



**STELLA MIDDLE  
CHARTER ACADEMY**

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A BRIGHT STAR SCHOOL

## **Bright Star Schools Comprehensive School Safety Plan**

Stella Middle Charter Academy  
Los Angeles Unified School District

Jane Han, Principal  
4301 Martin Luther King Blvd LA CA 90008  
(323) 406-7155  
[jhan@brightstarschools.org](mailto:jhan@brightstarschools.org)

### **Committee Members**

Jane Han Principal/Designee  
Andres Paniagua, Staff Representative  
TBD, Parent of Attending Student  
Luis Estrada, Classified Employee  
Jose Saldana, Senior Lead Officer  
TBD, community member or other member desired

*This document is available for public inspection in the Main Office and on the web at: <http://www.brightstarschools.org/>*

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# School Site Mission

At Stella Middle Charter Academy, each year we strive to provide a quality education for the students in Los Angeles communities we serve. With the advent of the Common Core standards our program is growing and adapting to meet the needs of all of our diverse learners. Though standards and policies may change, our mission has always been the same: prepare our students for college and beyond. Every year we update our vision (or execution of our broader mission) so that it is relevant and represents the voices of our current staff. SMCA stakeholders will collaborate to provide a program in which teaching is differentiated so that all students thrive in achieving rigorous academic goals and are held accountable to their choices and decisions. Every decision we make and every initiative we take on will always be grounded in this endeavor.

Our students achieve academic excellence, accept responsibility for their futures, and embrace school as family. We offer students the opportunity to develop their unique talents and ambitions in a supportive, collaborative environment, so they are prepared for college and career, and to lead purposeful, fulfilling lives.

Our **culture of high expectations** emphasizes character development and strong values.

Our **attention to detail** in all programs ensures we are thoughtful and effective in all we do.

Our **high standards of accountability** ask the entire school community to strive for our shared success. One way we do this is by avoiding “social promotion” of our students before they meet grade level standards.

Our **openness to continuous improvement** creates an atmosphere comfortable with change. We constantly evaluate and improve our curriculum and experiences.

# Assessment of the School's Current Status

Stella Middle Charter Academy has been fortunate enough to occupy its own site starting this school year. The site rests in the heart of the West Adams District and is on Martin Luther King Blvd. Single Family Residences, Apartment complexes, residential houses, one shopping plaza, a middle school, and a Baptist Church surround SMCA. SMCA continues to serve the communities of West Adams Los Angeles.

**The 2021 Fall Ethnicity Survey reported the following percentages:**

## **Stella Middle Charter Academy**

**17.54% Black 78.12% Hispanic/Latino 0.41% White 1.03% American Indian or Alaska Native 0.21% Asian 2.69% Other**

The administrative staff, faculty, and operational staff work hard to maintain a safe school environment. All staff members are involved in enforcing the codes of conduct and dress.

Supervision is the responsibility of the entire administrative staff, which includes the Principal, one assistant principal, two Deans of Student Conduct, Office Manager, the Dean of Operations, Counseling staff, the IT Coordinators, the Data Coordinators, and Custodial Staff. Teachers and IAs are asked to assist in emergency situations.

This all-new two story campus was erected in December 2019 and is comprised of 18 classrooms, 2 Flex Rooms, 1 staff lounge, 7 offices, 12 student restroom, 3 staff restrooms, a conference room, a resource room, a counselor's room, a meal distribution room, two storage rooms, one main office, an elevator, a turf area, 1 full gymnasium with a basketball court, and ample parking spaces.

Amenities include an all new PA system, an all-new bell system, security cameras throughout campus.

The campus has security cameras that monitor the parking lot, interior hallways, and exterior play area.

The physical plants are well maintained and supervised. The manner in which the schools are landscaped and secured provides visible aspects of a safe school environment. The custodial staff and after school programs work hard to maintain a clean and well-landscaped campus.

# Emergency Response Procedures

For specific details, refer to Stella Middle Charter Academy's Emergency Response Binder.

