

**Nevada City School of the Arts  
Charter Governance Council  
Meeting Agenda**

Thursday, April 18, 2024

13032 Bitney Springs Rd, Building 8 (Lower Campus Staff Room), 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 March 21, 2024 Minutes - *see attached*

**Reports**

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

**Discussion Items**

5. Review County Supplied Annual Uniform Complaint Procedure and Williams Complaint Notice/Form for 2024-25 School Year - *see attached*
6. Discuss Differentiated Assistance Update
7. Discuss 2024-25 Adopted Budget - *handout*
8. Board Members Needed for 8th Grade Presentations
9. Presentation from Carolee Colter at Columinate regarding the Staff Survey Results. - Presenter Call at 5:30 pm - *see attached*
10. Discuss 2024-25 CGC Meeting Calendar - *see attached*

**Action Items**

11. Approve Student Restorative Justice, Suspension, & Expulsion - *see attached*

**Adjournment 6:30 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  
Meeting Agenda**

Thursday, March 21, 2023

13032 Bitney Springs Rd, Building 8 (Lower Campus Staff Room), 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, Andrew Todd and Qayyuma Didomenico (5:15 arrival)

**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:** As listed in Directors notes, in addition to: Lauren Cooper for taking on so many assessments for IEP requests with the help of Ania Kapp and Michelle Kalos. Eric Skoog and Melissa Brokenshire for organizing and coming together for the scotchbroom tribal burning project. Scott Mertz for writing the grant request for Application for Certified Wellness Coach Grant Program

**Action Items**

1. Approve Agenda  
Motion: Jaylee McGregor                      2<sup>nd</sup>: Lauren Hesterman  
Unanimous assent

**Consent Agenda**

2. Approve February 15, 2024 Minutes  
Motion: Trisha Zakon                      2<sup>nd</sup>: Mishawn Simmon  
Unanimous assent

**Reports**

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

**Discussion Items**

5. Review County Supplied Annual Notices for 2024-25 School Year
6. Discuss 2024-25 Budget Outlook
7. Discuss Building 3 Modernization Project and Financing

**Action Items**

8. Approve B-5 Staff Treatment and Compensation Monitoring Report  
Motion: Lauren Hesterman                      2<sup>nd</sup>: Meshawn Simmon  
Unanimous assent
9. Approve Application for Certified Wellness Coach Grant Program  
Motion: Jaylee McGregor                      2<sup>nd</sup>: Jon Lefeber  
Unanimous assent
10. Approve 2024-25 Salary Schedules  
Motion: It was moved by Meshawn Simmon to approve the Certificated, Certificated Administrative, Classified Hourly, Classified Administrative and Psychologist & MH Salary

Schedules. 2<sup>nd</sup>: Trisha Zakon  
Unanimous assent

**Adjournment 6:03 p.m.**

Submitted by: Abby Oas, Board Secretary

3/21/24

Approved by the NCSA Charter Council

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LeeAnne Haglund, Board Chair

Date

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Abby Oas, Board Secretary

Date



## **Director FYI Report**

### **April 18, 2024**

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**

- Katie Moorehead is our Teacher Who Makes a Difference and Toni Holman is our Classified Employee of the Year!
- Audra Hoyt, Cheri Barber, Coach A and Ron Charles all were incredible the day I spent as a 7th Grader. I really enjoyed being in their classes.
- Danielle Morey is lovely - it is so nice to have her back as our 1st Grade teacher.
- Welcome to our new 1st grade aide Cyra Shea who is doing a wonderful job!
- Shawna Campbell - We so enjoy your classroom and your dedication to teaching our littles how to "be". You are one of a kind!
- Jenn D and Ms. Q - thank you for your flexibility and willingness to support us in anyway needed.
- Finally, our other incredible Kindergarten teacher, Rachel Martino, is moving to New Zealand this summer! She will be missed more than we can really describe.

### **Financial Information**

- Draft Adopted Budget is on the agenda

### **Facilities Update**

B2

- The replacement speaker search continues. Finding active speakers that hang with the same hanging system is difficult. Joseph has moved to any hanging speaker. They are running about \$750 ea
- A projector screen needed to be replaced in the Red Art Room

- The lock on the person door at the top of the creepy hall has been adjusted so it can not be left unlocked.
- A new trend in computer trouble is keys going missing. This is troubling as keys are nearly impossible to replace. Joseph has a success rate of 50% on replacing keys.

1

B3

- Got the construction plans out for bid! Still working on getting the bank's approval for a loan.

B8

- A few computer issues springing up from the installation of new copiers. The downstairs copier was installed on 4/12.
- UL testing of the outdoor fire sprinklers will occur along with the five-year inspection of the buildings on the East end of the property. The bid for this was approved on 2-27-24

B9

N/A

Overall

- Asphalt around campus is deteriorating under heavy traffic and driving off the edge of the roadway and on the path from upper to lower - lots of tripping hazards. We are concerned about needing to re-pave and not having the funds to do so.
- Progress is being made on closing expired building permits. Of the five open from renters, one has been finalized; one has a new expiration date (with an expected inspection this month). Two are scheduled for April 5th. The last one is for ATT's generator. We have several emails out to them. Building 1 Failed the inspection on BP# ending in 043. Ben did not provide the required information but is now working on it.
- Ian has repaired a couple of water leaks in the distribution system.
- Ian is preparing the water treatment plan for an inspection later this week. He also reports that some time needs to be added to the schedule to address the corrosion inside the filter tank. This will require several days for the water treatment plant to be down to complete the process.

### School Wide Issues

- As you all know we are in Differentiated Assistance for 3 reasons:
  - **Chronic Absenteeism** - currently at 46%, up 10% from last year, but we have a good plan for next year. Our overall rate is way up though, from 90% to 94%. We are hopeful we will get to 95%. The Placer people are looking into

this data to find patterns that we can address next year. I am finding that it is mostly due to illness. I wonder if our new HVAC systems will help this?

- **Suspension Rate** - was 10.3% now it is 7.5%. Of those 7.5%, 2 students are in the TLC and have not received a suspension since November and the arrival of our RBT Quentin. Thank you Quentin. We have reduced our overall suspension rate from 4.5% to 1.9% and only suspended one student since December. This means hopefully we will get out of the red!
- **Special Education students' test scores.** Based on our data dive with the Placer Folks, we believe that the focus should be on Math for next year since that is an area of needed growth and will help us move all students' scores up. We have put lots of time and energy into Reading and it has really paid off. Now it's time to turn our attention to math. Our next meeting is April 26th so I will report on that next meeting.
- Danielle Morey replaced Gladiz in 1st Grade and it's been amazing!

### Events

- Portfolio Night is coming up. We are in discussions about why we call it this since we do not really do portfolios anymore.
- Jogathon is too!

### Arts Based Choice for Education

- We got to 237 applications! Lottery has been run and spots are being filled.

### Academic, Arts & Social Emotional Achievement

- State Testing is going well - slow and steady. Middle School begins in May.
- I spent the day as a 7th grader last week. I went to every class including PE. It was really cool and my overall feeling was that our kids are pretty lucky to go to this school and have the teachers they do. I did provide feedback about my experience to all the I teachers whose classes I attended.

### Safe, Respectful and Equitable Conditions for Learning and Working

- B5 report - Carolee Colter will be making a presentation on the results.
- Combining both TK's into one, bringing in Sarah Lafayette as an Assistant Teacher and keeping one aide. Shannon Connor will move to Kindergarten to replace Rachel.

### Contributor and Collaborator to the Greater Community

- Nothing new as yet

# Nevada City School of the Arts

## Budget vs. Actuals: 2023-24 - 2nd Interim Budget - FY24 P&L Classes

July 2023 - June 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Income</b>				
8000 Revenue - State	3,310,747.00	5,157,327.27	-1,846,580.27	64.20 %
8100 Federal Revenue	1,163,346.20	1,379,007.75	-215,661.55	84.36 %
8300 Other State Revenues	1,428,020.95	2,137,483.09	-709,462.14	66.81 %
8600 Other Local Revenue	532,975.69	559,146.40	-26,170.71	95.32 %
Unapplied Cash Payment Revenue	1,179.75		1,179.75	
Uncategorized Revenue		200,000.00	-200,000.00	
<b>Total Income</b>	<b>\$6,436,269.59</b>	<b>\$9,432,964.51</b>	<b>\$ -2,996,694.92</b>	<b>68.23 %</b>
<b>GROSS PROFIT</b>	<b>\$6,436,269.59</b>	<b>\$9,432,964.51</b>	<b>\$ -2,996,694.92</b>	<b>68.23 %</b>
<b>Expenses</b>				
1000 Certificated Salaries	1,707,084.05	2,272,830.63	-565,746.58	75.11 %
2000 Classified Salaries	1,555,812.46	2,083,846.38	-528,033.92	74.66 %
3000 Employee Benefits	833,968.63	1,217,553.40	-383,584.77	68.50 %
4000 Books & Supplies	545,114.73	669,821.06	-124,706.33	81.38 %
5000 Services & Other Operating Expenses	2,203,350.56	2,667,720.65	-464,370.09	82.59 %
7000 Other Outflows	333.76		333.76	
Unapplied Cash Bill Payment Expenditure	0.00		0.00	
<b>Total Expenses</b>	<b>\$6,845,664.19</b>	<b>\$8,911,772.12</b>	<b>\$ -2,066,107.93</b>	<b>76.82 %</b>
<b>NET OPERATING INCOME</b>	<b>\$ -409,394.60</b>	<b>\$521,192.39</b>	<b>\$ -930,586.99</b>	<b>-78.55 %</b>
<b>NET INCOME</b>	<b>\$ -409,394.60</b>	<b>\$521,192.39</b>	<b>\$ -930,586.99</b>	<b>-78.55 %</b>

# Raven Springs LLC

## Budget vs. Actuals: 2nd Interim Budget\_FY24\_P&L - FY24 P&L

July 2023 - June 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Income</b>				
8650 Leases & Rentals				
8650-01 Building 1	21,560.00	25,872.00	-4,312.00	83.33 %
8650-04 Building 9 - Suite 224	1,050.00	2,250.00	-1,200.00	46.67 %
8650-05 Building 5	49,440.00	59,328.00	-9,888.00	83.33 %
8650-06 Building 6	34,373.16	45,830.88	-11,457.72	75.00 %
8650-11 Cell Tower Lease	36,818.37	43,106.64	-6,288.27	85.41 %
8650-12 Building 12	8,000.00	9,600.00	-1,600.00	83.33 %
8650-13 Bldg 13 Lease - Cottage		0.00	0.00	
8650-9A Building 9 - Suite A	8,400.00		8,400.00	
8650-9B Building 9 - Suite B		6,500.00	-6,500.00	
8650-9C Curious Forge Lease	25,610.06	30,894.30	-5,284.24	82.90 %
8650-9S Cosmic Shark Lease	3,600.00	4,320.00	-720.00	83.33 %
8650-9T Building 9 - Storage	3,550.00	4,210.00	-660.00	84.32 %
8650-9W Building 9 - Suite 225	1,705.50	2,274.00	-568.50	75.00 %
8650-9Y Building 9 - Suite 214	1,000.00	1,200.00	-200.00	83.33 %
8650-GM Building 9 - Gym	845.00	1,000.00	-155.00	84.50 %
8650-JPA JPA Office Rental		12,600.00	-12,600.00	
8650-NC NCSOTA Lease	598,750.00	718,500.00	-119,750.00	83.33 %
<b>Total 8650 Leases &amp; Rentals</b>	<b>794,702.09</b>	<b>967,485.82</b>	<b>-172,783.73</b>	<b>82.14 %</b>
8660 Interest	413.34		413.34	
Unapplied Cash Payment Income	-19,425.94		-19,425.94	
<b>Total Income</b>	<b>\$775,689.49</b>	<b>\$967,485.82</b>	<b>\$ -191,796.33</b>	<b>80.18 %</b>
<b>GROSS PROFIT</b>	<b>\$775,689.49</b>	<b>\$967,485.82</b>	<b>\$ -191,796.33</b>	<b>80.18 %</b>
<b>Expenses</b>				
4000 Business Supplies & Materials				
4300 Supplies & Materials				
4330 Office Supplies		100.00	-100.00	
4352 Maintenance Supplies	9,413.76	14,158.77	-4,745.01	66.49 %
4352-01 Water Treatment Supplies	3,702.13	5,000.00	-1,297.87	74.04 %
<b>Total 4352 Maintenance Supplies</b>	<b>13,115.89</b>	<b>19,158.77</b>	<b>-6,042.88</b>	<b>68.46 %</b>
<b>Total 4300 Supplies &amp; Materials</b>	<b>13,115.89</b>	<b>19,258.77</b>	<b>-6,142.88</b>	<b>68.10 %</b>
<b>Total 4000 Business Supplies &amp; Materials</b>	<b>13,115.89</b>	<b>19,258.77</b>	<b>-6,142.88</b>	<b>68.10 %</b>
5000 Services & Other Operating Expenses				
5400 Insurance	94,829.22	126,439.00	-31,609.78	75.00 %
5500 Operations & Housekeeping				
5510 Utilities - Gas & Electric				
5510-04 Bldg #4	5,069.34	6,600.00	-1,530.66	76.81 %
5510-07 Bldg #7	7,954.19	11,100.00	-3,145.81	71.66 %
5510-09 Bldg #9	42,173.94	62,000.00	-19,826.06	68.02 %
5510-10 Bldg #10	398.39	600.00	-201.61	66.40 %
5510-11 Bldg #11	6,388.71	13,600.00	-7,211.29	46.98 %



