learning and assessment of the students. As a result of this collaboration and organization, teachers were able to deeply analyze not only what the desired outcome should be, but also the actual results. This year, after doing more in-depth learning on issues of equity, diversity and integration, the team is revising and editing the objectives of the unit with the intent of improving student understanding.

2) How does an arts education enhance academic achievement and rigor?

After researching this, there is no definitive correlation between academic achievement and art, in that studying the arts don't necessarily make you "smarter". However, there is a great deal of research regarding being involved in the arts and increased problem-solving ability, creativity, and staying in and graduating from school. The following information is from a presentation that Julie Baker made to the Nevada County Arts Council.

The arts help teens enjoy - and stay in - school:

• As research studies demonstrate, students with a low participation in the arts have a dropout rate of 22 percent, but their peers with a high participation in the arts have a dropout rate of only 4 percent! For example, a recent report from the Center for Arts Education found that New York City high schools with the most access to—and support for — arts education have the city's highest graduation rates.

The arts help with academic achievement and college prep:

- The College Board has found that students who take classes in the arts for four years in high school scored substantially higher on the SATs, on average more than 100 points higher, than students with six months or less training in the arts.
- A student involved in the arts is four times more likely to be recognized for academic achievement.
- Low-income students who are highly engaged in the arts are twice as likely to graduate college as their peers with no arts education.

Arts keep students engaged in school life:

- Singing in a choir, participating in a dance show, acting or putting on a theatre production, creates a sense of community and place for students. A place where students find their tribe. A safe place to express themselves while working towards something concrete.
- Students engaged in performing arts also exhibit confidence in public speaking, an important life-long skill.
- Research finds that the arts can be a vital tool for success in school because they provide positive, enjoyable, creative pathways for teenagers to express their feelings and ideas. This is particularly important at an age when kids are worried about the future and feeling conflicted about many intractable issues, particularly dependence/independence.
- Exposure to the arts spur curiosity, which helps develop lifelong learners.
- The arts also expose students to community and civic engagement opportunities.

Arts education can be a gateway to the future:

- A key and often overlooked benefit of exposure to the arts is that it fosters out-of-the-box thinking skills. These skills, such as creativity, innovation, critical thinking, problem-solving, communication and collaboration, are precisely what we need to build a stronger workforce, a report from the Partnership for 21st Century Learning found. The arts help students develop the kind of problem-solving skills that employers are looking for in a highly competitive workforce.
- 72% of business leaders say that creativity is the number one skill they are seeking when hiring. Source, Americans for the Arts.
- 93% of Americans believe that the arts are vital to providing a well-rounded education. Source, Americans for the Arts.
- "Arts education develops creativity, one of the top five skills employers prize for the 21st century. Source, Excerpted from Preparing Students for the Next America, published by the Arts Education Partnership

The arts help with campus safety:

• The arts foster a place where kids can collaborate and engage positively with others.

• Studies show teens with an arts rich curriculum become more tolerant of differences because the arts can immerse them in unfamiliar cultures that span other times and other countries.

The arts provide mental and other health benefits for

teenagers: https://www.newportacademy.com/resources/empowering-teens/creativit y-and-mental-health/

- Being creative even reduces anxiety. And, as a result, it makes us happier. Research proves that creativity and mental health are definitively linked.
- Moreover, creative activities help teens build authentic connections with self and others. Consequently, they are better able to form positive relationships.
- Boredom and disengagement have been linked to poor health behaviors. This includes drug and alcohol use, smoking, and unhealthy eating. Hence, learning creative, analog activities may serve as preventive factors.
- Creative arts activate many mechanisms. Moreover, they provide alternative routes for self-expression. This is helpful for teens who feel uncomfortable with talk therapy or find verbal expression difficult. As a researcher noted, "Teens know the buzzwords, and the talk therapy process can be impacted by that," "The creative process doesn't allow for that kind of manipulation to happen."

3) What type of interventions do we use for academics?

- a. We use iReady for reading and math intervention
- b. We use a variety of accommodations and differentiation strategies for differing levels of students. Several of our teachers are participating in the UDL (Universal Design Learning) method which is designed to provide students with:
 - Multiple means of representation to give learners various ways of acquiring information and knowledge
 - Multiple means of expression to provide learners alternatives for demonstrating what they know
 - Multiple means of engagement to tap into learners' interests, offer appropriate challenges, and increase motivation
 - 5th period Fridays (6th & 7th)
 - Supported Studies
 - Study Hall (6th)
 - Standards Based Grading approach allows students to continue to improve on the standard and retake assessments so we ae grading them based on their actual knowledge not whether they have great organization and can follow rules.