Disaster preparedness plan and emergency procedures - including earthquake emergency procedures and procedures to allow the use of school facilities for mass care and welfare shelters during disasters or other emergencies and a program to ensure that pupils and staff are aware of and are trained in the emergency procedure systems:

Plans address the following types of emergencies and disasters and protective measures to be taken before, during, and after:

1. Fire on or off school grounds which endangers students and staff
2. Earthquake or other natural disasters
3. Environmental hazards
4. Attack or disturbance, or threat of attack or disturbance, by an individual or group
5. Bomb threat or actual detonation
6. Biological, radiological, chemical, and other activities, or heightened warning of such activities
7. Medical emergencies and quarantines, such as a pandemic influenza outbreak

# Notifying Teachers about Dangerous Pupils

In order to fulfill the requirements made by Education Code 49079 and Welfare and Institutions Code 827 that state teachers must be notified of the reason(s) a student has been suspended. Bright Star Schools has incorporated this notification into the existing "AERIES Attendance Reporting screen". On the daily attendance report, when a student is suspended, the screen will show an "\*" or "SSA" next to the student's name based on whether it meets the SSA guidelines. The teacher can access the suspension by looking at the student's discipline screen. The information provided is for the student's current teachers only. All information regarding suspension and expulsion is **CONFIDENTIAL**, is not to be shared with any student(s) or parent(s). Teachers are asked to secure the list so students and others may not view it.

Pursuant to Welfare & Institution Code 827(b) and Education Code 48267, the Court notifies the Superintendent of the Bright Star Schools regarding students who have engaged in certain criminal conduct. This information is forwarded to the site Principal. The site Principal is responsible for prompt notification of the student's teachers. Per Education Code 49079, this information must be kept confidential. This information is also forwarded to all administrators and the student's counselor.

## Notification

To: ALL CERTIFICATED STAFF  
From: **Dean of Students Affairs**  
Re: Student Suspension Information

*Education Code 49079 and Welfare and Institutions Code 827 require that teachers be notified of the reason(s) a student has been suspended. Bright Star Schools has incorporated this notification into the existing "Illuminate Attendance Reporting screen". On the daily attendance report, when a student is suspended, will show an "\*" next to the student's name. The teacher can access the suspension by looking at the student's discipline screen. The information provided is for the student's current teachers only. All information regarding suspension and expulsion is **CONFIDENTIAL**, and is not to be shared with any student(s) or parent(s). Teachers are asked to secure the list so students and others may not view it.*

The following are examples of Ed. Code 48900 and 48915 violations that may appear on your report.

- E.C. 48900**
- (a)(1) Mutual fight
  - (a)(2) Assault/Battery
  - (b) Possessed, sold or furnished dangerous object
  - (c) Controlled substance/alcohol
  - (d) Imitation controlled substance
  - (e) Robbery/extortion
  - (f) Vandalism
  - (g) Theft
  - (h) Tobacco/nicotine products
  - (i) Obscene act, habitual profanity/vulgarity

- (j) Drug paraphernalia
- (k) Disruptive/willfully defiant behavior (grades 4-12)
- (l) Received stolen property
- (m) Imitation firearm
- (n) Sexual assault or battery
- (o) Harassed/threatened witness
- (p) Sale of soma
- (q) Hazing
- (r) Bullying/cyberbullying
- (t) Aiding and abetting

**E.C. 48900.2** Sexual harassment (gr 4-12)

**E.C. 48900.3** Hate violence (gr 4-12)

**E.C. 48900.4** Severe or pervasive harassment, threats and intimidation (grades 4-12)

**E.C. 48900.7** Terrorist threats against school officials or property

**E.C. 48915** (a)(1)(A) Serious physical injury  
 (a)(1)(B) Possession: knife or dangerous object  
 (a)(1)(C) Controlled substance  
 (a)(1)(D) Robbery or extortion  
 (a)(1)(E) Assault/battery of school employee

**E.C. 48915** (c)(1) Possessing, selling, furnishing firearm  
 (c)(2) Brandishing a knife at another person  
 (c)(3) Selling a controlled substance  
 (c)(4) Committing or attempting to commit sexual assault or battery  
 (c)(5) Possession of an explosive

If you have any questions or want more information, please see me.

**Confidential Memorandum**

**To:** \_\_\_\_\_, Teacher

**From:** \_\_\_\_\_, Principal

**Date:**

**Re: Students having committed specified crime**

The student named below has been convicted of a penal code violation.