# Raven Springs LLC

## Budget vs. Actuals: 2nd Interim Budget\_FY24\_P&L - FY24 P&L

July 2023 - June 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
5510-14 Bldg #14	6,105.90	8,500.00	-2,394.10	71.83 %
<b>Total 5510 Utilities - Gas &amp; Electric</b>	<b>68,090.47</b>	<b>102,400.00</b>	<b>-34,309.53</b>	<b>66.49 %</b>
5515 Landscaping	40,465.00	48,384.00	-7,919.00	83.63 %
5520 Security - Gray Electric	6,600.00	10,000.00	-3,400.00	66.00 %
5530 Utilities - Water	19,589.24	28,305.00	-8,715.76	69.21 %
<b>Total 5500 Operations &amp; Housekeeping</b>	<b>134,744.71</b>	<b>189,089.00</b>	<b>-54,344.29</b>	<b>71.26 %</b>
5600 Rentals, Leases & Repairs				
5615 Repairs & Maintenance - Building	65,157.02	85,463.00	-20,305.98	76.24 %
5618 Repairs & Maintenance - Auto		2,000.00	-2,000.00	
5618-01 Property Vehicles - Gas	7,541.06	8,500.00	-958.94	88.72 %
5631 Rental, Leases & Repairs	6,846.68	10,542.00	-3,695.32	64.95 %
<b>Total 5600 Rentals, Leases &amp; Repairs</b>	<b>79,544.76</b>	<b>106,505.00</b>	<b>-26,960.24</b>	<b>74.69 %</b>
5800 Other Services & Operating Expenses	146,487.40	175,785.00	-29,297.60	83.33 %
5804 Property Taxes	10,813.44	10,813.00	0.44	100.00 %
5809 Bank Charges & Fees	777.17	1,580.00	-802.83	49.19 %
5811 Melio Credit card fee	30.00		30.00	
5812 QuickBooks Payments Fees	361.94		361.94	
5848 Licenses & Other Fees	16,370.77	17,061.00	-690.23	95.95 %
<b>Total 5800 Other Services &amp; Operating Expenses</b>	<b>174,840.72</b>	<b>205,239.00</b>	<b>-30,398.28</b>	<b>85.19 %</b>
5910 Utilities - Phone/Internet	6,076.74	7,760.00	-1,683.26	78.31 %
5910-01 Bldg #1	-1,500.00		-1,500.00	
5910-07 Bldg #7	335.87		335.87	
5910-09 Bldg #9	-1,489.40		-1,489.40	
<b>Total 5910 Utilities - Phone/Internet</b>	<b>3,423.21</b>	<b>7,760.00</b>	<b>-4,336.79</b>	<b>44.11 %</b>
<b>Total 5000 Services &amp; Other Operating Expenses</b>	<b>487,382.62</b>	<b>635,032.00</b>	<b>-147,649.38</b>	<b>76.75 %</b>
7438 Debt Service				
7438-01 Interest for land	82,677.70	100,200.00	-17,522.30	82.51 %
<b>Total 7438 Debt Service</b>	<b>82,677.70</b>	<b>100,200.00</b>	<b>-17,522.30</b>	<b>82.51 %</b>
Unapplied Cash Bill Payment Expense	0.00		0.00	
<b>Total Expenses</b>	<b>\$583,176.21</b>	<b>\$754,490.77</b>	<b>\$ -171,314.56</b>	<b>77.29 %</b>
<b>NET OPERATING INCOME</b>	<b>\$192,513.28</b>	<b>\$212,995.05</b>	<b>\$ -20,481.77</b>	<b>90.38 %</b>
<b>NET INCOME</b>	<b>\$192,513.28</b>	<b>\$212,995.05</b>	<b>\$ -20,481.77</b>	<b>90.38 %</b>

## Uniform Complaint Procedures (UCP) Annual Notice for 2024-25

### *Nevada County Superintendent of Schools*

**For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties**

The Nevada County Superintendent of Schools annually notifies our its students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of the Uniform Complaint Procedures (UCP) process.

The *Nevada County Superintendent of Schools* is primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP in:

Accommodations for Pregnant and Parenting Pupils	Adult Education
After School Education and Safety	Agricultural Career Technical Education
Career Technical and Technical Education and Career Technical and Technical Training Programs	Child Care and Development
Compensatory Education	Consolidated Categorical Aid Programs
Course Periods without Educational Content	Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance
Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district	
Every Student Succeeds Act	
Local Control and Accountability Plans (LCAP)	
Migrant Education	Physical Education Instructional Minutes
Pupil Fees	Reasonable Accommodations to a Lactating Pupil
Regional Occupational Centers and Programs	School Plans for Student Achievement
Schoolsite Councils	State Preschool
State Preschool Health and Safety Issues in LEAs Exempt From Licensing	

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

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

A pupil fees complaint may be filed with the principal of a school or our superintendent or his or her designee. A pupil fees and/or an LCAP complaint may be filed anonymously, however, the complainant must provide evidence or information leading to evidence to support the complaint.

A pupil enrolled in a school in our district shall not be required to pay a pupil fee for participation in an educational activity.

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

We shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, pupils from military families, and former juvenile court pupils now enrolled in a school district as specified in EC Sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

The staff member, position, or unit responsible to receive UCP complaints in our agency is:

Name or title: Christine McCormick

Unit or office: Nevada County Superintendent of Schools

Address: 380 Crown Point Circle, Grass Valley, CA 95945

Phone: (530) 478-6400 E-mail address: christinemccormick@nevco.org

Complaints will be investigated and a written report with a Decision will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal our Decision of complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

We advise any complainant of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our Uniform Complaint Procedures process shall be available free of charge.

## Williams Complaint Classroom Notice

Provided by the California Department of Education • Categorical Programs Complaints Management Office • 1430 N Street, Sacramento, CA 95815 • 916-319-0929

2024-25

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# *Nevada County Superintendent of Schools*

## Williams Complaint Classroom Notice

### ***Notice to Parents, Guardians, Pupils, and Teachers***

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

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

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

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

4. A complaint form may be obtained at the school office. You may also download a copy of the California Department of Education complaint form in English and in other languages from the following Web site: <http://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp>

# Williams Complaint Form

## Nevada County Superintendent of Schools Office

California *Education Code* (EC) § 35186 created a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, and teacher vacancy or miss-assignment. The complaint and response are public documents as provided by statute. Complaints may be filed anonymously. However, if you wish to receive a response, you must provide the following contact information.

Response requested:  Yes  No

Name (optional):	Mailing Address (Optional):
Phone Number Day (Optional):	Evening number (Optional):

Issue of complaint (please check all that apply):

### 1. Textbooks and Instructional Materials

- A pupil, including an English learner, does not have access to standards-aligned textbooks or instructional materials or state-adopted or district-adopted textbooks or other required instructional materials to use in class.
- A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

### 2. Facility Conditions

- A condition poses an urgent or emergency threat to the health or safety of students or staff, including: gas leaks, nonfunctioning heating, ventilation, fire sprinklers or air-conditioning systems, electrical power failure, major sewer line stoppage, major pest or vermin infestation, broken windows or exterior doors or gates that will not lock and that pose a security risk, abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
- A school restroom has not been maintained or cleaned regularly, is not fully operational and has not been stocked at all times with toilet paper, soap, and towels or functional hand dryers.
- The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.

### 3. Teacher Vacancy or Miss-assignment

- Teacher vacancy - A semester begins and a teacher vacancy exists. (A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.)
- Teacher miss-assignment - A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
- Teacher miss-assignment - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Date of Problem: \_\_\_\_\_ Location of problem (school name, address, and room number or location): \_\_\_\_\_

Course or Grade Level and Teacher Name: \_\_\_\_\_

Describe specific nature of the complaint in detail. You may include as much text as necessary (please use other side): \_\_\_\_\_

**Please file this complaint with the principal of the school or his/her designee in which the complaint occurred:**

Location: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City Zip code

*A complaint about problems beyond the authority of the principal shall be forwarded within 10 working days to the appropriate school district official for resolution.*

May 2022

COLUMNATE

NEVADA CITY SCHOOL  
OF THE ARTS

2024 Staff Survey

**Carolee Colter**

# Purpose of Survey

- ◎ To gather accurate, non-anecdotal data on teaching and support staff satisfaction and engagement.
- ◎ To identify NCSA's strengths and weaknesses as an employer in the eyes of employees
- ◎ To provide data for showing compliance with board policies on B5. Staff Treatment & Compensation.
- ◎ To measure progress since 2022 and set a benchmark for the future.

# Survey Methodology

- ⦿ **Conducted on line, using a survey program designed for Columinate**
- ⦿ **Eligibility: all regular full-time and part-time staff.**
- ⦿ **79 took the survey, 90% of those eligible.**
- ⦿ **I interviewed 12 randomly selected employees, 15% of participants.**  
(I would have liked to interview more but it was hard to get even 12 to interview.)



# Survey Methodology

- ⦿ When people filled out the survey questionnaire, they had a choice of responses:

Rating	Value
Strongly agree	5
Agree	4
Partly agree / partly disagree	3
Disagree	2
Strongly disagree	1
No opinion	not included in averaging

The survey program calculates average scores or “means” from these responses.

# What do the scores mean?

- **4.00 or more: very high score, high satisfaction**
- **3.50 or more: relatively high score, relative satisfaction**
- **Below 3.00: low score, dissatisfaction**



## **Surveys measure perception, not facts.**

**When referring to what people said in written comments or interviews, I'm reflecting their opinions, not endorsing what they said as factually accurate.**

# How Did We Do?

Out of the 56 opinion questions:

- 32 scored 4.00 or more (57%)
- 22 scored 3.50 to 3.99 (39%)
- 2 scored below 3.50 (4%)

The lowest score was 3.41



# Highest-scoring questions

Nevada City School of the Arts  
2024 Staff Survey



- 60. I've been informed about our emergency plans... 4.53
- 8. I feel comfortable using arts integrated lessons. 4.51
- 12. I ensure my classroom reflects...differences. 4.47
- 63. ...I am proud to be part of the NCSA community. 4.45
- 9. I have choice in implementing arts-aligned curriculum. 4.42
- 21. High expectations are maintained for me in my role. 4.36
- 36. ...opportunity to understand NCSA's budget... 4.36
- 13. NCSA values diversity...in its staff. 4.35
- 5. ...NCSA creates an inclusive environment for children. 4.31
- 33. I have good relationships with NCSA staff... 4.31
- 3. ...clear connection between my work and NCSA mission. 4.29
- 6. NCSA provides a high-quality arts-integrated education. 4.29
- 22. My job makes good use of my skills and abilities. 4.29

## Lowest scoring questions

Nevada City School of the Arts  
2024 Staff Survey



In ascending order:

- 62. Parent engagement/volunteerism is high at NCSA. **3.41**
- 54. I am satisfied with the health benefits. **3.49**
- 50. My wage is fair compared to similar jobs in the area. **3.57**
- 55. I am satisfied with prep time. **3.68**
- 58. The physical working environment is safe. **3.73**
- 61. Student discipline is handled effectively... **3.74**
- 25. I am able to strike a balance between work and personal life. **3.75**
- 34. ...conflicts...are effectively resolved. **3.75**
- 17. ...clear on the criteria used to evaluate... **3.75**

# What is Standard Deviation?

The degree of agreement or disagreement among staff when answering a question.

For the purposes of this survey,

- high standard deviation will be 1.10 or more
- low standard deviation will be .80 or less

# Standard Deviation

- **29** questions had standard deviation of .80 or less (56%)
- **0** questions had standard deviation of 1.10 or more

**This indicates significant agreement among respondents.**



# Questions with most disagreement

51. The compensation for my role is fair in relation to the compensation for other roles at NCSA. **1.07**  
**[Teaching Staff 3.96, Support Staff 3.73]**
50. My wage is fair compared to similar jobs in the area. **1.04**  
**[Teaching Staff 3.43, Support Staff 3.63]**
61. Student discipline is handled effectively and fairly. **1.03**
54. I am satisfied with health benefits. **1.02**
45. I can express my thoughts and they will be considered, even if I don't agree with an administrative decision.  
**1.00**

Nevada City School of the Arts  
2024 Staff Survey

# Engagement Index

**Engaged**: Fully involved in, enthusiastic about, committed to the work. More likely to go above and beyond.

**Engagement Index**: 14 questions correlating to strongest factors for engagement in Gallup research and our own database.

