

Annual Notification to Parents of your Rights and Responsibilities

2023-2024

SOULSBYVILLE
ELEMENTARY



In This Booklet

Attendance.	3
Attendance Options	3
General Absences	4
Instruction and Curriculum.	7
Academic Standards and Assessments.	7
Local Control Funding and Accountability	7
School Records and Student Achievement	9
Pupil Records	9
School Safety Plan	10
Student Services	10
Student Use of Technology.	10
School Accountability Report Card.	12
Health Services.	12
Immunizations	12
Physical Examinations	13
Diabetes Information	15
Student Behavior and Safety.	16
Safe Place to Learn	17
Digital Communication Devices	17
Safe Gun Storage.	17
Discipline.	18
Parent Responsibility	18
Drugs, Alcohol, and Tobacco.	18
Protections, Complaints and Procedures	22
Nondiscrimination / Harassment	22
District Facilities	27

As the parent of a student you have many rights and responsibilities. This booklet talks about many of those and laws, policies and statutes which cover them. We suggest you read it. We must get the signed form returned or your child may not be able to attend classes. This page talks about when your child is absent from school. Only in certain cases is it permissible for a student to miss school.

Teachers build your child's education one day at a time, so every day is essential. In elementary, middle, junior, and high school, moving ahead, or even graduation, can be put in jeopardy if too many days are missed. Work with the teacher when a child must miss school. Get homework assignments and review work. There is only one chance to get a great education.

© 2023 Schoolyard Communications™, all rights reserved

The references at the end of the sections in this booklet include the following codes:

BP . . . District Board Policy	FAC Food and Agriculture Code
AR. . . Administrative Regulation	USC United States Code
EC . . . Education Code	CFR Code of Federal Regulations
HSC. . Health and Safety Code	ESEA . . . Elementary and Secondary Education Act
PC . . . Penal Code	PPRA . . . Pupil Privacy Rights Amendment
WIC. . Welfare and Institutions Code	FERPA . . Family Educational Rights and Privacy Act
CCR. . California Code of Regulations	PPACA . . Patient Protection and Affordable Care Act
CC . . . Civil Code	Title VI. . Title VI (or VII, or IX) of the Civil Rights Act of 1964
FC . . . Family Code	IDEA. . . . Individuals with Disabilities Education Act
GC . . . Government Code	§ 504 . . . Section 504 of the Rehabilitation Act of 1973
VC . . . Vehicle Code	EOA. . . . Equal Opportunities Act
BPC. . Business and Professions Code	CIF' California Interscholastic Federation

ATTENDANCE

■ Attendance Options

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Many districts, by agreement, also allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in intra- and inter-district transfers. In some cases, the district must provide transportation. Students attending “persistently dangerous” schools can transfer and enroll in a safe school. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [EC 46600, 48204, 48204.7, 48206.3, 48300, 48301, 48306, 48853.5, 48980, 49068, 51101; 20 USC 7912]

1. Interdistrict Attendance:

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

Interdistrict Attendance Permits

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts.

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student’s permit.

Upon receiving a permit for transfer into the district that has been approved by the student’s district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent, Principal or designee shall review the request and may approve or deny the

permit subject to the terms and conditions of the interdistrict attendance agreement.

The district shall not provide transportation beyond any school attendance area. Upon request of a student’s parent/guardian, the Superintendent, Principal or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available. [BP 5117 March 2019; EC 41020, 46600-46611, 48204, 48300-48317, 48350-48361, 48900, 48915, 48915.1, 48918, 48980, 52317; California Constitution Article 1, Section 31]

2. Attendance Where Caregiver Resides:

If your child lives in the home of a caregiving adult, as defined by law, or a foster home your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the caregiving adult is required to determine that your child lives in the caregiver’s home. [EC 48204(a), 48980; FC 6550-6552]

3. Attendance in District in Which Parent or Guardian is Employed:

The district may, but is not required to accept a transfer student whose parent/guardian resides outside the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the boundaries of the school district for a minimum of three days during the school week; or a student whose parent/guardian physically works within the boundaries of the school district for a minimum of 10 hours during the school week. [EC 48204(a)(7), 48980]

4. Special Enrollment Allowances for Some Categories of Students:

Some students, including foster, homeless, migratory, American Indian, or military children, living in the district may stay enrolled in their school of origin inside or outside the district if: 1) their Individual Education Plan (IEP) indicates attendance elsewhere, or 2) parents, guardians, and others with authority declare in writing otherwise. In some cases, they also have rights to expedited enrollment in school, to attend classes and programs, to after-school programs, and to fee waivers. The school district and each school site have complete documentation of the rights of homeless, foster,

migratory, military, and other special categories of students. [EC 48204, 48204.7, 48645.3, 48850-48859, 51225.1, 56055; 5 CCR 4622; WIC 224.1, 361, 726; 42 USC 11301, 11431-11435]

Student Immigrant and Religious Rights

All school age children must be admitted to California Public Schools and be offered all programs accessible to other students. School districts cannot ask about a student's immigrant or religious status. The state Attorney General has information about "know your rights": <https://oag.ca.gov/immigrant/resources>. Immigrant students are still considered residents of their current school district even if parents are deported or are being held in custody. [EC 200, 220, 234.1]

■ General Absences

Children cannot learn if they are not in school. Daily school attendance improves student achievement. Children learn early about being on time and not missing school; teach your child that school attendance is an important family value. Children ages 6 to 18 years must attend every school day.

The state only awards funding to school districts for actual attendance. The state does not fund districts for the excused absences listed below. Always review the school calendar and plan activities and vacations during days off. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

Other attendance reports, such as truancy, rely on excused and unexcused absences. There are legal consequences if your child misses too much school. You must send a note and/or phone the school within 72 hours to clear any excusable absences. Parents/Guardians have the right to be notified on a timely basis if their child is absent from school without permission. Unexcused absences are recorded as a truancy.

A. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

1. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental,

optometrical, or chiropractic services rendered.

4. For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. For the purpose of participating in a cultural ceremony or event.
12. (A) For the purpose of a middle school or high

school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.