Welfare and Institutions Code 827 requires teachers to be informed when a student has engaged in certain criminal conduct.

**NOTE: SUCH INFORMATION IS CONFIDENTIAL AND CANNOT BE FURTHER DISSEMINATED BY THE TEACHER OR OTHERS. UNLAWFUL DISSEMINATION OF THIS INFORMATION IS PUNISHABLE BY A SIGNIFICANT FINE. (EC 49079)**

**PLEASE DESTROY THIS NOTE IMMEDIATELY AFTER READING.**


\_\_\_\_\_ was found to have committed the following criminal activity:

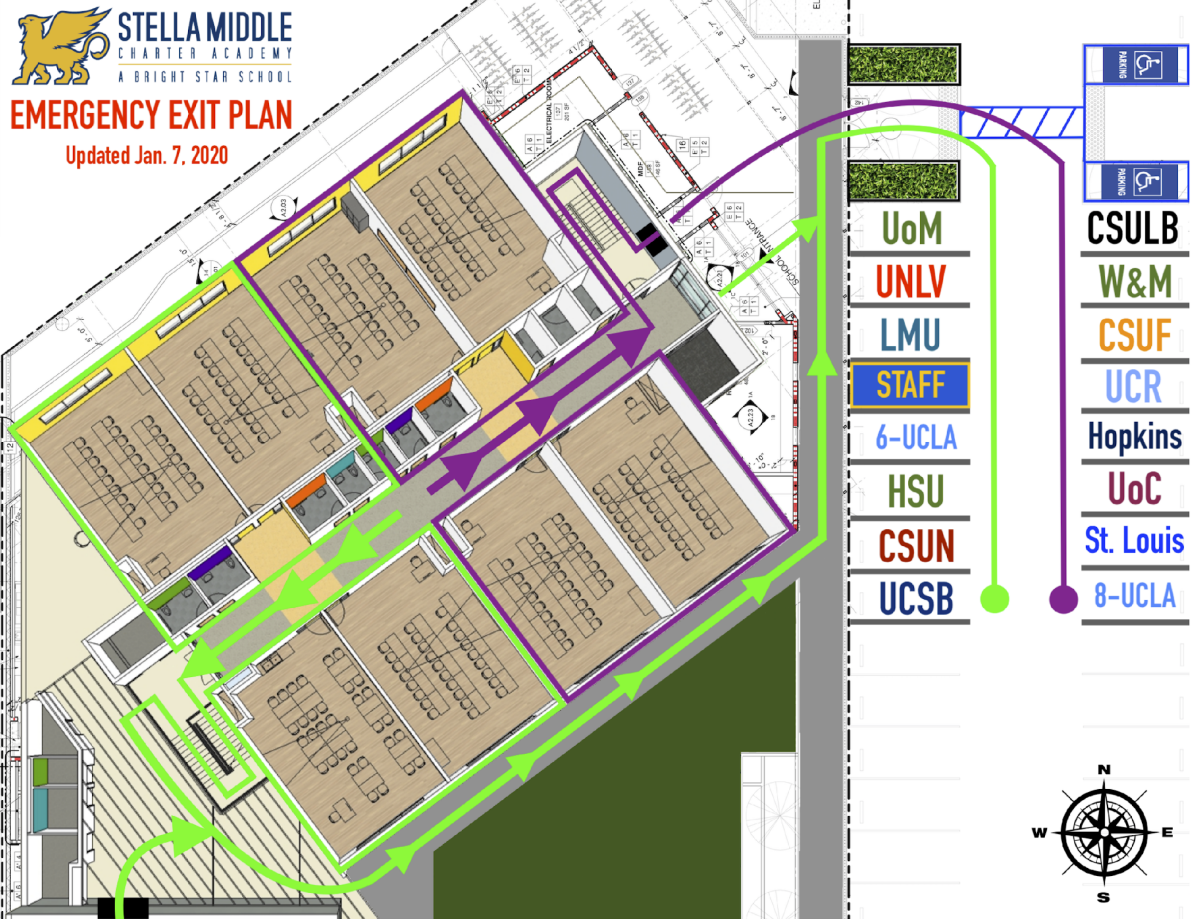
If you have any questions, please see me.