**Engagement Score for NCSA: 4.11**

## Engagement Index 4.11

- I see a clear connection between my work and our mission. **4.29**
- NCSA provides a high-quality arts education for students. **4.29**
- Administration is sincerely interested in needs and welfare of staff. **4.18**
- I have opportunities for input into decisions that affect my work. **4.09**
- Staff ideas and suggestions make a difference. **4.21**
- I have the materials, tools and technology needed to do my job. **3.90**
- Expectations are upheld fairly and consistently for all dept staff. **3.82**
- Opportunities are available for professional development. **3.92**
- My job makes good use of my skills and abilities. **4.29**
- As a result of my evaluation, I have clear goals to work toward. **4.04**
- I have a clear understanding of my role and expectations. **4.23**
- I get helpful, timely feedback from my supervisor so that I can improve... **3.99**
- I receive recognition for my contributions... **4.00**
- I would recommend the co-op as a good place to work. **4.26**

# How does 2024 compare to 2022?

Nevada City School of the Arts  
2024 Staff Survey



Of the 56 opinion questions used in both surveys:

- 2 increased by 20 points or more

- 10 decreased by 20 points or more

Of the 6 topics:

Scores increased on 1 topic, decreased on 5, though more on some than others

# Questions that increased from 2022

Nevada City School of the Arts  
2024 Staff Survey



<u>Question</u>	<u>Points Decreased</u>
25. I am able to strike a balance between work and personal life. <b>+.27</b>	
36. I've been offered the opportunity to understand NCSA's budget and the way the money is spent. <b>+.22</b>	

# Questions that decreased from 2022

Nevada City School of the Arts  
2024 Staff Survey

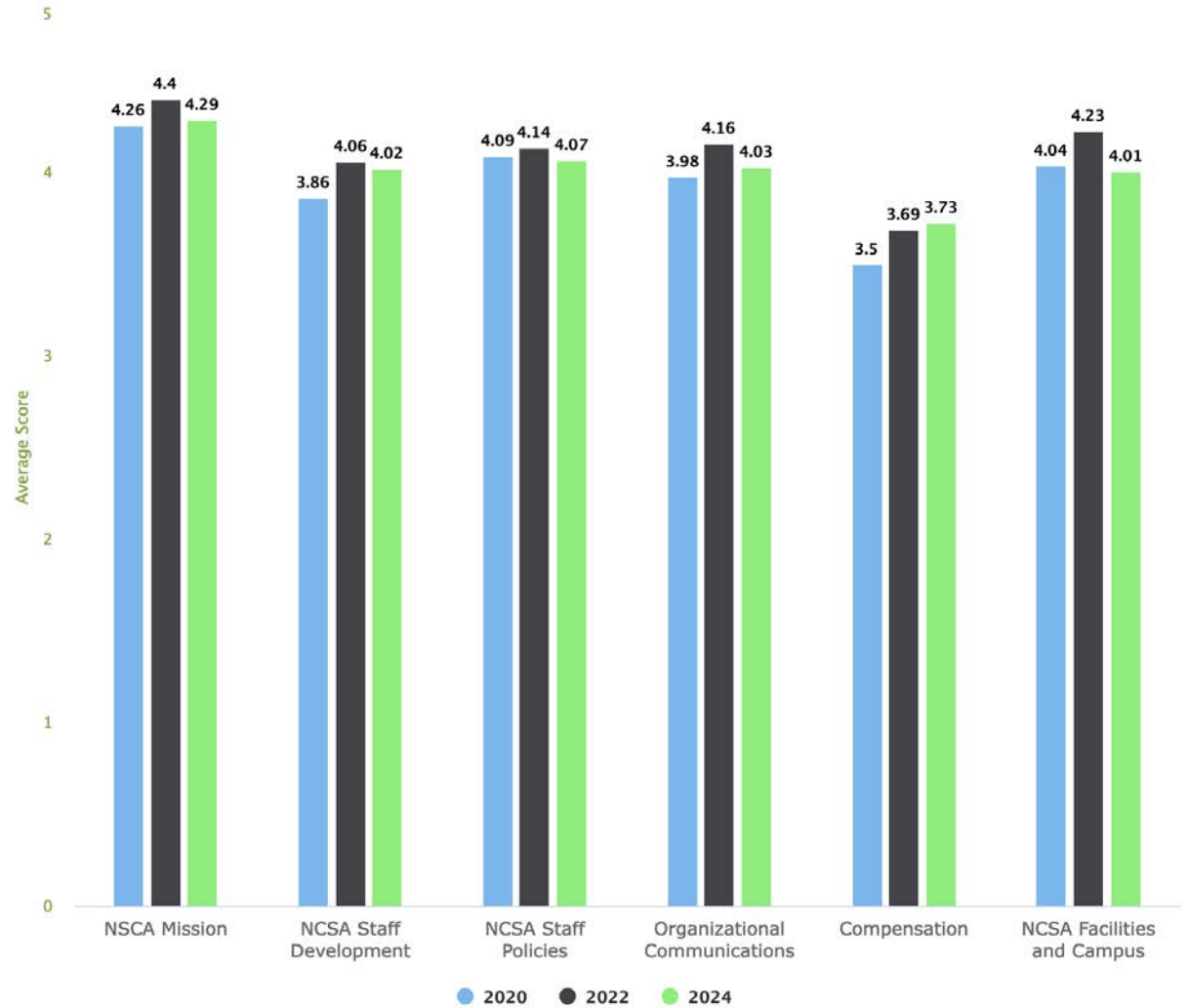


<u>Question</u>	<u>Points Decreased</u>
58. The physical working environment is safe.	-.40
19. I've been given the materials, tools and tech I need...	-.29
40. Communication is clear between the staff and the school community.	-.28
59. Safety concerns are addressed promptly, effectively.	-.27
62. Parent engagement/volunteerism is high...	-.26
46. I'm comfortable talking about my background...	-.26
34. When conflicts arise, they are effectively resolved.	-.23
9. I feel I have a choice in how I implement an art-aligned curriculum.	-.21
47. Team meetings are useful to me.	-.21
14. Throughout NCSA, differences are accepted and honored.	-.20

# Year-to-Year Comparison

Comparing Topics

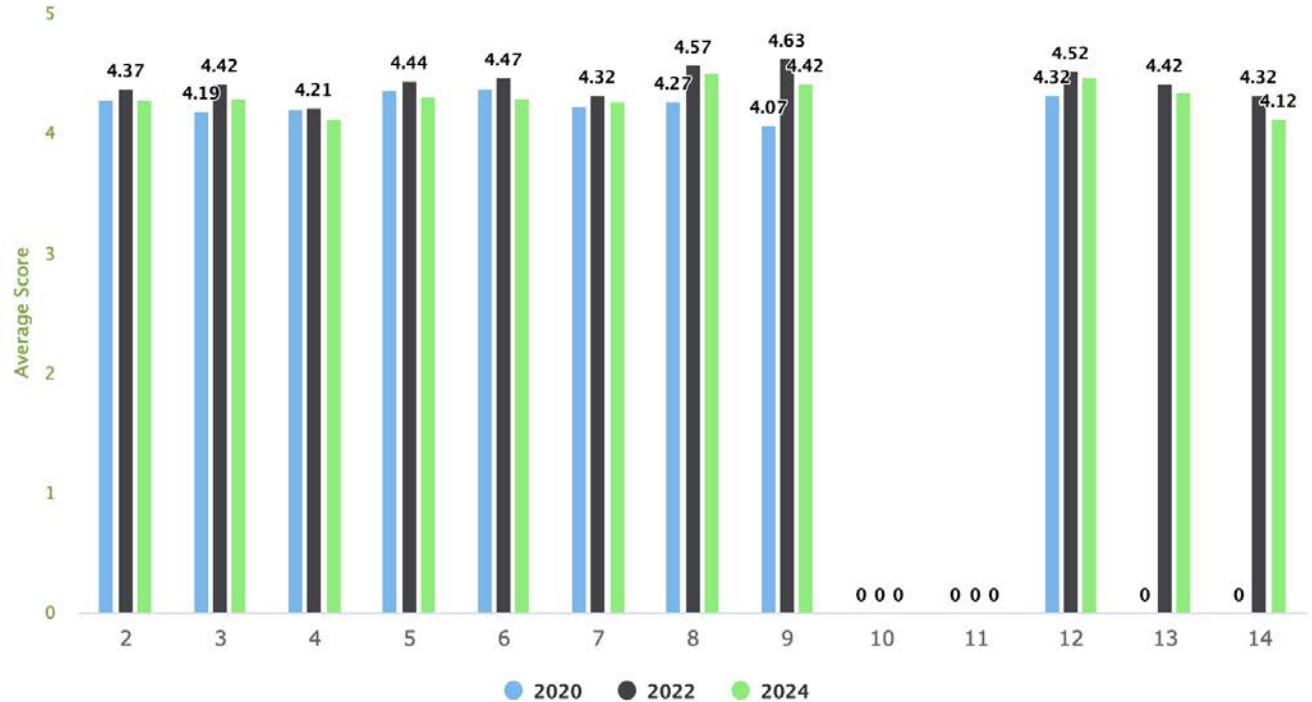
NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY



# Year-to-Year Comparison

NCSA Mission

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**



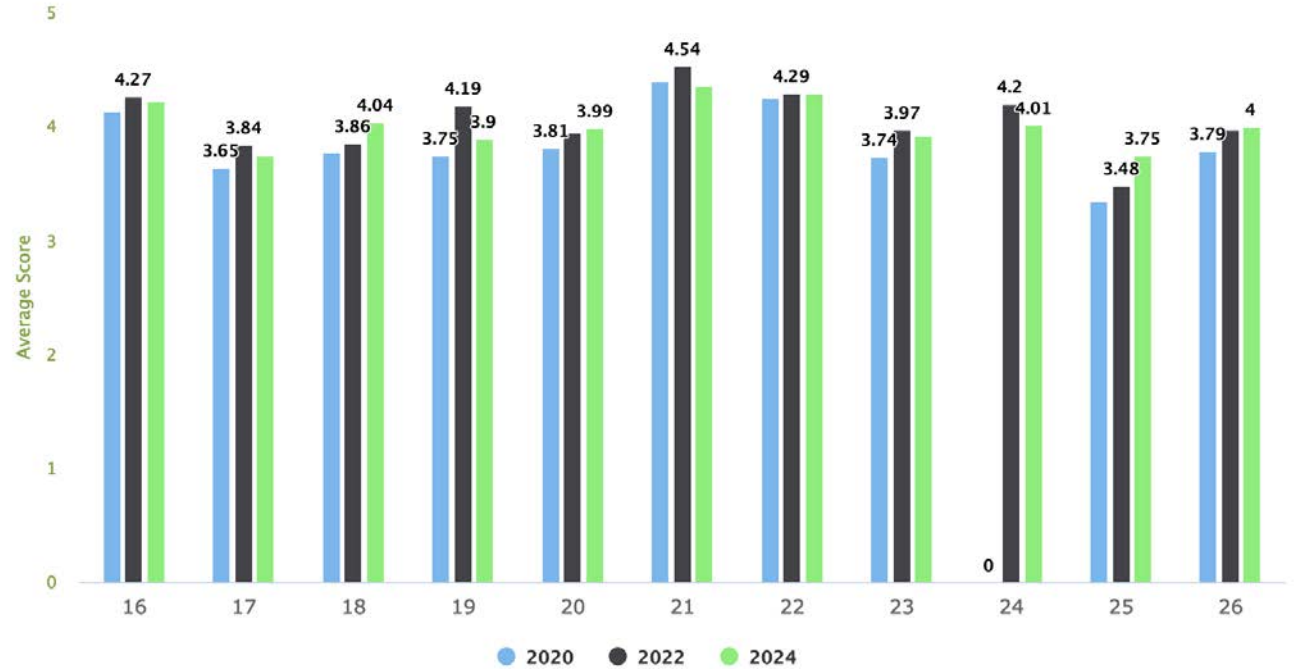
- 2 NCSA's mission and vision have been clearly explained to me.
- 3 I see a clear connection between my work and NCSA's mission.
- 4 All NCSA staff are working toward the Ends Goals for the school.
- 5 I feel NCSA creates an inclusive environment for children.
- 6 NCSA provides high-quality, arts-integrated education for students.
- 7 NCSA integrates a strong social curriculum.
- 8 I feel comfortable using arts integrated lessons.
- 9 I feel I have a choice in how I implement an arts-aligned curriculum.
- 10 As a teacher I hold Positive Discipline classroom meetings
- 11 I use mindfulness techniques in class
- 12 I ensure my classroom reflects racial, ethnicity, ability and gender differences.
- 13 NCSA values diversity of race, sex, sexual orientation, gender identity and expression, religion, national origin, age, marital/parental status, veteran's status, and mental and physical ability, in its staff.
- 14 Throughout NCSA, differences are accepted and honored.