- (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
- (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.

13. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

- B. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- C. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- D. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- E. For purposes of this section, the following definitions apply:
 - 1. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 - 2. "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.
 - 3. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. [EC 48205, 48260]

Districts may allow students, with parental or

guardian consent, to be excused to participate in moral or religious exercises or instruction. [EC 46014]

School authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. [EC 46010.1]

■ Emergency School Closure

Schools may close in the case of a natural disaster such as an earthquake, a fire, a flood, or an epidemic/pandemic. School officials rely on the expertise and advice of public health and safety officials in these decisions. Other means of delivering instruction will be used as possible.

■ Minimum Days/Pupil Free Staff Development Days

If your child will be affected by minimum days or staff development days, we will give you at least one month's notice. [EC 48980]

■ Leaving School at Lunch Time

The Soulsbyville Elementary School Board has established a closed campus policy at all sites. Students may not leave campus at any time during the school day. This is for the security of the campus and to protect your student's health, safety, and welfare. Please cooperate by not requesting permission for your student to leave campus during the school day. [EC 44808.5]

■ Individualized Instruction

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. If your temporarily disabled child is located outside your school district, notify both the district where your child resides and where the child is located. Within five (5) days of notice, the district(s) will determine if the student qualifies, and within five (5) days of the determination commence instruction in the home or in a hospital or other residential health facility. The district(s) will notify you if your child qualifies, when instruction will begin and for how long it will continue. Each hour of instruction at home or in a facility will count as a full day but cannot exceed 5 days per week nor the number of days in the school year. [EC 48206.3, 48207, 48207.5, 48208, 48980]

Pregnant or Parenting Students

Pregnant or parenting students who are 18 years old or who have permission from their parent/guardian may have excused leave for up to 8 weeks or more without having to complete schoolwork or other requirements, or being subject to penalties. They may return to the same school and courses, and be provided time to make up work. They may choose to attend an alternative program with access to comparable courses, programs and activities. They may have a fifth year to complete high school graduation requirements unless administration determines they are capable of completing graduation requirements in four years. Complaints about these rights can be made using the Uniform Complaint Procedure. [EC 221.51, 46015, 48200, 48980]

■ Unexcused Absences (truancy)

When a student misses school without an excuse they are considered truant, and the school will notify the parent/guardian. The state defines three levels of truancy, each carrying more severe penalties for both the student and the parents or guardians. A student is classified as;

Truant: after missing three days of school or three 30-minute periods without a valid excuse

Habitual Truant: if they are truant three or more times in a school year and an effort is made to meet with parents

Chronic Truant: if they miss 10 percent or more of the school days in a school year.

Early intervention and cooperation between the school and the family is the best way to support student learning. A student who is truant can be referred to a student attendance review board (SARB), a community service program, the county probation department, or to the district attorney. Through these programs the student can be given guidance toward improving attendance. The goal is to intervene before a student enters the juvenile justice system or drops out of school. Parents are urged to use community services identified by the school or District, a SARB, the District Attorney, or Probation department. Students and parents face penalties as defined in Education Code, Welfare and Institutions Code, and Penal Code.

Student Penalties: First truancy may result in a one-day weekend class; Second truancy may be a written warning from a peace officer; Third

truancy may result in assignment to an after-school or weekend program, involvement of a SARB, a probation officer, or District Attorney; Fourth truancy may result in a chance to improve attendance, but may also result in the student being placed within the jurisdiction of the juvenile court. Other penalties may include required community service, payment of a fine, attending a truancy mediation program, and loss of driving privileges.

Parent Penalties: First conviction – up to \$100 fine; Second conviction – up to \$250 fine; Third conviction – up to \$500 fine. Parents of chronically truant elementary students face a fine up to \$2,000; imprisonment up to one year; or both. They may also be scheduled to meet regularly with district staff and/or referred to community resources. Parents may also have to attend classes at the student's school for a day and/or personally deliver their child to school every day. [EC 48260, 48260.5, 48261, 48262, 48263, 48263.5, 48263.6, 48264.5, 48291, 48293, 48320; PC 270.1, 830.1; WIC 256, 258, 601, 601.3]

■ Notice of Alternative Schools

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects. (d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and

the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. [EC 58501]

INSTRUCTION AND CURRICULUM

■ Academic Standards and Assessments

Each district in California decides how they will teach and what resources they will use. More information can be found at www.cde.ca.gov/re/cc/. California uses a computer-based student testing system tied to the standards for English language arts, mathematics, and science called the California Assessment of Student Performance and Progress (CAASPP). The tests include the Smarter Balanced Assessment Consortium Assessments, California Science Tests (CAST), California Alternate Assessments (CAA), and Standards-based Tests in Spanish (STS) for Reading/Language Arts. Parents can exempt their child(ren) from CAASPP testing by submitting a letter in writing annually. More information about the CAASPP can be found at www.cde.ca.gov/ta/tg/ca/. [EC 60119, 60604, 60615, 60640; 5 CCR 852]

English Language Learners are evaluated with the English Language Proficiency Assessments for California (ELPAC) and to identify and measure their progress in English Language proficiency. Students in grades 5, 7, and 9 also participate in Physical Fitness Testing (PFT). [EC 52060, 52066, 60800]

■ Local Control Funding and Accountability

The Local Control Funding Formula (LCFF) provides money to school districts with a uniform base grant for every student, adjusted by grade level. Plus they receive adjustments for the number of students living in poverty, English learners, and foster youth. Then there are further adjustments for concentration of these groups if they are above 55% of the district's enrollment. More information about the LCFF is available at www.cde.ca.gov/fg/aa/lc/.