Principal



# Procedures for Safe Ingress and Egress from School


**STELLA MIDDLE**  
 CHARTER ACADEMY  
 A BRIGHT STAR SCHOOL  
**EMERGENCY EXIT PLAN**  
 Updated Jan. 7, 2020



# Procedures to Ensure a Safe and Orderly Environment

## Component One: People and Programs

Create and maintain a caring and connected school climate

- Goal(s): Reduce instances of bullying to improve student culture
- Objective: Are time specific and measurable-a goal can have several objectives, each objective will have items listed below
  - Related Activities: Implement Council Sessions (Circles); Increase promotion of anti-bullying campaigns.
  - Resources needed: Training for Circles; Presentations on anti-bullying and related materials
  - Person(s) responsible for implementation: Connectors, Admin, Office and Support, Instructional Staff, students
  - Timeline for implementation: Five months
  - Budget: N/A
  - Evaluation guidelines: Student surveys at end of first and second semesters

## Component Two: Place

Create and maintain a caring and connected school climate

- Goal(s): Refine lunch procedures
- Objective: Identify facilities to conduct PE, athletics, and afterschool enrichment programs
  - Related Activities: Hire full time PE Instructor; Explore alternative curriculum for PE and after school enrichment
  - Resources needed: Capital
  - Person(s) responsible for implementation: Administration, Operations
  - Timeline for implementation: EOY
  - Budget: N/A
  - Evaluation guidelines: Evaluate effect of improved PE program and afterschool enrichment programs on lunch periods

# **Title IX, Harrasment, Intimidation, Discrimination, and Bullying Policy**

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Bright Star Schools (or the "Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy." To the extent possible, Bright Star Schools will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. Bright Star Schools staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, Bright Star Schools will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom Bright Star Schools does business, or any other individual, student, or volunteer. This Policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. Bright Star Schools will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. Bright Star Schools complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

## **Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator")**

Leeann Yu, Chief Operating Officer

[lyu@brightstarschools.org](mailto:lyu@brightstarschools.org)

Bright Star Schools

600 S. La Fayette Park Place Los Angeles, CA 90057

(323) 954-9957 x1006

## **Prohibited Bullying and Harassment Definitions**

## Prohibited Unlawful Harassment

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

## Prohibited Unlawful Harassment under Title IX

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

Bright Star Schools is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire, when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

## Sexual Harassment

May include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults.
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
  - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's

- performance more difficult because of the student's or the employee's sex.
- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
    - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
    - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
    - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

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

## **Bullying**

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

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

## **Reasonable Pupil**

A pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

## **Cyberbullying**

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

## **Cyber Sexual Bullying**

Includes, but is not limited to:

- a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as

described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- b. 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.

## **Electronic Act**

The creation and 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 message, text, sound, video, or image.
- A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of “bullying,” above.
  - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- An act of “Cyber Sexual Bullying” including, but not limited to the definition above
- Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

## **Formal Complaint of Sexual Harassment**

A written document filed and signed by a complainant who is participating in or attempting to participate in Bright Star Schools’ education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that Bright Star Schools investigate the allegation of sexual harassment.

## **Respondent**

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

## **Bullying and Cyberbullying Prevention Procedures**

Bright Star Schools has adopted the following procedures for preventing acts of bullying, including cyberbullying.

### **Cyberbullying Prevention Procedures**

Bright Star Schools advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including



parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.

- d. To consider how it would feel receiving such comments before making comments about others online.

Bright Star Schools informs Charter School employees, students, and parents/guardians of Bright Star Schools' policies regarding the use of technology in and out of the classroom. Bright Star Schools encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

## **Education**

Bright Star Schools employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. Bright Star Schools advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at Bright Star Schools and encourages students to practice compassion and respect each other.

Charter School educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

Bright Star Schools' bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

Bright Star Schools informs Bright Star Schools employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

## **Professional Development**

Bright Star Schools annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other Bright Star Schools employees who have regular interaction with students.

Bright Star Schools informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

Charter School also informs certificated employees about the groups of students determined by Bright Star Schools, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth ("LGBTQ") and those youth perceived as LGBTQ; and

- Students with physical or learning disabilities.

Bright Star Schools encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for Bright Star Schools' students.