# Year-to-Year Comparison

NCSA Staff Development

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**

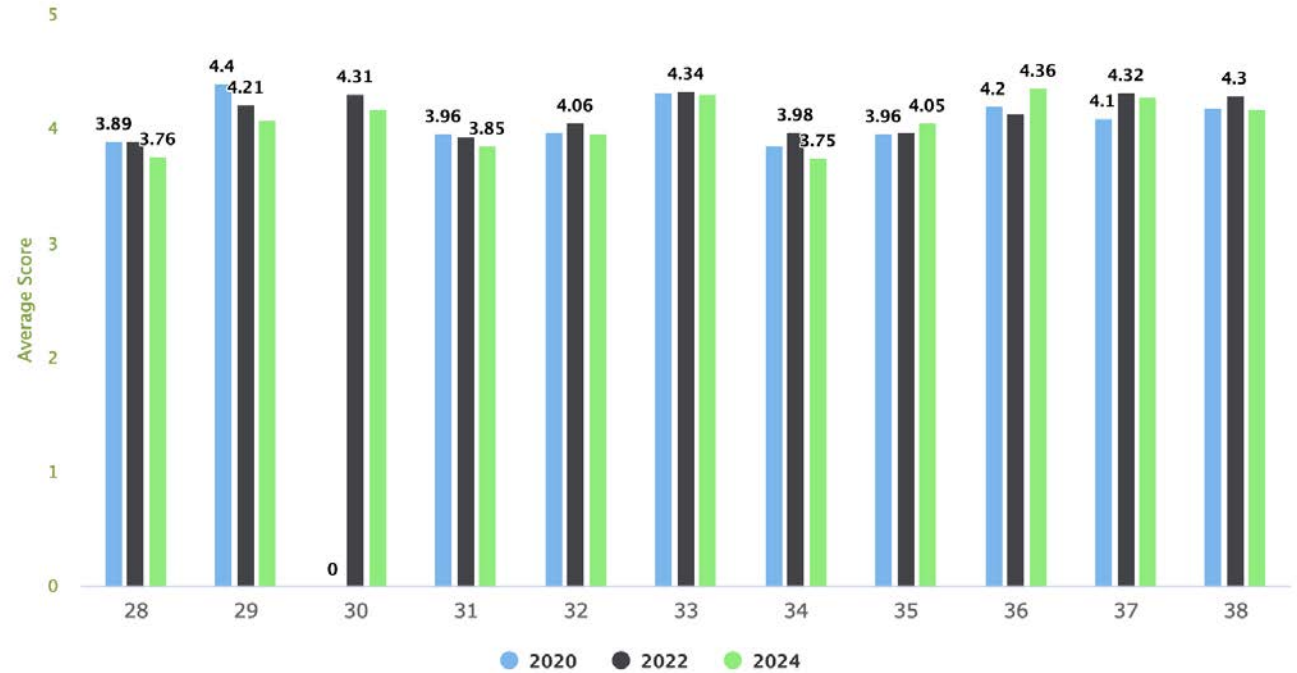


- 16 I've received and read my job description, and have a clear understanding of my role at NCSA and the expectations that my role involves.
- 17 I am clear on the criteria that will be used to evaluate my performance.
- 18 As a result of my peer observations/evaluation meetings, I can set clear, meaningful and measurable goals for myself.
- 19 I have been given the materials, tools and technology I need so that I can meet and/or exceed expectations for my role.
- 20 I am given appropriate and timely feedback and support to grow and improve in my role.
- 21 High expectations are maintained for me within my role.
- 22 My job makes good use of my skills and abilities.
- 23 I receive appropriate professional development/training to meet and/or exceed expectations for my role.
- 24 Training programs on diversity and inclusion at NCSA have been effective in supporting a culture of inclusion.
- 25 I am able to strike a balance between work and personal life.
- 26 I receive recognition for my contributions to NCSA.

# Year-to-Year Comparison

## NCSA Staff Policies

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**

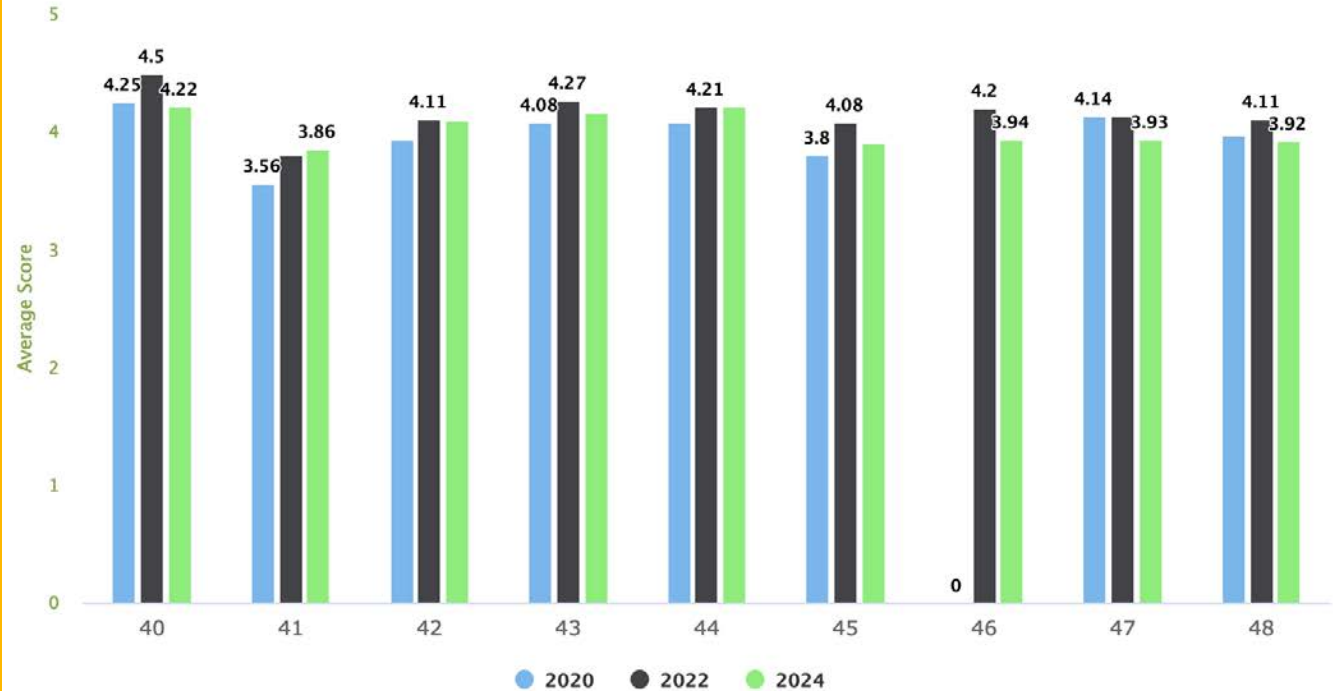


- 28 I believe all NCSA staff are treated fairly, regardless of their role.
- 29 Teaching and support staff are treated equitably in regard to race, sex, sexual orientation, gender identity and expression, religion, national origin, age, marital/parental status, veteran's status, or mental or physical disability.
- 30 In my own personal experience, I have been treated equitably in regard to race, sex, sexual orientation, gender identity and expression, religion, national origin, age, marital/parental status, veteran's status, or mental or physical disability.
- 31 Expectations are upheld in a fair and consistent way for all staff in my department/team.
- 32 The different offices and roles within NCSA are well coordinated and supportive.
- 33 I have good relationships with NCSA staff - collaboration, communication, support, trust, etc.
- 34 When conflicts arise between NCSA staff, they are effectively resolved.
- 35 Administration/department coordinators deal with my concerns in a confidential manner.
- 36 I've been offered the opportunity to understand NCSA's budget and the way the money is spent.
- 37 To the best of my knowledge, NCSA's budget is managed appropriately.
- 38 I believe administration are sincerely interested in the needs and welfare of the staff.

# Year-to-Year Comparison

## Organizational Communications

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**

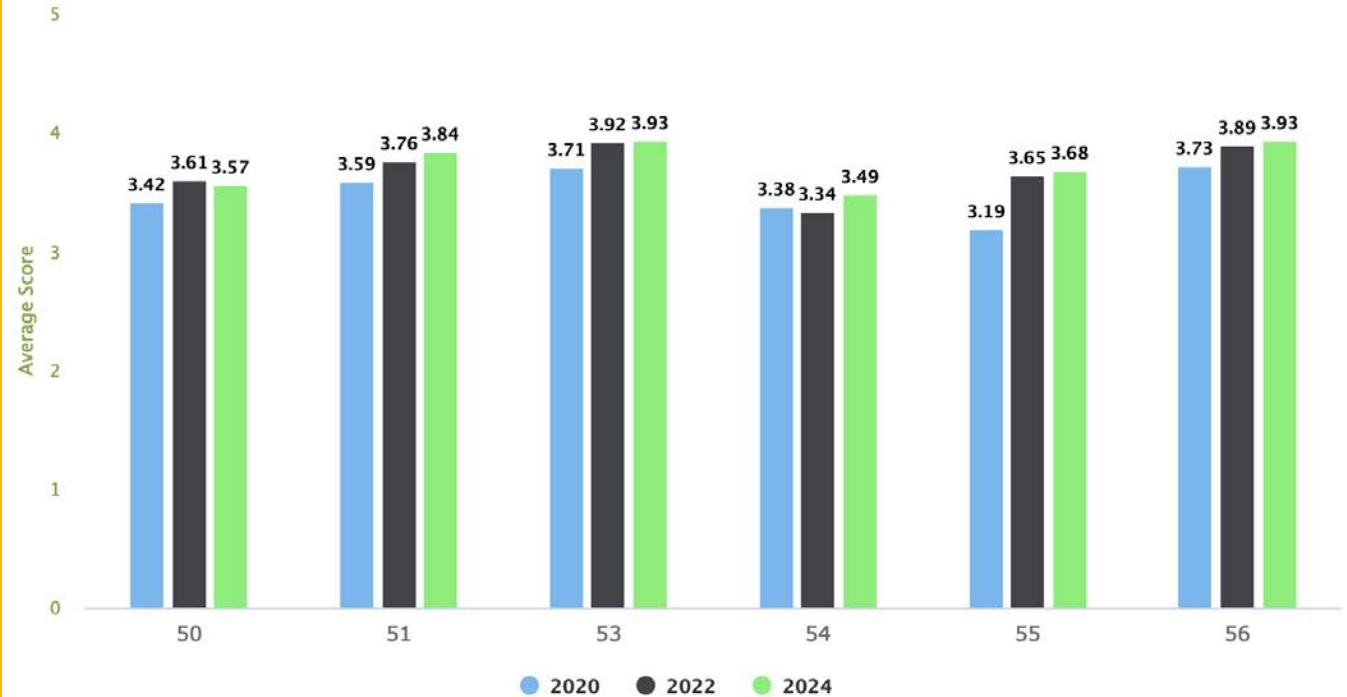


- 40 Communication is clear between the staff and the school community (families).
- 41 I receive adequate notice of changes affecting how my work is done.
- 42 I have opportunities for input into decisions that affect how my work is done.
- 43 When I bring an idea, suggestion, or concern to administration/department coordinator, I get a timely response.
- 44 Staff ideas and suggestions make a difference at NCSA.
- 45 I can express my thoughts and they will be considered, even if I do not agree with an administrative decision.
- 46 I am comfortable talking about my background and cultural experiences with my co-workers.
- 47 Team meetings are useful to me.
- 48 In general, I feel like I know what's going on at NCSA.

# Year-to-Year Comparison

## Compensation

NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY

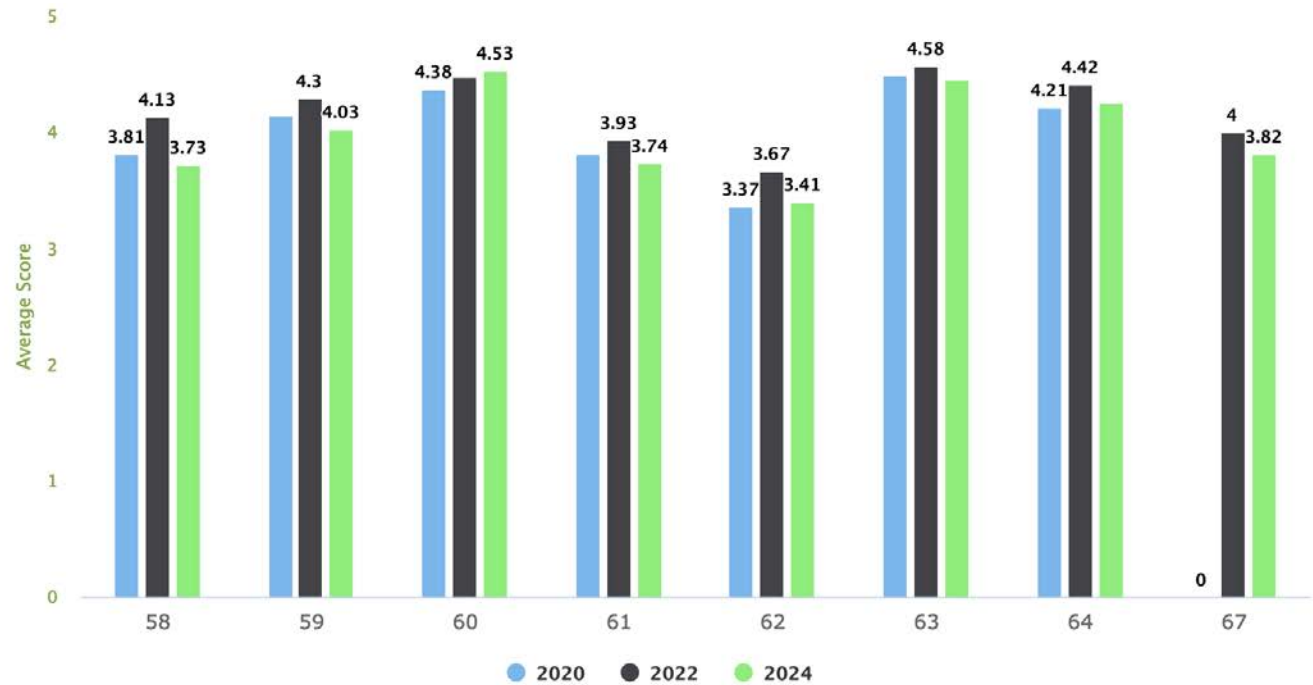


- 50 My wage is fair compared to similar jobs in the area.
- 51 The compensation for my role is fair in relation to other roles at NCSA.
- 53 How satisfied are you with professional development?
- 54 How satisfied are you with health benefits?
- 55 How satisfied are you with prep time?
- 56 How satisfied are you with aide support?

# Year-to-Year Comparison

NCSA Facilities and Campus

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**



- 58 The physical working environment (grounds, parking lot, offices, classrooms, hallways, storage rooms, rest rooms, ventilation, etc.) of NCSA is safe.
- 59 Safety concerns are addressed promptly and efficiently.
- 60 I've been informed about our emergency plans/procedures.
- 61 Student discipline is handled effectively and fairly.
- 62 Parent engagement/volunteerism is high at NCSA.
- 63 In general, I am proud to be a part of the NCSA community.
- 64 I would recommend NCSA as a good place to work.
- 67 In my experience, workplace improvements happened as a result of previous surveys.