The Local Control Accountability Plan (LCAP) is a critical part of the LCFF. Each school district is required to engage parents, students, educators, employees, and the community to establish their

plan. The LCAP must focus on eight areas identified as State priorities:

- | | |
|--------------------------------------|-------------------------|
| 1. Basic Services | 5. Pupil Engagement |
| 2. Implementation of State Standards | 6. School Climate |
| 3. Parental Involvement | 7. Course Access |
| 4. Pupil Achievement | 8. Other Pupil Outcomes |

The plan must describe the overall vision for students, annual goals including language acquisition, and specific action to achieve these goals. The plan will demonstrate how the district's budget will help achieve the goals, and annually assess how well the strategies improved outcomes. Anyone can comment about proposals or expenditures to the school board; at parent, student, community engagement meetings; at staff LCAP meetings; or to the district LCAP Advisory Committee. Complaints regarding LCAP may be filed anonymously or using the District Uniform Complaint Procedures. [EC 305, 47606.5, 47607.3, 52060-52076, 5 CCR 4600, 4622]

Homeless, Migratory, Foster, Military, and Juvenile Court Youth

Homeless, migratory, foster, military family, juvenile court youth, or youth participating in a newcomer program have special rights related to graduation and partial high school credits. They have the right to an adult to help make educational decisions. Foster and homeless youth also have special rights associated with college funding, and certain considerations in school discipline. The District Uniform Complaint Procedure may be used to file a complaint. [EC 48645.3, 48645.5, 51225.1-51225.3, 56055; 5 CCR 4622; WIC 361, 726]

Language Acquisition Programs

Language acquisition programs are designed to ensure that English learners acquire English as rapidly and effectively as possible. They provide instruction based on the state-adopted academic content standards, including English language development (ELD) standards.

The District offers a Structured English Immersion program in which nearly all instruction is in English with curriculum and presentation designed for students who are English learners. [EC 305(a)(2), 306(c)(3)]

Parents/Guardians may provide input regarding language acquisition programs during the

development of the Local Control Accountability Plan. Parents/Guardians may submit written or verbal requests for the establishment of a language acquisition program in addition to the program available. Schools in which the parents/guardians of 30 pupils or more per school or 20 pupils or more in any grade request a language acquisition program are required to offer such a program to the extent possible. Please contact the District office or your school principal for more information. [EC 306, 310; 5 CCR 11310]

Parents/Guardians have a right to opt their child(ren) out of the school district's language acquisition program or opt out of particular English learner service(s) within a language acquisition program. [20 USC 6312(e)(3)(A)(viii)]

■ School Counselors

School counselors are trained educators possessing a valid credential with a specialization in pupil personnel services. Counselors help students make decisions about their courses. Counseling related to academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities will be available to all students without regard to their gender or gender identity, the gender listed in their records, or any protected group as listed under "Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs" on page 25. The District Uniform Complaint Procedure may be used to file a complaint. [EC 221.5, 221.8, 48980, 49600, 48900, 51229; GC 11135; Title VI, Title IX; § 504; CIF 300D]

■ District Courses

Annually the District prepares curriculum, course titles, aims, and descriptions in a prospectus. The prospectus is available at each school site and may be reproduced at cost. Parents/Guardians have the right to review all course material. [EC 49091.14, 51101; PPRA]

■ Curriculum and Personal Beliefs

Whenever any part of the instruction in comprehensive sexual health, sexual abuse, or human trafficking prevention education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request

an excuse in writing. No student shall be penalized, sanctioned, or disciplined for such an excuse, and shall have an alternative education activity available. [EC 51240, 51938, 51950]

Family Life, Human Development, and Sexual Health Education

Your child will be taking classes in compliance with the California Healthy Youth Act. You will be notified before such instruction. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker. You have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. In this District, staff teaches these classes. During this class, students in grades 7-8 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at <https://leginfo.legislature.ca.gov>. [EC 51933-51939; ne]

Tests/Surveys on Personal Beliefs

You and/or your child(ren) over 18 will be notified before administration of any confidential test, questionnaire, or survey containing questions about your child's, or your personal beliefs, political practices, mental health, anti-social, illegal, self-incriminating, demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility for receiving financial assistance), sex, family life, morality, or religion. You will be asked for written permission except for exempt surveys (in grades 7-8) that are part of sexual health programs or State surveys. Parents may opt their child(ren) out of all surveys, without penalty, including those seeking information to be used in marketing. Parents have the right to review any survey or educational materials related to the survey on any of the above items. The District has developed policies relating to surveys and personal information. Notice will be

sent to parents prior to such test or survey. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 51938, 60614; 60615; PPRA; 34 CFR 98; ESEA]

Dissection of Animals

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [EC 32255-32255.6]

SCHOOL RECORDS AND STUDENT ACHIEVEMENT

■ Pupil Records

Parents, guardians, foster parents, certain caregivers, and students over 18 have the right to review, inspect, and get copies of school records within five business days of a written or oral request or before any meeting regarding an individualized education plan (IEP) or a hearing. Those records are confidential, and privacy will be maintained. Student records are provided to schools where student transfers or wants to enroll. In some instances, information about your child may be released to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, discipline letters, commendations, attendance, and health information. The records are maintained at the school office by the office staff. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. District policy or administrative regulation 5125 sets forth the criteria

by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for five cents (5¢) per page. If you cannot afford the cost of copies, they will be provided free of charge. With the proper documentation, the records can be changed to reflect a legal change of name and/or gender of a student or a former student. You also have the right to file a written request with the superintendent challenging the records if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, a comment not based on personal observation with time and date noted, misleading information, or a violation of privacy rights. You can file a complaint about how your request was handled with the district or with United States Department of Education. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49060, 49062.5, 49063, 49068, 49069.3, 49070-49079.7, 51101, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR Part 99]

Students of Military Families

For a smoother transition, the District has established guidelines for transferring credits and meeting graduation requirements of students from military families. Also students can be registered in their district of choice, but must provide proof of residency within 10 days. [EC 51225.1, 51225.2]

Student Data from Social Media Websites

School Districts may now adopt a plan to gather student information from social media websites. The Governing Board has not adopted such a plan, but may consider it in the future. The information would pertain only to student or school safety, and must be destroyed within one year of the student leaving the District or turning 18. [EC 49073.6]

■ Regulations Regarding Pupil Achievement

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The

progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. [EC 49067]