## Grievance Procedures

### 1. Scope of Grievance Procedures

Bright Star Schools will comply with its Uniform Complaint Procedures ("UCP") policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person's association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- a. Are written and signed;
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the Bright Star Schools UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The following grievance procedures shall be utilized for reports.

### 2. Reporting

At Bright Star Schools, we are committed to equitable and swift resolution of misconduct prohibited by this Policy. If you ever experience what you consider to be misconduct prohibited by this Policy, please follow any or all of these measures:

1. Let the offender know you want the behavior to stop. Be clear and direct.
2. Notify the School Counselor, or if you are uncomfortable, speak with any other adult at the school.
3. You may also complete a formal, written complaint at any time. The claim will be investigated thoroughly, involving only the necessary parties. Confidentiality will be maintained as much as possible, consistent with this Policy. A complaint form is located at the end of this Policy.

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

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

Leeann Yu  
Chief Operating Officer,  
[lyu@brightstarschools.org](mailto:lyu@brightstarschools.org) Bright Star Schools  
600 S. La Fayette Park Place Los Angeles, CA 90057  
(323)954-9957 x1006



Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Bright Star Schools will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

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

Bright Star Schools prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

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

### **3. Supportive Measures**

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to Bright Star Schools' education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Bright Star Schools' educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased

security and monitoring of certain areas of the campus, and other similar measures. Bright Star Schools will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Bright Star Schools to provide the supportive measures.

#### **4. Investigation and Response**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of Bright Star Schools, the Coordinator (or administrative designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator (or administrative designee) will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or administrative designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

#### **Notice of the Allegations**

Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:

- A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
- A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
- A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
- A statement that Bright Star Schools prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.

#### **Emergency Removal**

- Bright Star Schools may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with Bright Star Schools' policies.
- Bright Star Schools may remove a respondent from Bright Star Schools' education program or activity on an emergency basis, in accordance with Bright Star Schools' policies, provided that Bright Star Schools undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
- This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

## Informal Resolution

If a formal complaint of sexual harassment is filed, Bright Star Schools may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If Bright Star Schools offers such a process, it will do the following:

- Provide the parties with advance written notice of:
  - The allegations;
  - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
  - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
  - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
- Obtain the parties' advance voluntary, written consent to the informal resolution process.

Bright Star Schools will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

## Investigation Process

- The decision-maker will not be the same person(s) as the Coordinator or the investigator. Bright Star Schools shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
- In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
- The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
- The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
- Prior to completion of the investigative report, Bright Star Schools will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.

## Dismissal of a Formal Complaint of Sexual Harassment

- If the investigation reveals that the alleged harassment did not occur in Bright Star Schools' educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable Bright Star Schools policy.
- Bright Star Schools may dismiss a formal complaint of sexual harassment if:
  - The complainant provides a written withdrawal of the complaint to the Coordinator;
  - The respondent is no longer employed or enrolled at Bright Star Schools; or
  - The specific circumstances prevent Bright Star Schools from gathering evidence

sufficient to reach a decision on the formal complaint or the allegations therein.

- If a formal complaint of sexual harassment or any of the claims therein are dismissed, Bright Star Schools will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.

## **Determination of Responsibility**

- The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
- Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- Bright Star Schools will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
  - The allegations in the formal complaint of sexual harassment;
  - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  - The findings of facts supporting the determination;
  - The conclusions about the application of Bright Star Schools' code of conduct to the facts;
  - The decision and rationale for each allegation;
  - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
  - The procedures and permissible bases for appeals.

## **5. Consequences**

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from Bright Star Schools or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by Bright Star Schools in response to a formal complaint of sexual harassment.

## **6. Right of Appeal**

Should the reporting individual find Bright Star Schools' resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of Bright Star Schools' decision or resolution, submit a written appeal to the President of the Bright Star Schools Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and Bright Star Schools will implement appeal procedures equally for both parties.
- Bright Star Schools will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

## **7. Recordkeeping**

All records related to any investigation of complaints under this Policy are maintained in a secure location. Bright Star will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions

- imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

## Title IX, Harassment, Intimidation, Discrimination & Bullying Complaint Form

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

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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Signature of Complainant Name: \_\_\_\_\_ Date: \_\_\_\_\_

### To be completed by the Charter School:

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

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