# Comparing 2019, 2020 & 2022

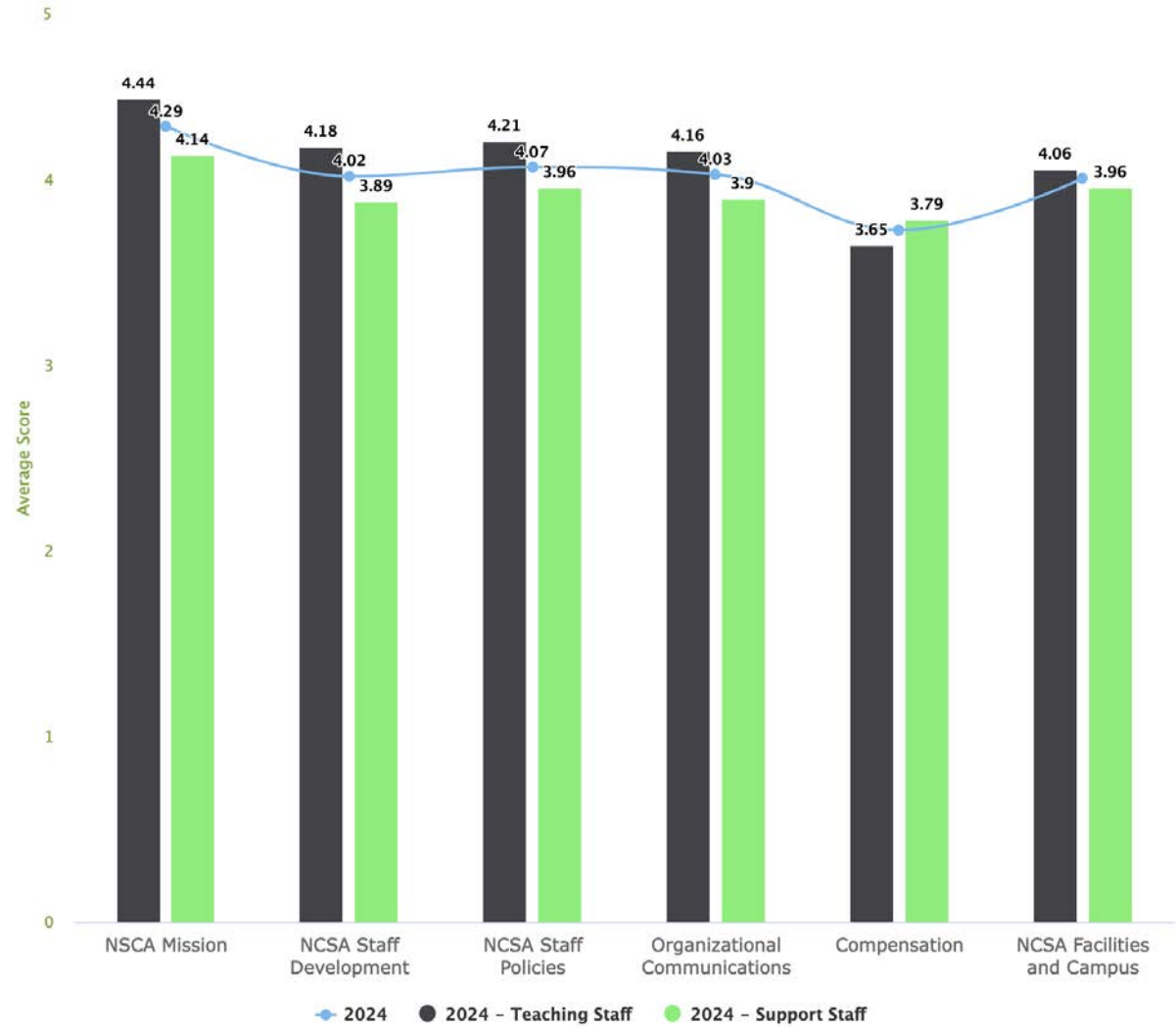
	<u>2020</u>	<u>2022</u>	<u>2024</u>
Questions scoring 4.00 or more	47%	64%	57%
Questions scoring 3.50 to 3.99	42%	33%	39%
Questions scoring 3.00 to 3.49	11%	3%	4%
Questions with high standard deviation (1.10+)	4%	3%	9%
Questions with low standard deviation (.80-)	58%	49%	45%
Range of 10 highest scores	4.25 to 4.49	4.42 to 4.63	4.29 to 4.53
Range of 10 lowest scores	3.19 to 3.74	3.34 to 3.89	3.41 to 3.76
Engagement Score	4.01	4.17	4.11



# Teaching Staff & Support Staff

Comparing Topics

NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY



# Survey Themes from 2022

- ✓ We serve our students
- ✓ Our voices are heard.
- ✓ Opportunities for development
- ✓ Strong organizational communication
- ✓ Compensation: recognizing trade-offs
- X **Striving for work/life balance**
- ✓ Equity and inclusivity: institutional support
- ✓ Equity and inclusivity: personal experience
- ✓ Strong leadership

## New This Year

- **Campus safety**

Nevada City School of the Arts  
2024 Staff Survey



# Strong organizational communication

Nevada City School of the Arts  
2024 Staff Survey



48. In general, I feel like I know what's going on... **3.92**
40. Communication is clear between the staff and the school community (families). **4.22**
47. Team meetings are useful to me. **3.93**
41. I get adequate notice of changes affecting my job. **3.86**
- Things often happen last-minute and we all have to wear a lot of hats, but generally speaking, communication is excellent.
  - Communication has improved. Staff are given clearer directions about where they should be and what they should be doing.
  - Team meetings have really improved, and I look forward to them as a chance to collaborate and create with my colleagues.
  - Love that I have access to all emails, information in leadership meetings, and google calendars of what's happening.
  - We still tend to be over-communicators, but I think we do a better job than other schools .

# Our voices are heard.

Nevada City School of the Arts  
2024 Staff Survey



- 42. I have opportunities for input into decisions that affect how my work is done. **4.09**
- 43. When I bring an idea, suggestion or concern to administration or department coordinator, I get a timely response. **4.16**
- 44. Staff ideas and suggestions make a difference at NCSA. **4.21**
- 45. I can express my thoughts and they will be considered, even if I do not agree with an administrative decision. **3.91 [std 1.00]**

- Admin truly listens and considers input. What a gift!
- My ideas and suggestions are respected and considered.
- There are some "top-down" decisions that haven't settled well. Sometimes the way staff is spoken to is harsh.
- I appreciate the way administration communicates with and involves staff in important decision-making.
- Thank you for supporting the staff so well this year-- listening to our feedback and making positive changes from last year.

# Opportunity for development

Nevada City School of the Arts  
2024 Staff Survey



**23. I receive appropriate professional development/training to meet and/or exceed expectations for my role. 3.92**

**53. I am satisfied with professional development. 3.93**

- I appreciate how well the options align with the mission and daily work. Professional development here is truly valuable and not just a "should" do.
- I feel I am encouraged to be myself and use my strengths, but I am also encouraged to push and challenge myself.
- All staff seems very dedicated to their own growth in their positions--something that separates us from other schools; we expect everyone to keep doing the work.
- I like that we have both whole school staff development to create a whole school culture, and that we can request professional development classes that we are interested in.

# Requests for specific development opportunities

Nevada City School of the Arts  
2024 Staff Survey



- More effective classroom management strategies
- PD curriculum adapted to current student behaviors
- ELA/History PD opportunities in Northern California
- Differentiation/UDL
- Synergy grade book training
- More training on working with students with sensory needs
- Learn and practice using new tools and strategies to support neurodiverse students
- More feedback and tools to provide more support for students
- More collaboration time for developing arts-academic units
- More training for all staff on diversity and equity
- Summer trainings specific to my area of teaching

## Compensation: recognizing the trade-offs

Nevada City School of the Arts  
2024 Staff Survey



50. My wage is fair compared to similar jobs in the area. **3.57**

51. The compensation for my role is fair in relation to other roles at NCSA. **3.84 [Std 1.07]**

54. I am satisfied with health benefits. **3.49 [Std 1.02]**

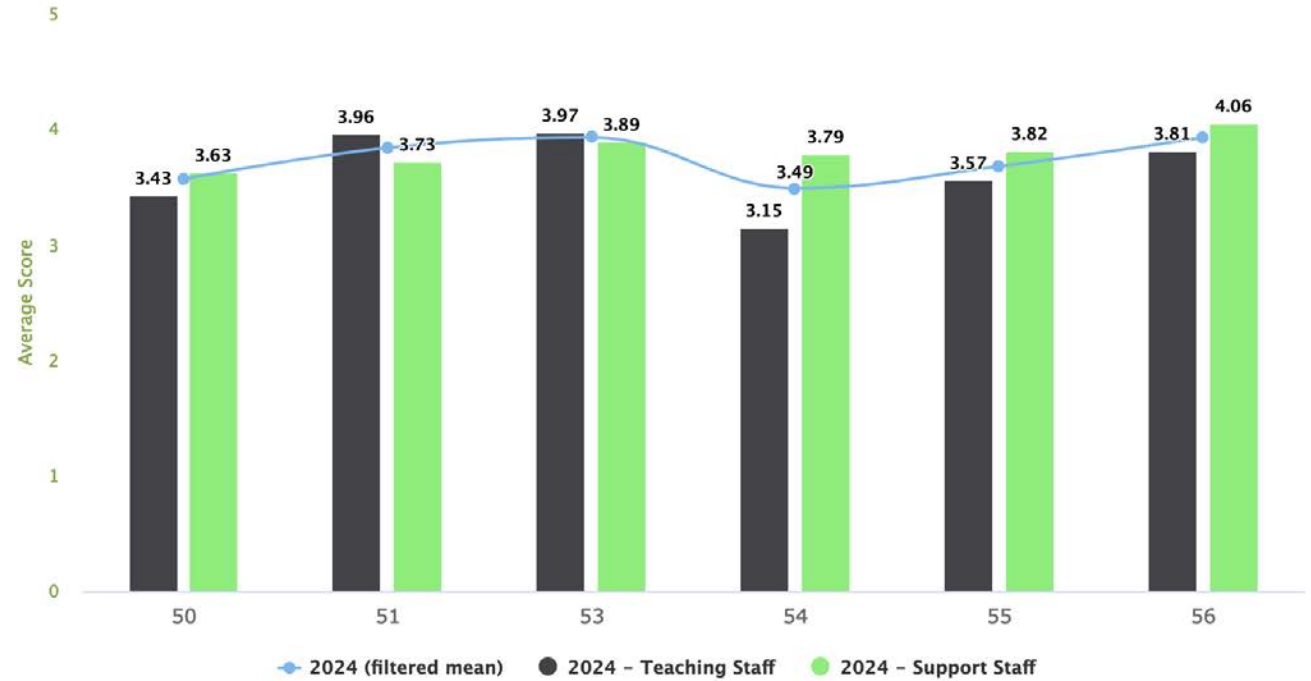
56. I am satisfied with aide support. **3.93**

- I appreciate the comprehensive medical, dental, and retirement.
- Aides and other support staff can barely afford to work here.
- While other local schools have higher compensation for teachers, the amount of prep time and input teachers are given in our roles far outweigh the difference in salaries.
- I feel that I am compensated fairly through a good salary, great work environment, and ample time off.
- All teachers are paid according to the same pay scale, but some of us work many more hours. We have more students and do not get aide support. These should be taken into consideration.

# Teaching Staff & Support Staff

## Compensation

NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY



- 50 My wage is fair compared to similar jobs in the area.
- 51 The compensation for my role is fair in relation to other roles at NCSA.
- 53 How satisfied are you with professional development?
- 54 How satisfied are you with health benefits?
- 55 How satisfied are you with prep time?
- 56 How satisfied are you with aide support?

# Safety in the workplace

Nevada City School of the Arts  
2024 Staff Survey



58. The physical working environment (grounds, parking lot, offices, classrooms, hallways, storage rooms, restrooms, ventilation, etc.) of NCSA is safe. **3.57** **-.40**

59. Safety concerns are addressed promptly and efficiently. **4.03** **-.27**

60. I've been informed about our emergency plans... **4.53**

- Our campus is falling apart. Fixes are coming this summer.
- When teachers report things, they get fixed, but they should get fixed before a teacher complains.
- Potholes and cracks in walking paths can be trip hazards.
- Heating and air, doors, locks, security, window coverings.
- We do a good job of keeping staff and students safe.
- Our emergency plans are good, but execution on drill practice is not as good. Admin has made improvements.

# Specific requests for campus improvements

Nevada City School of the Arts  
2024 Staff Survey



- Every classroom should have a HEPA filtered air purifier; even low-cost DIY versions would reduce airborne illness.
- Need more than one staff bathroom on Upper Campus. There's often a line for the women's.
- More security cameras
- Will expanding the program for children with high emotional needs require higher security?
- More signage for families navigating the campus.
- Outdoor covered space like a yurt for rainy day movement.
- Support staff doing lunch duty can't adequately supervise recess. Need separate recess supervision.
- Have parents and children sign a behavior pact, as they did in the past.



# Equity and inclusivity: institutional support

Nevada City School of the Arts  
2024 Staff Survey



29. Teaching and support staff are treated fairly regardless of race, sex, sexual orientation, etc... **4.08**
12. I ensure my classroom reflects racial, ability and gender differences. **4.47**
13. NSCA values diversity of race, sex, ...in its staff. **4.35**
24. Training programs on diversity and inclusion have been effective in supporting a culture of inclusion. **4.01**
- We teach children to see differences as a positive.
  - My co-workers are an amazing group of people and very diverse. People apply to work here because of how we teach cultural awareness.
  - With diversity, our focus is specifically on black families. We don't put as much effort into including, and educating our students about, other races and gender inequality.