■ Teacher Qualifications

A provision of federal Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. [ESEA; 20 USC 6311; 34 CFR 200.48, 200.61]

■ Release of Directory Information

The law allows schools to release "directory information" to certain persons or organizations including military recruiters. Directory information includes student's name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school attended. Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating nationality. You may have the district withhold any of this information by submitting a request in writing. In the case of students with exceptional needs or who are homeless, no material can be released without parent or guardian consent. [EC 49061(c), 49070, 49073(c), 56515; FERPA; ESEA]

■ School Safety Plan

Every year, each school shall review and update its plan by March 1. Each school shall make its plan public and shall share the plan with numerous community leaders, school site personnel, and parent groups. Plans should, among other things, provide guidance for the response to and/or the prevention of bullying, child abuse, disasters, and criminal activity. Key elements are to be described in the School Accountability Report Card. Planned responses to criminal incidents need not be disclosed. The Uniform Complaint Procedure can be

used regarding School Safety Plan compliance. [EC 32281, 32282.1, 32286, 32288, 32289, 51101]

STUDENT SERVICES

■ Student Meal Program

Meals are provided to all students at no cost during the 2023-2024 school year. We request that every family in the district complete a free or reduced meal application and return it to the school, even if you feel you do not qualify. This form helps the district secure funding. Applications are available online, at your school site office, and at the district office. [EC 49510-49520, 49558; 42 USC 1761(a)]

■ Student Use of Technology

The Governing Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this Board policy and the district's Acceptable Use Agreement.

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Before a student is authorized to use district technology, the student and his/her parent/guardian

shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 – Student Records.

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced.

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors.

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying. [BP 6163.4 October 2020; EC 49073.6, 51006, 51007, 60044; PC 313, 502, 632, 653.2; 15 USC 6501-6506;

■ School Accountability Report Card

The School Accountability Report Card is available on request, and is available annually by February 1st on the Internet at www.soulsbyvilleschool.com. It contains information about the district and school regarding the quality of programs and its progress toward achieving stated goals. A copy will be provided upon request. [EC 33126, 32286, 35256, 35258, 51101]

■ Services to Students with Disabilities

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, contact the school. Your child will be evaluated to determine whether he/she is eligible for free special or modified instruction or services.

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. The District has policies guiding procedures for identification and referral. Students identified with special needs will receive a Free Appropriate Public Education in the least restrictive environment. [EC 48853, 56020 et seq., 56040, 56301; 5 CCR 4622; 20 USC 1412, (10)(A)(ii), 1412(a)(6)(A); 34 CFR 300.121]

■ Pupil Fees

While there are limited exceptions, families and students should not have to pay fees for most items related to public education. There are four types of fees identified in Education Code:

Pupil Fees: No fees or deposits can be required or collected for items including, but not limited to, materials, supplies, equipment, uniforms (i.e. band, cheerleading, basketball), lockers, locks, books, class apparatus, musical instruments.

Educational Activity Fees: No fees can be required or collected for student participation in an event or activity, either curricular or extracurricular, that is an essential part of a student's education or for transportation to those events. There can be no fees required for registering or participating in regular or extra classes.

Voluntary Donations: While voluntary donations may be suggested for activities, no student may be

denied participation based on the family's ability to make a donation.

Exceptions – When fees may be required: By law, there are exceptions to the prohibition against charging of fees or deposits. These exceptions include, but are not limited to, transportation to non-essential activities, non-essential events where attendance is optional (such as a school dance), food served to students, damage to district provided materials such as textbooks, cost of community service classes, and fingerprinting. Money may also be collected for material used for projects that a student will be taking home, such as, material used in a career class like woodshop or sewing. The Uniform Complaint Procedure can be used regarding pupil fee compliance. A complaint may be filed with the school principal, and may be filed anonymously.

[EC 17551, 17552, 19911, 32030-32033, 32220-32224, 32390, 35330, 35331, 35335, 38084, 38118, 38120, 39807.5, 48052, 48053, 48904, 49010-49013, 49063, 49065, 49066, 51815, 52373, 52612, 52615, 52920-52922, 60070; 5 CCR 4610, 4630]

HEALTH SERVICES

■ Immunizations

Documented proof that immunizations are up-to-date is required before attending school; districts may not allow "conditional" admittance into schools. Students may not participate in a classroom setting unless they have been fully immunized against diphtheria, hepatitis b, haemophilus influenza type b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella, and tetanus. Students must be immunized for varicella (chickenpox) or provide proof from a doctor stating they have had the disease.

All new students, advancing students, or students transferring into grades 7-8 must be fully immunized, and will not be admitted without the required booster against pertussis (Tdap). The required immunizations are available through a usual source of medical care, County Health Department, a school nurse, or may be administered by a health care practitioner acting under the direction of a physician. Immunizations may be given at school. There may be funds for those who cannot access services. Homeless, foster, migratory, and military youth can be enrolled without proof of immunization. [HSC 120325, 120335, 120338, 120375, 120400, 120405, 120410, 120415, 120440, 120480; EC 48216,

Exemptions

These requirements do not apply if a form from licensed physician cites why they should not. The physician submits the standardized electronic form directly to the California Immunization Registry (CAIR) and to the school for exemption; this is the only form the school will accept. The form will include physician information, the child's name and their school, the parent's/guardian's name, and the specific basis for and duration of the exemption.

If an outbreak of a communicable disease occurs, a non-immunized student will be excluded from school for their own safety until such a time as directed by health officials or district administration.

Forms submitted prior to January 1, 2020 and exemptions based on beliefs opposed to immunization submitted prior to January 1, 2016 are valid until the pupil enrolls in the next grade span (through preschool, grades K-6, grades 7-12). Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying your County Health Department. [HSC 120325, 120335, 120338, 120370, 120372, 120372.05; EC 48216]

■ Physical Examinations

For each child enrolling in the District for the first time, including for kindergarten or first grade, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file a waiver with the school district stating the reasons you are unable to obtain such services. You may have your child immunized at the same time that the physical examination is conducted. [EC 49450, 49451; HSC 124085, 124100, 124105]

These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP). For information, you may contact:

Tuolumne Co. Health Department
20111 Cedar Road North, Sonora, CA 95370
(209) 533-7401
tuolumnecounty.ca.gov

If you want your child to be exempt from physical examinations at school, file a written statement annually with the school refusing such an exam. However, when there is a good reason to believe that

your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [EC 49451; PPRA]

Oral Health Assessment

Many things impact a child's school progress and success, including health. Children must be healthy to learn, and children with cavities are not healthy. Baby teeth are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school.