An Arts education is one of those alternative ways of reaching students.

- c. when done as in years past.
- d. Teachers are paying closer attention to what is on the test and specifically preparing students for it.
- e. Teams focus on RTI strategies at 1 team meeting per month.
- f. Standards Based Grading

4) **How do you measure an arts education?** See California Alliance for Arts Education definition of a high-quality arts program below.

The elements of a high quality visual and performing arts program may be divided into the following focus areas. Indicators of quality in each focus area may be described as follows: $\frac{1}{2}$

Standards-Based Curriculum

- The district has a sequential curriculum based on the Visual and Performing Arts Standards adopted by the State of California.
- The visual and performing arts program and standards-based curriculum are clearly articulated throughout the grade levels offered in the district.

Instruction and Methodology

- Instruction is focused on guiding students to standards-based grade-level proficiency in the arts.
- All arts disciplines are offered during the regular school day and are available to all students.
- Instructional methodologies provide individual, small-group and large-group opportunities to study the arts.
- Each arts discipline is delivered as a discrete sequential subject, with its own body of knowledge, skills, and ways of thinking.
- Arts disciplines are authentically integrated into other curricular areas whenever possible.
- The student-to-teacher ratio in each of the arts is appropriate for the delivery of effective instruction.
- The resources and facilities available for each of the arts disciplines are appropriate for the delivery of effective instruction.

Student Assessment

- Assessments capture evidence of the students' ability to identify, create, describe, compare, analyze, interpret and evaluate their own work and the work of others in relation to the arts standards.
- Assessment in the arts is standards-based and appropriately reflects the essential skills and knowledge that are specific to each art for.

Professional Development

- Those primarily responsible for providing instruction in the arts (multiple subject teachers and arts specialists) as well as those who provide supplemental arts instruction (e.g., teaching artists, volunteers) receive ongoing professional development that is focused on strategies for delivering a standards-based arts education program.
- School and district leaders actively seek out and implement effective professional development models and practices that are appropriate to their local context.

5) How does what we do at NCSA compare to other schools?

This depends on what is meant by "other" schools. We are the only ones who have an extensive arts program in the county. However, I did an online search about Arts Education and found that there are not a lot of schools who do what we do, but there are a few and it's hard to tell how well they do AI. Creative Arts Charter in SF seems to do what we do, but it is difficult to tell based on a website. While it appears that we are doing arts integration well, we could be even more effective if our teachers were trained better.

6) How does equity increase rigor and achievement?

https://www.waterford.org/education/equity-vs-equality-in-education/

Equity means offering individualized support to students that addresses possible barriers, like poverty or limited transportation.

Equity in schools is the answer to supporting every student, not just those from disadvantaged backgrounds. When schools provide their students with resources that fit individual circumstances, the entire <u>classroom environment</u> improves.[12] Not only that, but the importance of equity extends to our society as a whole. In equitable communities, everyone has the opportunity to succeed regardless of their original circumstances.

On a surface level, the benefits of inclusive and equitable classrooms extend to academic achievement. **Schools with the smallest achievement gaps between demographics have the highest overall test scores.** [13] This means that when the most disadvantaged student scores improve, students from more privileged backgrounds improve, too. When schools are mindful of different backgrounds and provide the right resources, all students are prepared to learn and help each other succeed. Equity can also strengthen a student's health and <u>social-emotional development</u>. In a study involving over 4,300 students in Southern California, **the children who felt safer**, **less lonely, and reported less bullying also had higher diversity levels in their classes.** [14] Being equipped to promote diversity and provide for students from all backgrounds makes for an environment where students feel comfortable and have better emotional regulation. Additionally, equitable communities are linked to better health and longer average lifespans. [15]

Surrounding communities benefit from equity in schools as well. **Equity is linked to stronger social cohesion, meaning that individuals connect with each other better and are more compassionate**.[16] It also leads to long-term economic growth.[17] This means that promoting equity in schools can be one of the best and most effective <u>social investments</u>.