# Equity and inclusivity: personal experience

Nevada City School of the Arts  
2024 Staff Survey



14. Throughout NCSA, differences are honored and accepted. **4.12** **-.20**

30. In my own personal experience, I have been treated equitably in regard to race, sex, sexual orientation... **4.18**

46. I am comfortable talking about my background and cultural experiences with my co-workers. **3.94** **-.26**

- People are accepting and loving. I always feel open to talk about my experiences.
- I don't feel judged. That's big. Still, I don't share with everyone, just people I'm close to.
- We strive for a culture of acceptance, but I don't feel free to share and be open about my religion or my politics.
- Disparaging comments are openly made about Christians that I don't think would be made about Muslims or Jews.

# What areas of NCSA do you feel need improvement?

Nevada City School of the Arts  
2024 Staff Survey



In order of most commonly cited:

- Facilities: maintenance, bathrooms, walkways, accessibility, safety, security (25)
- Student discipline (7)
- Parent involvement and communication (6)
- Compensation (5)
- Staff relations (5)
- Communication: more input, more notice (4)
- Diversity, equity and inclusion (3)
- It's great! No improvements needed (8)

# Strong leadership

Nevada City School of the Arts  
2024 Staff Survey



38. I believe administration are sincerely interested in the needs and welfare of the staff. **4.18**
32. The different offices and roles within NCSA are well coordinated and supported. **3.96**
40. Communication is clear between the staff and the school community. **4.22 -.28**
- It's an inclusive, thoughtful, supportive community with an excellent admin who listens and supports the staff!
  - Administration is open, transparent, and supportive. I fully trust administrative decisions and know that everyone has the very best interests of students, staff, and the school as a whole in mind in all decisions.
  - Thanks for surveying us. I do feel my input matters in the way the school is run.

# Is there favoritism?

Nevada City School of the Arts  
2024 Staff Survey



20. I'm given appropriate and timely feedback and support to grow and improve in my role. **3.99**

28. I believe all NCSA staff are treated fairly, regardless of their role. **3.76** [teachers 3.87, support staff 3.67]

34. ...conflicts...are effectively resolved. **3.75 -.23**

- NCSA seems to really try to take a fair and balanced approach to dealing with staff.
- Angie and Holly have both made a greater effort to acknowledge and appreciate teachers this year.
- Certain people are highlighted regularly (during team meetings) while others are not. If we are going to name people, we need to make sure everyone is recognized.
- Sometimes staff members are unfairly called out in an unkind way for certain behaviors before admin gets the entire picture, while others don't get called out.

“Just because someone is unhappy with a decision made by admin doesn't mean that they don't like admin or think admin is doing a poor job altogether. I think that sometimes when people have concerns about an admin decision, admin ends up taking it personally.”

----

“I'm hoping this survey really is a safe place to express my thoughts and they'll be shared in a way that doesn't make Holly crazy. I want her to hear the hard stuff, but I don't want to her to ‘investigate,’ to figure out who said it and why. Sometimes you can't "fix it", but you need to know it's happening. I don't always agree with the direction she is taking the school, but I am sure that Holly is a good person with good intentions.”

# If you could use this anonymous channel to send a message to the Director?

Nevada City School of the Arts  
2024 Staff Survey



- Doing a great job. Hope you don't retire before me!
- I know you're working hard on this—to find your own vulnerability and allow others the space to do the same.
- Appreciate your ability to not get emotionally involved as you address situations. Appreciate your role.
- Recognize that we teachers genuinely care and are putting in our best efforts for the kids.
- Value the support staff as much as the teachers. Seek our opinions and keep us in the loop.
- I feel free to speak up if I think it will make things better.
- I always feel like I'm in trouble when I talk to you. I feel like you already have an opinion before I walk through the door.
- Appreciate this survey, very thorough, and appreciate the possibility of follow-up conversation.
- Keep looking for ways to include more neurodiverse adults.
- Thank you. I am grateful for this community.

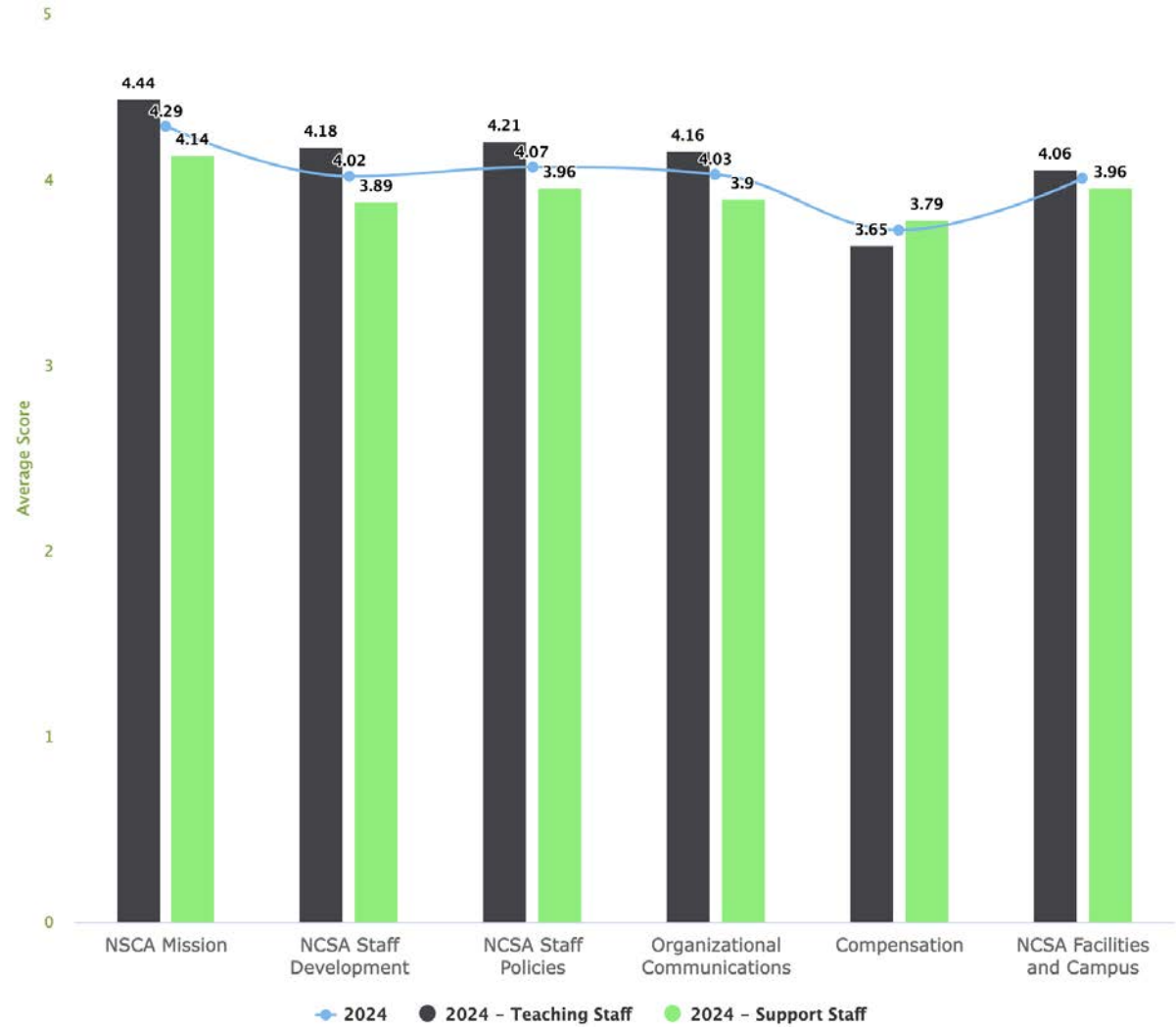
“NCSA's policies regarding staff support and equitable and respectful communication and interactions hold a high standard of respect, integrity, and self-reflection, amongst the staff that inspire similar interactions with students and the larger NCSA community.”



# Teaching Staff & Support Staff

Comparing Topics

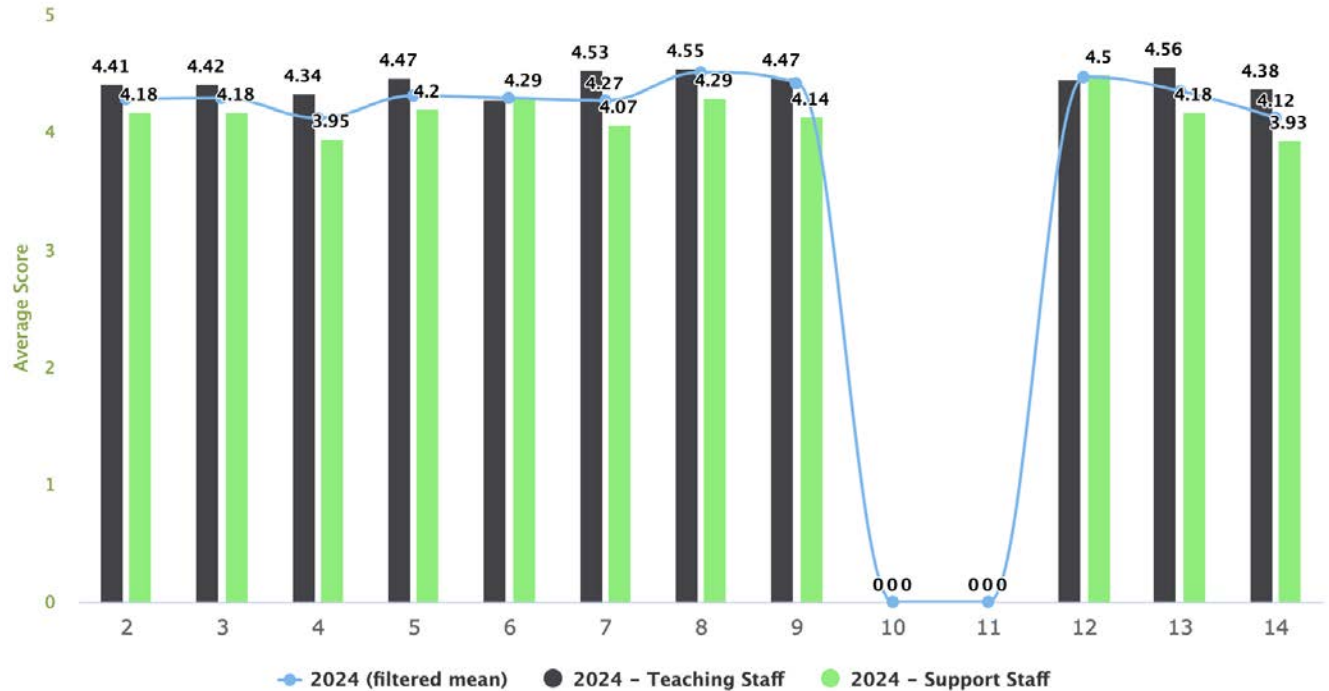
NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY



# Teaching Staff & Support Staff

NCSA Mission

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**

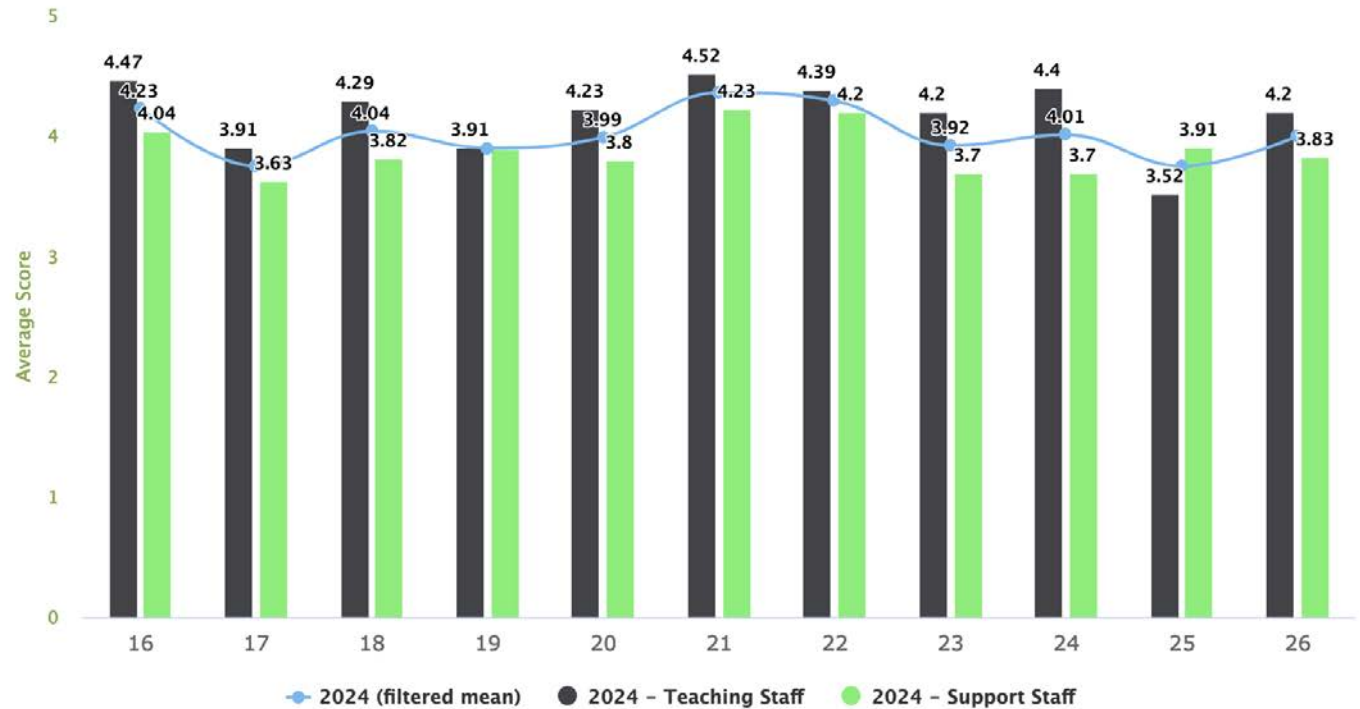


- 2 NCSA's mission and vision have been clearly explained to me.
- 3 I see a clear connection between my work and NCSA's mission.
- 4 All NCSA staff are working toward the Ends Goals for the school.
- 5 I feel NCSA creates an inclusive environment for children.
- 6 NCSA provides high-quality, arts-integrated education for students.
- 7 NCSA integrates a strong social curriculum.
- 8 I feel comfortable using arts integrated lessons.
- 9 I feel I have a choice in how I implement an arts-aligned curriculum.
- 10 As a teacher I hold Positive Discipline classroom meetings
- 11 I use mindfulness techniques in class
- 12 I ensure my classroom reflects racial, ethnicity, ability and gender differences.
- 13 NCSA values diversity of race, sex, sexual orientation, gender identity and expression, religion, national origin, age, marital/parental status, veteran's status, and mental and physical ability, in its staff.
- 14 Throughout NCSA, differences are accepted and honored.