Parents or guardians must have their child's oral health assessed and have proof of the assessment by May 31 of the student's first school year (kindergarten or first grade). Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed or registered dental health professional. [EC 49452.8]

Vision, Hearing, and Scoliosis Screening

An authorized person will check your child's vision upon enrollment and in grades 2, 5, and 8 unless the student entered the District in grade 4 or 7. Hearing tests will be conducted when your child is enrolled or first enters a District school. Females in grade 7 and males in grade 8 may be screened for scoliosis (curvature of the spine). These tests may be administered unless you annually give the school a certificate from a physician or optometrist verifying prior testing, or submit a letter denying consent. [EC 44878, 49451, 49452, 49452.5, 49455]

■ Medication

Children may take medication, which is prescribed by a physician, received in its original container, and can get help from school personnel during the school day if:

1. The district designee has received a written statement from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian, or caregiver annually submits a written statement asking the school district to assist their child in taking the medication

or allow the student to self-administer certain medications. The statement gives permission to communicate with the health care provider or pharmacist, and acknowledges understanding of how the medication will be administered.

This includes allowing a school staff member to volunteer and be trained to identify the need for, and to administer epinephrine to a student for anaphylaxis; glucagon as prescribed for diabetes; or anti-seizure medication as prescribed to a student diagnosed with seizures, a seizure disorder, or epilepsy. Each school determines if it will have staff trained in the use and storage of auto-injectable epinephrine and/or anti-seizure medication. The District will have a supply of auto-injectable epinephrine at each school site. [EC 49414, 49414.1, 49414.5, 49423, 49423.1, 49468.2, 49480]

Children may carry and self-administer a blood glucose level test, diabetes care, inhaled asthma medication, and auto-injectable epinephrine if the rules above are met and if a physician confirms in writing that the student is able to self-administer. [EC 49414, 49414.5, 49423, 49423.1, 49480]

If your child is on a continuing medication regimen for a non-episodic condition, you are required to notify the district designee of the medication being taken, the current dosage, and the name of the supervising physician. [EC 49480]

■ Sun Protection

Students when outdoors can wear sun protective clothing, including, but not limited to hats. Students may also apply sunscreen during the day without a doctor's note or prescription. [EC 35183.5, 35291]

■ Medical and Hospital Insurance for Students

The district DOES NOT provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities. The school district assumes no liability for accidents to pupils at school. [EC 32221.5, 49472]

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. [EC 49471]

Enrollment in a Health Care Plan

All children and their families must be enrolled in a health care plan. There are several options for getting a health plan; through an insurance agent, or low cost provider such as Medi-Cal and Covered California at (800) 300-1506 or online at www.coveredca.com. [PPACA]

School-Sponsored Athletics

If a student participates in school-sponsored athletics other than physical education or athletic event during the school day, parents/guardians and the student athlete are required to annually; (1) complete a concussion awareness form, (2) complete a sudden cardiac arrest awareness form, and (3) sign a document acknowledging receipt of an Opioid Factsheet received either in print or electronic format. [EC 33479, 49475, 49476]

■ Student Access to Mental Health Services

School-based mental health services help address barriers to learning and provide appropriate student and family support in a safe and supportive environment. Reaching out for mental health services is simple; contact your school counselor, nurse, health aide, principal, or the district office. In the community a good place to start may be Tuolumne Co. Behavioral Health Services at (209) 533-6245. If you are in crisis contact this number or dial 911 immediately. [EC 49428]

Suicide Prevention

Suicide is a leading cause of death among youth, and school personnel is often in a position to recognize warning signs. The District makes an effort to reduce suicidal behavior and its impact and has developed strategies to intervene. These may include staff development, student instruction in coping skills, informing parents/guardians,

methods for promoting a positive school climate, crisis intervention, and counseling (including for bereavement). Information about district programs and services and links to community and statewide resources are available on the District's website at www.soulsbyvilleschool.com. [EC 215, 234.5, 234.6, 31180-32289, 49060-49079, 49602, 49604; GC 810-996.6; PC 11164-11174.3; WIC 5698, 5850-5883; BP 5141.52 May 2019]

■ Schools Free of Tobacco, Alcohol, and Drugs

The Board has adopted Tobacco-Free, Drug-Free, and Alcohol-Free campus policies to promote student health and well-being. The District strives for a school environment free of these substances and has prevention and intervention programs. There may be programs through the District or in the community to support students' cessation from use of tobacco, alcohol, or drugs. For more information please contact the school/district nurse or a school administrator. [EC 51202-51203, 51260-51269; HSC 104420, 11999-11999.3; PC 13864]

■ Diabetes Information

Diabetes is a health condition that affects how the body turns food into energy. Most food is broken down into glucose (sugar). When sugar increases in your bloodstream, your pancreas releases insulin. Insulin acts like a key to let the sugar into your body's cells to use as energy. When there isn't enough insulin or when cells stop responding to insulin, too much sugar stays in your bloodstream. Over time, this can cause serious health problems such as heart disease, vision loss, and kidney disease. There is no cure for any type of diabetes.

For both types, managing weight, eating healthy food, being active, and getting enough rest can really help. Taking medicine as prescribed, getting diabetes self-management education and support, and keeping health care appointments can also reduce the negative impacts of diabetes.

Type-2 Diabetes:

Type-2 diabetes is when your body can't use the insulin it makes as well as it should. It is the most common form of diabetes in adults, and is becoming more common in children, especially overweight teens. It is estimated that one in three children born in the US after the year 2000 will develop type-2 diabetes.

Type-2 diabetes can be prevented or delayed through lifestyle changes and medical intervention, and it is treatable. Eating healthy foods in the correct amounts and exercising regularly (at least 60 minutes every day) can help children achieve or maintain a normal weight and normal blood glucose levels.

The first step is to visit a doctor who can determine if your child is overweight. A doctor can prescribe medication if appropriate and can order tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (may lead to full onset type-2 diabetes).

Type-1 Diabetes:

Type-1 diabetes is when your body simply doesn't make enough insulin. Type-1 diabetes is not preventable, but it is manageable. It is an autoimmune disease that may be caused by genetic, environmental, or other factors. It is usually first diagnosed in children or young adults, but it can occur at any age.

Risk Factors:

It is recommended that students displaying or possibly experiencing the risk factors and warning signs below see a doctor to be screened for type-1 and/or type-2 diabetes:

Being overweight: The single greatest risk factor for Type-2 diabetes is excess weight. In the US, almost one out of every five children is overweight. Being overweight more than doubles a child's chance of developing diabetes.

Family history of diabetes: Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.

Inactivity: Being inactive further reduces the body's ability to respond to insulin.

Specific racial/ethnic groups: Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type-2 diabetes.

Age/Puberty: Type-1 diabetes usually occurs in the early years, and before reaching puberty. Type-2 diabetes is more likely to develop during or near puberty, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms:

There are usually warning signs when a child might have diabetes. Not everyone with diabetes develops these symptoms, and not everyone who has these symptoms necessarily has diabetes. Type-2 symptoms generally develop slowly over time. Type-1 symptoms show up quickly – in a matter of weeks or even days, and are much more severe.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular/No menstrual periods, and/or excess facial and body hair growth in girl
- High blood pressure or abnormal blood fats levels
- For type-1; Nausea, vomiting, and/or stomach pain

Parents/Guardians of children displaying warning signs should immediately consult with the student's primary care provider to determine if screening for diabetes is appropriate. Following a diabetes's diagnosis, parents/guardians should work with the primary care provider to develop a lifestyle and medical treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

Diabetes Screening Tests:

Your doctor may have your child take one or more of the following blood tests to confirm the diagnosis:

Glycated hemoglobin (A1C) test: A blood test measures the average blood sugar level over two to three months

Random (non-fasting) blood sugar test: A blood sample is taken at a random time; this test must be confirmed with a fasting blood glucose test.

Fasting blood sugar test: A blood sample is taken after an overnight fast; a high level on two separate tests indicates diabetes.

Oral glucose tolerance test: A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid.

If the primary care provider thinks your child has type-1 diabetes, blood may also be tested for autoantibodies (substances that indicate the body is attacking itself) that are often present in type-1 diabetes but not in type-2. The child's urine might be tested for ketones (produced when the body burns fat for energy), which may also indicate type-1 diabetes instead of type-2 diabetes.

More information can be found on these websites: California Department of Public Health, www.cdph.ca.gov; Centers for Disease Control and Prevention, www.cdc.gov/diabetes/; American Diabetes Association, https://diabetes.org.

The information provided in this booklet is intended to raise awareness about this disease. Contact your child's primary care provider, school nurse, or school administrator if you have questions. [EC 49452.6, 49452.7; HSC 104250]

■ Meningitis

Meningococcal disease or Meningitis can be a life threatening infection that can be treated, but cannot always be cured. Routine vaccinations are recommended for 11-12 years olds, students entering high school and students living in college dorms. [HSC 120395-120399]

■ Fluoride Treatments

Children are eligible for fluoride treatments through a program organized by the county health officer. Parents will get a record that the treatment was applied. The county health officer will determine how to pay for the program. Parents or a student 18 years old or more have the right to refuse this program using the form provided by the school district. This program is not meant to replace regular professional dental care. [HSC 104855]

STUDENT BEHAVIOR AND SAFETY

All pupils have the right to participate fully in the educational process, free from discrimination, harassment, violence, intimidation, and bullying. Schools have an obligation to combat racism, sexism, and other forms of bias, and a responsibility to

provide equal educational opportunity and ensure safe school sites.

Students are encouraged to report anything they see or hear about that might be suspicious or dangerous to a teacher or other staff member. Any staff member that receives such a report will quickly take appropriate action, and the student's identity will remain confidential.

■ School Rules

You have a right to review school and district rules regarding student discipline. If you wish to do so, please contact the school office. [EC 35291, 48980, 51101]

■ Safe Place to Learn

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school sites or at any school sponsored activity. School site staff trained in anti-bias shall be made known to students. When safe to do so, District employees must intervene immediately when they see discrimination, harassment, intimidation or bullying. Certificated staff in grades 7-8 get information about helping LGBTQ students. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying, and cyber-bullying including social-media bullying are available on the District's website at www.soulsbyvilleschool.com and online at www.cde.ca.gov, www.wested.org/project/california-healthy-kids-survey-chks/.

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer(s) listed on page 25 for assistance. [EC 200, 215, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234, 234.1, 234.4, 234.5, 234.6, 51101, 66250, 66260.6, 66270; PC 422.55, 422.6; 5 CCR 4900; BP 5131.2 October 2018]

■ Digital Communication Devices

Districts may regulate the possession or use of any cellphone, smartphone, pager or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while

under the supervision and control of school district employees. Students cannot be stopped from using such a device when: there is an emergency; there is a perceived threat of danger; when a teacher or administrator has said it is acceptable; or if it is part of an individualized education program (IEP). Possession or use is allowed if essential to student's health as determined by a licensed physician or surgeon. [EC 48901.5, 48901.7]

■ Drugs, Alcohol, and Tobacco

Possession or use of illicit drugs (including cannabis), alcohol, or any tobacco product on District premises or at any District activity is strictly prohibited.

A student in possession or under the influence of marijuana (cannabis), concentrated cannabis, or any synthetic cannabinoid is subject to suspension or expulsion. A student under 18 also faces up to forty (40) hours of community service, ten (10) hours of drug education, and sixty (60) hours of counseling; a student 18 or older can be imprisoned for up to six (6) months and/or be fined up to \$1,000. It is illegal for anyone under 21 to possess cannabis or synthetic cannabis.

Possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or 30 hours of community service except for members of the military.

Except for members of the military, possession of tobacco by anyone under 21 is illegal unless they are members of the military and can lead to a \$75 fine or 30 hours of community service. Possession of approved tobacco cessation aids is not prohibited. A "tobacco product" is any product made or derived from tobacco or nicotine that is intended for human consumption, including an electronic device that delivers nicotine (commonly known as "e-cigarettes" or "vaping"). [EC 48900, 48901; HSC 11357, 11357.5, 11361, 11362.1, 11362.3, 1104495, 104559; PC 308; VC 13202.5; BPC 22950.5, 25608; 20 USC 812, 814]

■ Safe Gun Storage

Guns are now the third leading cause of death for children in this country. Over 80 percent of teens who commit suicide with a gun used one that belonged to someone in their home. Gun ownership is a right in the US, and it comes with substantial responsibilities. Anyone who reasonably knows a child might access a firearm without permission,

loaded or not, is criminally liable for where that firearm is taken, brandished, or how it is used. This includes all school facilities or activities, events, and public places. More Information about gun safety and the safe storage of firearms can be found at <https://oag.ca.gov/firearms/tips>. Those responsible for access to a firearm could lose the right to own a firearm for 10 years, face fines, imprisonment, and civil liability. When there is a threat of a homicide, school staff shall notify law enforcement. [EC 48980, 48986, 49390, 49391, 49392; PC 25000-25140]

DISCIPLINE

■ Civility

The District believes that every person deserves to be treated with dignity and respect in their interactions within our School Community. Civility has an impact on effective operations and on the creation of a safe and positive school climate for everyone.

While respecting every individual's right to free speech, that right does not allow for disruption of school classes, activities, meetings, or other events. Students, staff, parents, guardians, and the community are expected to be polite, courteous, respectful, and behave reasonably at all school or district activities and events. Practices that promote civil behavior include, but are not limited to, actively listening, giving full attention, not interrupting, welcoming and encouraging participation by everyone. Civility is hindered by disruptive behavior or speech, violence or the threat of violence, or harassment or bullying of any kind; these behaviors are prohibited and are subject to discipline according to law and District policies. [EC 32210- 32212, 44050, 44807, 44810, 44811, 48900 et seq, 48950; CC 51.7, 1708.9; GC 54954.3, 54957.9; PC 415.5, 422.6, 627.4, 627.7]

■ Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$23,900 in damages and another maximum of \$13,200 as adjusted annually by the California Department of Education for payment of a reward,

if any. With a few exceptions, the school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904, 51101; CC 1714.1; GC 53069.5]

Vandalism

Graffiti and scratching glass or other material on someone else's property is now considered vandalism and those convicted face fines, imprisonment and the requirement to clean up the damage or perform community service. Parents/Guardians may be liable to pay fines as high as \$10,000 and be required to participate in the clean up. [PC 594]

■ Impersonation on the Internet

Pretending to be another pupil or real person other than yourself on the Internet or through other electronic methods to harm, intimidate, threaten or defraud is punishable by a \$1,000 fine or imprisonment for up to one year. [PC 528.5]

■ Drugs, Alcohol, and Tobacco

Possession or use of illicit drugs (including cannabis), alcohol, or any tobacco product on District premises or at any District activity is strictly prohibited.

A student in possession or under the influence of marijuana (cannabis), concentrated cannabis, or any synthetic cannabinoid is subject to suspension or expulsion. A student under 18 also faces up to forty (40) hours of community service, ten (10) hours of drug education, and sixty (60) hours of counseling; a student 18 or older can be imprisoned for up to six (6) months and/or be fined up to \$1,000. It is illegal for anyone under 21 to possess cannabis or synthetic cannabis.

Possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or 30 hours of community service except for members of the military.

Except for members of the military, possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or thirty (30) hours of community service. Possession of approved tobacco cessation aids is not prohibited. A “tobacco product” is any product made or derived from tobacco or nicotine that is intended for human consumption, including an electronic device that delivers nicotine (commonly known as “e-cigarettes” or “vaping”). [EC 48900, 48901; HSC 11357, 11357.5, 11361, 11362.1, 11362.3, 104495, 104559; PC 308; VC 13202.5; BPC 22950.5, 25608; 20 USC 812, 814]

■ Grounds for Suspension or Expulsion

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.
- (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this

section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For 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, that 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 subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
 - (B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.

(D) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school.

- (2) (A) "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 website, including, but not limited to:
 - (I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (1);
 - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "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;
 - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - (iii) (I) An act of cyber sexual bullying;
 - (II) 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 (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, 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; (III) 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.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil's exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school-sponsored activity.

(t) 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, pursuant to this section, 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 (a).

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

(w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

(2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community. [EC 35291, 48900, 48901.1, 48910]

Additionally, sexual harassment, hate violence, harassment, intimidation (grades 4-12) and threats and terroristic threats against school officials or school property or both (all students) may be recommended for suspension or expulsion. [EC 212.5, 233(e), 48900.2, 48900.3, 48900.4, 48900.7]

Homework shall be provided for a student suspended for two (2) or more days upon request. Such homework turned in on time that cannot be graded in time, will not be included in the calculation of the pupil's grade in the class. [EC 48913.5]

■ **Mandatory Suspension / Expulsion**

Education Code Section 48915(a): Except as

provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that the expulsion is inappropriate, due to the particular circumstance:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

Education Code Section 48915(c): The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior or written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

■ Student Search

The school principal or designee may search the

person of a student, the student's property, vehicle, and District property under the student's control if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. Searches may be announced or unannounced, and the District may use drug-sniffing dogs if available. Employees shall not conduct strip searches or body cavity searches of any student. [EC 48900-48927, 49050-49051, 49330-49334; PC 626.9, 626.10]

■ Release of a Student to a Peace Officer

If a school official releases your child from school to a peace officer for the purpose of removing them from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [EC 48906; PC 11165.6; WIC 305]

PROTECTIONS, COMPLAINTS AND PROCEDURES

The District is primarily responsible for compliance with local, state, and federal laws and regulations; has policies and procedures to address allegations of unlawful discrimination, harassment, intimidation, bullying, and complaints alleging violation of laws governing educational programs, activities, and pupil fees. Employees, students, parents or guardians, school and district advisory committee members, appropriate private school officials and other interested parties are advised of the district policies and how to file a complaint if they so desire.