# Teaching Staff & Support Staff

## NCSA Staff Development

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**

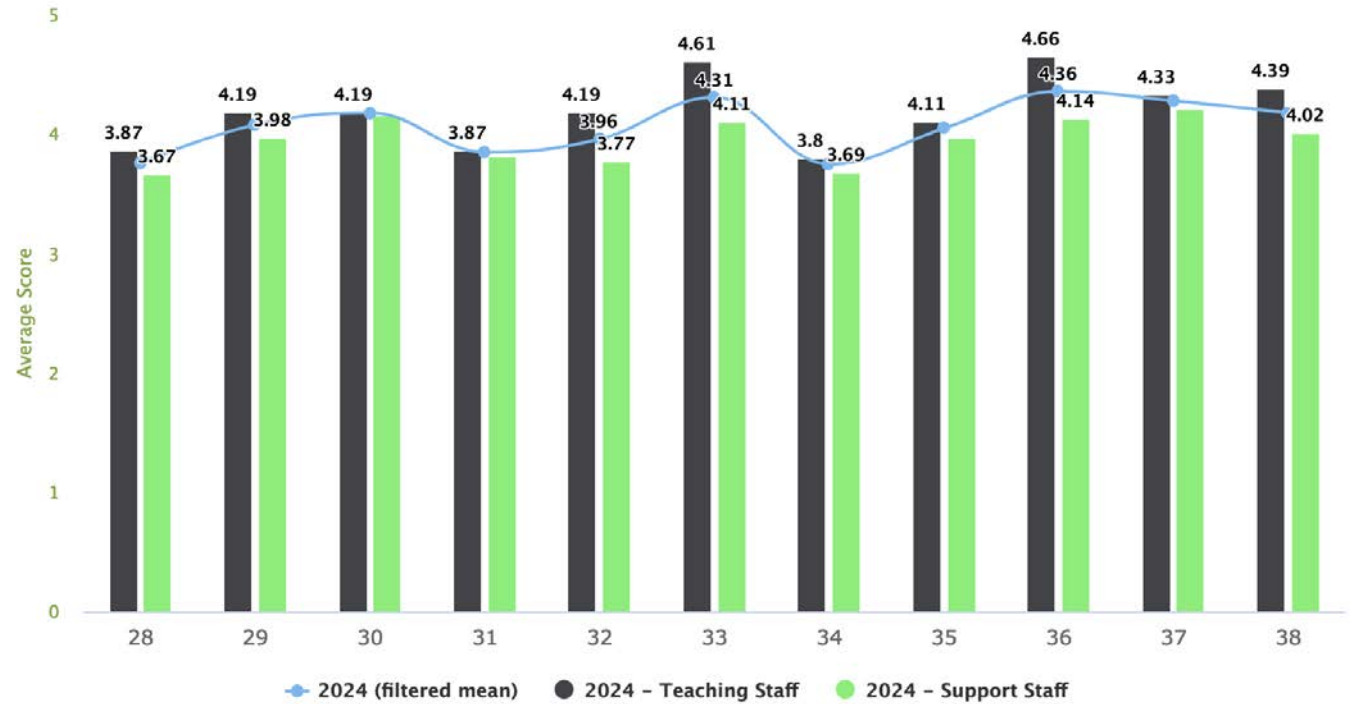


- 16 I've received and read my job description, and have a clear understanding of my role at NCSA and the expectations that my role involves.
- 17 I am clear on the criteria that will be used to evaluate my performance.
- 18 As a result of my peer observations/evaluation meetings, I can set clear, meaningful and measurable goals for myself.
- 19 I have been given the materials, tools and technology I need so that I can meet and/or exceed expectations for my role.
- 20 I am given appropriate and timely feedback and support to grow and improve in my role.
- 21 High expectations are maintained for me within my role.
- 22 My job makes good use of my skills and abilities.
- 23 I receive appropriate professional development/training to meet and/or exceed expectations for my role.
- 24 Training programs on diversity and inclusion at NCSA have been effective in supporting a culture of inclusion.
- 25 I am able to strike a balance between work and personal life.
- 26 I receive recognition for my contributions to NCSA.

# Teaching Staff & Support Staff

## NCSA Staff Policies

### NEVADA CITY SCHOOL OF THE ARTS 2024 STAFF SURVEY

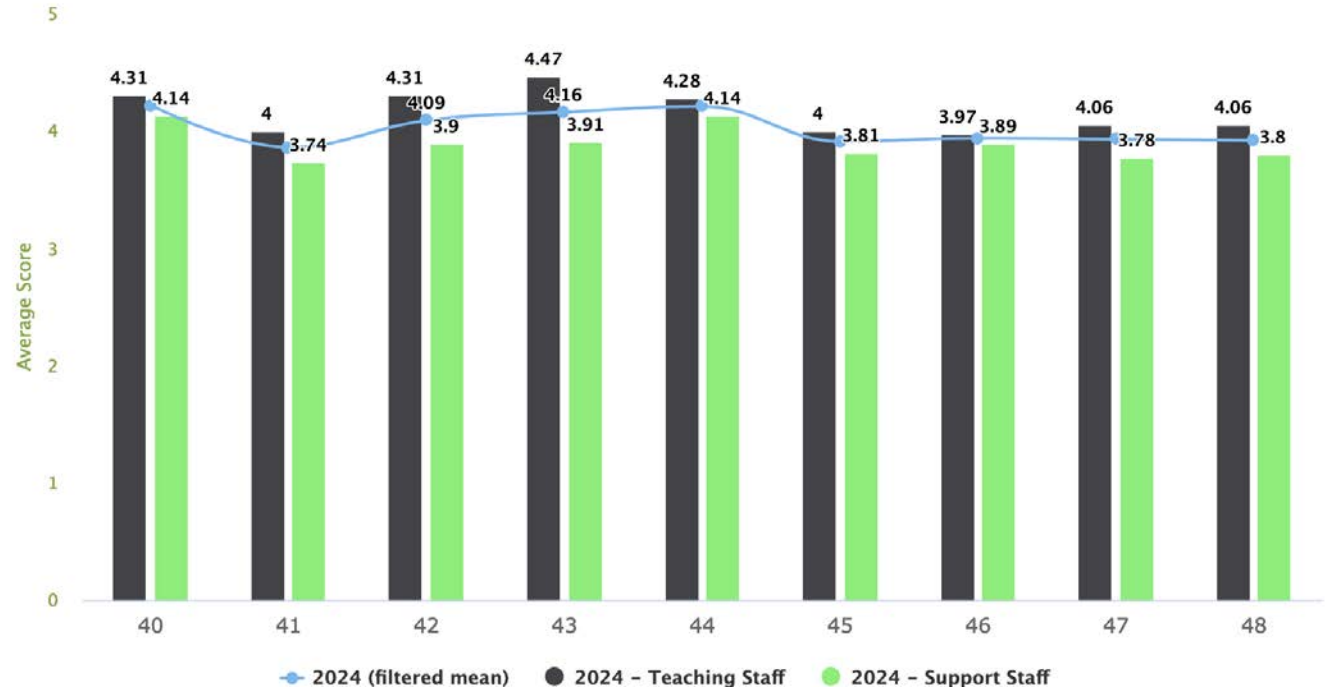


- 28 I believe all NCSA staff are treated fairly, regardless of their role.
- 29 Teaching and support staff are treated equitably in regard to race, sex, sexual orientation, gender identity and expression, religion, national origin, age, marital/parental status, veteran's status, or mental or physical disability.
- 30 In my own personal experience, I have been treated equitably in regard to race, sex, sexual orientation, gender identity and expression, religion, national origin, age, marital/parental status, veteran's status, or mental or physical disability.
- 31 Expectations are upheld in a fair and consistent way for all staff in my department/team.
- 32 The different offices and roles within NCSA are well coordinated and supportive.
- 33 I have good relationships with NCSA staff - collaboration, communication, support, trust, etc.
- 34 When conflicts arise between NCSA staff, they are effectively resolved.
- 35 Administration/department coordinators deal with my concerns in a confidential manner.
- 36 I've been offered the opportunity to understand NCSA's budget and the way the money is spent.
- 37 To the best of my knowledge, NCSA's budget is managed appropriately.
- 38 I believe administration are sincerely interested in the needs and welfare of the staff.

# Teaching Staff & Support Staff

## Organizational Communications

**NEVADA CITY SCHOOL OF THE ARTS  
2024 STAFF SURVEY**



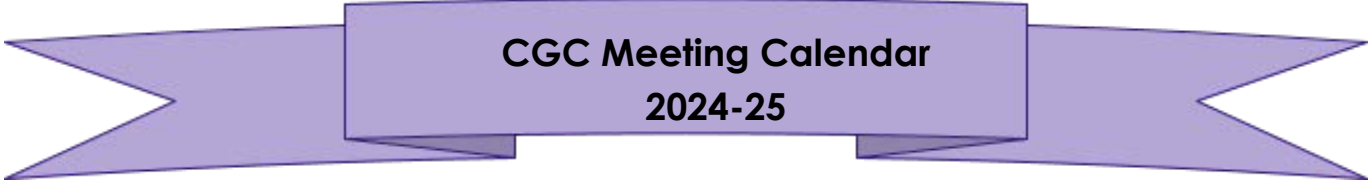
- 40 Communication is clear between the staff and the school community (families).
- 41 I receive adequate notice of changes affecting how my work is done.
- 42 I have opportunities for input into decisions that affect how my work is done.
- 43 When I bring an idea, suggestion, or concern to administration/department coordinator, I get a timely response.
- 44 Staff ideas and suggestions make a difference at NCSA.
- 45 I can express my thoughts and they will be considered, even if I do not agree with an administrative decision.
- 46 I am comfortable talking about my background and cultural experiences with my co-workers.
- 47 Team meetings are useful to me.
- 48 In general, I feel like I know what's going on at NCSA.

## **It takes teamwork to conduct a survey!**

**Thanks to Toni for:**

- Getting 79 people to complete the survey online**
- Arranging for 12 interviews**

**Thanks to the 79 Nevada City School of the Arts staff for participating in the survey in good faith.**



**CGC Meeting Calendar  
2024-25**

Meeting times are: 5:00 p.m. to 6:30 p.m. unless otherwise stated

**August Intensive and Board Meeting**

**August 8, 2024**

*Approve any outstanding items for Beg. of the Year*

**September 12, 2024**

*2023-24 Unaudited Annual Actuals & Budget Presentation*

**October 10, 2024**

*Ends Report/Strategic Plan*

**November 21, 2024**

*B1 Financial Condition and Activities (1st Interim Budget), B3 Asset Protection*

**December 19, 2024**

*B6 Communication to the Council, B7 Council Logistical Support, B8 Emergency School Director Succession,  
2023-24 Audited Actuals Acceptance, 2024-25 SPSA & Federal Addendum changes*

**January 30, 2025**

*Approve School Policies, 2025-26 Calendar*

**February 27, 2025**

*Mid Year LCAP Update (prior to 2/28), B1 Financial Condition and Activities (2nd Interim Budget), Salary  
Schedules*

**March 27, 2025**

*B4 Treatment of Parents and Students*

**May 1, 2025**

*LCAP Review, B5 Staff Treatment and Compensation, 2025-26 Adopted Budget Discussion*

**May 29, 2025 – LCAP Public Meeting**

*LCAP*

**Wednesday, June 18, 2025**

*LCAP Approval, B2 Planning and Financial Budgeting, 2022-26 Adopted Budget Approval*

## **RESTORATIVE JUSTICE, 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. We NCSA believes that Restorative Practices are an ~~much~~ ~~better~~ ~~effective~~ approach to “discipline” addressing misconduct than the traditional model. Accordingly, NCSA utilizes restorative techniques wherever possible and practicable.

In terms of discipline, restorative practices take incidents that might otherwise result in punishment and find opportunities for students to recognize the impact of their behavior, understand their obligation to take responsibility for their actions and take steps toward making things right. In this process, students learn how to interact and manage their relationships with adults and peers, and as a result, they become better equipped to understand how their behavior impacts others. In doing so, restorative practices encourage accountability, improve school safety, teach empathy, and help develop skills so students and the school community can all succeed.





## Restorative Justice

### What Is Restorative Justice?

Restorative Justice is a set of principles and practices employed in the school to respond to student misconduct, repair harm, and restore relationships between those impacted. It is used as an alternative to traditional school discipline and suspension. Both the theory and practice of restorative justice emphasize the importance of:

- **identifying the harm,**
- **involving all stakeholders to their desired comfort level**
- **true accountability**
- **taking steps to repair the harm and address its causes to the degree possible.**

Restorative justice in its basic form is an incredibly intuitive and a common sense concept for most people. Restorative justice presents opportunities to those impacted by an event to collectively define the impact and determine steps to make things as right as possible for everyone involved: the person(s) harmed, the person(s) who harmed others, and the broader community that was affected both directly as well as indirectly. Because of the ways most current systems operate, often contrary to restorative principles, it is common for the implementation of restorative practices to be misunderstood and face resistance.

The way wrongdoing is typically responded to:

- *What rules or laws were broken?*
- *Who broke them?*
- *What do they deserve?*

### Restorative justice asks:

- **Who has been hurt?**
- **What are their needs?**
- **Who has the obligation to address the needs and put right/mediate the harmful effects?**

The restorative questions above cannot be adequately answered without the involvement of those most affected. Involving those affected is a cornerstone of restorative justice. The foundation of restorative justice rests on common values: respect,

inclusion, responsibility, empathy, honesty, openness, and accountability.

### **What is School-based Restorative Justice?**

School-based restorative justice includes prevention, intervention, and reintegration. Restorative practices are used in a variety of ways in schools: to build community, celebrate accomplishments, intervene in offending behavior, to transform conflict that may occur between adults or young people, and to rebuild relationships that have been damaged. They can also be used to re-integrate students who have been excluded. Restorative practices help schools create and maintain a positive school culture and climate.

Restorative practices are used in conjunction with the other programs/support NCSA uses, such as. [Responsive Classroom](#), [Talk-it-Outs](#), classroom meetings, and support from our Youth Advocates, School Mental Health Counselor, and Administration. Our teachers manage their classrooms in restorative ways without labeling their methods as restorative. These approaches complement restorative practices and can strengthen the school together. Using them helps us build a caring culture in the classroom, school, and community.

**Commented [MB1]:** I recommend defining these practices further in a few sentences.

### **Restorative Circles through Restorative Justice League**

Student Led Restorative Circles will be held to strengthen students' problem-solving skills. When conflicts arise, Justice League students will be prepared to have an honest dialogue with the student(s) who caused harm. Students learn to hold each other accountable, acknowledge each other's feelings, and accept each individual's needs. Justice League students will be trained and supervised by the administration or their designee.

If a student is continually referred to the Administration or Restorative Justice Group and/or Class Meetings aren't effective, and the student does not appear to be willing to change their behavior, they may be suspended in compliance with the suspension policy below and a **Behavior Contract** will be created.

### **Other Approaches**

While Charter School will employ restorative justice techniques whenever possible, practicable, we recognize that traditional discipline, up to and including suspension and expulsion, may be appropriate in some cases. Accordingly, while restorative practices will always be considered, the administration reserves the right to recommend suspension or expulsion for any of the enumerated offenses listed in the below Suspension & Expulsion Policy, even upon the first offense.

## SUSPENSION/EXPULSION AND BOTTOM-LINE BEHAVIORS

### ~~Bottom Line Behaviors~~

- ~~causing/attempting to cause physical harm – intentional/unprovoked (depends on circumstances)~~
- ~~vicious gossip/bullying/cyber bullying~~
- ~~drug use/possession~~
- ~~weapon on campus~~
- ~~harassment/sexual harassment~~

### ~~Consequences – Approved by Administration Only~~

~~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 or designee determines that a suspension is warranted without first going through the Restorative Practices. This is usually when a student represents a threat or danger to students or staff. 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”.

### ~~Insert Updates Suspension Policy~~

#### Suspension and Expulsion Policy and Procedures

The Nevada City School of the Arts Board of Directors has adopted this Pupil Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and well-being/wellbeing of all students at Nevada City School of the Arts (“NCSA” or “Charter School”). In creating this policy, NCSA has reviewed Education Code Section 48900 *et seq.*, which describes describe the offenses for which students at noncharter schools may be suspended or expelled and the non-charter schools’ list of offenses and procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions and, expulsions and involuntary removal. The language that follows closely mirrors is largely consistent with the language of Education Code Section 48900 *et seq.* NCSA is committed to annual review of policies and procedures surrounding suspensions and, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension or, expulsion, or involuntary removal.

When the policy is violated Consistent with this Policy, 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 involuntary removal, and it may be amended from time to time without the need to amend the charter so long as the

**Commented [MB2]:** The below is your current policy, with our comments and recommended legal updates.

amendments comport with legal requirements. -NCSA staff shall enforce disciplinary ~~rules/policies~~ 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<sup>1</sup> are notified in writing upon enrollment that all discipline policies and procedures are posted on the [Nevada City School of the Arts NCSA](#) website and are available in hard copy upon request at the [Nevada City School of the Arts NCSA](#) 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~~[this policy](#), corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("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~~[general](#) education students except when federal and state law ~~mandates/requires~~ additional or different procedures. The Charter School will follow all applicable federal and

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<sup>1</sup> ~~The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term "parent/guardian" shall include these parties.~~



state laws [including but not limited to the applicable provisions of the California Education Code](#), when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent ~~or~~/guardian of the student has been provided written notice of intent to remove the student no less than five (5) ~~school days~~[school days](#) before the effective date of the action. The written notice shall be in the native language of the student or the student's parent ~~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, and~~ the student's parent ~~/~~guardian, ~~or educational rights holder initiates~~[of the basis for which the student is being involuntarily removed and the student's parent/guardian's, right to request a hearing to challenge the involuntary removal. If a student's parent/ guardian requests a hearing, the Charter School shall utilize the same hearing](#) procedures specified below for ~~suspensions, expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent/ guardian requests a hearing,~~ the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include ~~suspensions or expulsions pursuant to the suspension and expulsion procedures described below; removals for misconduct which may be grounds for suspension or expulsion as enumerated below. Students may be involuntarily removed for reasons including, but not limited to, failure to comply with the terms of the student's independent study Master Agreement pursuant to Education Code Section 51747(c)(4).~~

## **Procedures**

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

### **B. Enumerated Offenses—Suspension Offenses**

1. Discretionary Suspension and Expulsion Offenses: Students may be suspended ~~or recommended for expulsion for any of the following acts~~[or](#) when it is determined the ~~pupil~~[student](#):



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

**Commented [A3]:** Sale of controlled substances was moved to a non-discretionary suspension offense.

**Commented [A4]:** No student can be suspended or expelled for this offense.



to conclude that the replica is a firearm.

b) ~~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.~~

Commented [A5]: Moved to non-discretionary offenses.

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

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





to:

- (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
  - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
  - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- iii. An act of cyber sexual bullying.
- (a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - (b) For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).



v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

2. Non-Discretionary Suspension and Expulsion Offenses: Students must be suspended and recommended for expulsion when it is determined the student:

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

b) Brandished a knife at another person.

c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.

d) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4

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

The Charter School will use the following definitions:

- The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

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

### C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

#### 1. Conference

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~~the student’s parent/guardian and, whenever practical, the teacher, supervisor or ~~school~~Charter School employee who referred the student to the School Director-or designee.

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~~Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against ~~him or her~~the student and shall be given the opportunity to present ~~his or her~~their version and evidence in ~~his or her~~their defense, in accordance with Education Code Section 47605(~~bc~~)(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. The conference shall be held as soon as the student is physically able to return to school for the conference.

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 ~~the~~ suspension, the School Director or designee shall make a reasonable effort to contact the parent/guardian in person, by email, or 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~~

**Commented [A6]:** This is not a requirement for charter schools, but it is for Districts (Section 48911(c)). In the past we have not included this because many charter schools hold this conference over the phone, and this may imply that is impermissible.

offense(s) committed by the student. ~~In addition, the notice may also state as well as~~ the date ~~and time when~~ the student may return to school. ~~following the suspension.~~ If ~~school/Charter School~~ officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

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

Suspensions, when not including a recommendation for expulsion, shall not exceed five (105) consecutive school days per suspension. Upon a recommendation of ~~Expulsion/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 and~~ the pupil's parent/guardians, unless the pupil and the pupil's parent/guardian 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.

### B. 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) Willfully used force of violence upon the person of another, except self-defense.~~
  - ~~b) 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.~~
  - ~~c) offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code, but is not limited to, electronic files and databases.~~
  - ~~d) Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.~~
  - ~~e) This section does not prohibit the use of his or her own prescription products by a pupil.~~
  - ~~f) 11014.5.~~
  - ~~g) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.~~
  - ~~h) 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.~~

- ~~i) 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.~~
- ~~j) 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.~~
- ~~k) 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.~~
- ~~l) 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.~~
- ~~m) This section shall apply to pupils in any of grades 4 to 12, inclusive.
  - ~~i. 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:~~
- ~~(a) 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.~~
  - ~~(b) "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.~~
  - ~~(c) 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). 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)-~~
- ~~n) 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).~~
  - ~~e) **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 pupilknife, 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.~~

~~"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.~~

#### 4. Homework Assignments During Suspension

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

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class.

#### D. Authority to Expel

As required by Education Code Section 47605~~(bc)~~(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 Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the pupil nor a ~~Board~~ member of the ~~School's governing board~~ Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

**Commented [A7]:** Client Note: Pursuant to AB 982, which added EC §§ 48913.5 and 47606.2 to provide homework for suspended pupils and specifically required this language to be included within a charter school's suspension and expulsion policy pursuant to EC § 47606.2.

## **E. Expulsion Procedures**

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

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 [the Family Educational Rights and Privacy Act \("FERPA"\)](#)) 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~~ 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~~ Charter 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.

## **E. 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 that~~ 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.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of ~~his/her/their~~ right to: (a) receive five (5) days' notice of ~~his/her/their~~ scheduled testimony; (b) have up to two (2) adult support persons of ~~his/her/their~~ choosing present in the hearing at the time ~~he/she/the complaining witness~~ 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/entity~~ conducting the ~~expulsion~~ hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which ~~he or she/the complaining witness~~ may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours ~~he/she/the complaining witness~~ is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. ~~Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person (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 the~~ ~~complaining witness~~ to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the ~~Charter~~ School. The entity presiding over

the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official/~~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~~their discretion to remove a person from the hearing whom ~~he or she believes~~they believe is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in ~~the~~public at the request of the pupil being expelled, the complaining witness shall have the right to have ~~his/her~~their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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

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

#### **H. Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons

can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

### **I. Expulsion Decision**

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

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the student shall immediately be returned to their previous educational program.

The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

**Commented [A8]:** Client Note: This is an optional provision that allows the Board to order an expulsion with suspended enforcement in accordance with EC § 48917. Please contact our office to further discuss this provision and whether the Charter School would like to include this option or not.

### **I. 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 chartering authority](#).

This notice shall include the following:

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

#### **K. Disciplinary Records**

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. [Such records shall be made available to the chartering authority upon request](#).

#### **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. Expelled Students/Alternative Education**

Parents/guardians of ~~pupils~~ [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.

#### **N. Rehabilitation Plans**

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

**Commented [A9]:** Does this happen in practice? Generally, the county board should not have jurisdiction over appeals of NCSA's expulsions. You can choose to remove this and have no appeal procedures - however, please note that this would likely be deemed a material revision to the charter. We do NOT recommend removing this without a conversation with your authorizer first. Alternatively, you can choose to remove this process upon your next charter renewal.

year from the date of expulsion when the student may reapply to the Charter School for readmission.

#### **O. Readmission or Admission of Previously Expelled Student**

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.

#### **P. Notice to Teachers**

The Charter School shall notify teachers of each student who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

#### **Q. Involuntary Removal for Truancy**

As charter schools are schools of choice and as a charter school student who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the Charter School's Board adopted Attendance Policy for truancy and only after the Charter School follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal. Students who are involuntarily removed for truancy will be given a rehabilitation plan and will be subject to the readmission procedures set forth herein.

#### **R. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities**

1. \_\_\_\_\_ 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.

Notification of SELPA

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

**Commented [A10]:** Client Note: Please note that this is very controversial for most chartering authorities and should be discussed before incorporating. Moreover, this typically would go in the Charter School's attendance policy, but we wanted to include it as it aligns with the involuntary removal provisions discussed above. Please review and let us know if there are any questions. Again, we may want to move this section to the Charter School's attendance policy depending on how the Charter School would like to proceed.

**Commented [A11]:** Client Note: Language required by AB 1360, EC 47605(b)(5)(J)(iii).

student had a disability.

## 2. Services During Suspension

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

## 3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the ~~parents~~parent/guardian to determine:

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

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

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

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

behavioral intervention plan, and modify it, as necessary, to address the behavior; and

- c. Return the child to the placement from which the child was removed, unless the parent/[guardian](#) and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

#### 4. Due Process Appeals

The parent/[guardian](#) of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or 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/[guardian](#) 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/[guardian](#) and the Charter School agree otherwise.

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

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

## 5. Special Circumstances

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

The 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:

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

## 6. Interim Alternative Educational Setting

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

## 7. Procedures for students not yet eligible for special education services

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

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

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



- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to 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/[guardian](#) has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.