■ Nondiscrimination / Harassment

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity,

unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians

and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee may review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools. [BP 5145.3 August 2020; EC 200-262.4, 48900.3, 48900.4, 48904, 48907, 48950, 49020-49023, 49060-49079, 51500, 51501, 60044; CC 1714.1; GC 11135; PC 422.55, 422.6; 5 CCR 432, 4600-4670, 4900-4965; 20 USC 1681-1688; § 504; 42 USC 6101-6107, 12101-12213; Title VI; Title VII; Title IX; 28 CFR 35.107; 34 CFR 99.31, 100.3, 104.7, 104.8, 106.8, 106.9, 110.25]

Sexual Harassment

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-

related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks.

Instruction / Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment

complaint will be received, investigated, or resolved

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation.

Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

In accordance with law, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools. [BP 5145.7 August 2020; EC 200-262.4, 48900, 48900.2, 48904, 48980,

48985; CC 51.9, 1714.1; GC 12950.1; 5 CCR 4600-4670, 4900-4965; FERPA; 20 USC 1092, 1221, 1681-1688; 34 USC 12291; 42 USC 1983; Title VI; Title VII; 34 CFR 106.1-106.82]

■ **Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs**

The district prohibits the following, and shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code, California Code of Regulations, Penal Code, or Government Code including actual or perceived race, color, ancestry, historically associated racial traits, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, 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 district program or activity that receives or benefits from state financial assistance.

District is committed to equal opportunity for all individuals in education and in employment. The District shall promote programs that ensure non-discriminatory practices in all District activities. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying; and cyber-bullying including social-media bullying are available on the District's website at www.soulsbyvilleschool.com. You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. If you want further details in this regard, or if you believe your or your child(ren) have been subjected to the above and wish to file a complaint, please contact the District official responsible for compliance with Title V, Title VI, Title IX, § 504, and Uniform Complaints. The Governing Board designates the following compliance officer(s) to receive

and investigate all complaints and ensure district compliance with law:

Jeff Winfield, Superintendent
20300 Soulsbyville Road
Soulbyville, CA 95372
(209) 532-1419 jwinfield@soulsbyvilleschool.com

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, technical training, ROP programs and centers, Agricultural Vocational Education, child development, State Preschool, Early Childhood Education Program Assessments, Consolidated Categorical Aid, Economic Impact Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, American Indian Education Centers, Bilingual Education, nutrition services, special education, after school education and safety, homeless or foster youth education options, course content, physical education (including instructional minutes grades 1-6), discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, ESEA (Titles I-VII), Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234 et seq., 234.6, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52075, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI; Title VII; Title IX; § 504; IDEA; 34 CFR 106.9]

District's Uniform Complaint Process

You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. The complaint procedure can be used for a variety of issues not mentioned above including but not limited to employee issues and policies and procedures of the district. Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of another person or group of

people within six months of the occurrence or when facts became known. Complaints regarding a special needs student or pupil fees may be filed within 12 months of the occurrence. Complaints regarding LCAP may be filed anonymously. Complaints regarding Pupil Fees may be filed anonymously and with the principal. If a complaint regarding pupil fees is valid, then the parents are due full reimbursement. Staff has been trained to deal with these types of complaints.

Those complaining (Complainants) are protected from retaliation and their identities are confidential when related to discrimination. Staff dealing with complaints are knowledgeable about the laws and programs they are investigating. The complaint may be dismissed if complainant obstructs or does not provide all information. If the District acts in the same manner, the finding may be affected.

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure should be completed within 60 days from the receipt of the complaint. The Superintendent and complainant may agree in writing to extend the timeline.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The compliance officer shall send a written report about the investigation and decision. There are then five days to appeal to the Board of Education.
6. If you are not satisfied with the results, the complainant then has 15 days to appeal to the California Department of Education. The appeal must include a copy of the locally filed complaint and a copy of the LEA decision.
7. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district's complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to, injunctions and restraining orders.

For discrimination complaints, 60 days must

elapse from the time an appeal is filed with CDE before pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504: Office of Civil Rights

Child Abuse: Department of Social Services,

Protective Services Division, or law enforcement

Discrimination/Nutritional Services: U.S. Secretary of Agriculture

Employment Discrimination: Department of Fair Employment and Housing, Equal Employment Opportunity Commission.

General Education: this school district

Health and Safety/Child Development: Department of Social Services

Student Records: Family Policy Compliance Office (FPCO), Student Privacy Policy Office, US Department of Education, 400 Maryland Avenue SW, Washington, DC 20202

[20 USC 11138; 34 CFR 300.510-511, 300.513; EC 235. 262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5 CCR 4600, 4620-4632]

■ **Complaints Regarding the Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities**

Parents should use the District Uniform Complaint Procedure with modifications as included, to identify and resolve any deficiencies regarding instructional materials; facility cleanliness, safety, emergency or urgent facility conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 35186]

Williams Settlement complaint procedure

A complaint form may be obtained, free of charge, at the school office, the district office, or downloaded from the district's Web site at www.soulsbyvilleschool.com, but the form need not be used to make a complaint. You may also download a copy of the California Department of Education complaint form from this Web site, www.cde.ca.gov/re/cp/uc. The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying:

- 1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
- 2. Complaints beyond the site authority will be forwarded to the District within 10 days.
- 3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint.
- 4. If the District is required to provide material in a foreign language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.
- 5. The form will have a box to request a response and indicate where to file the form.
- 6. Valid complaints should be remedied within 30 days of receipt.
- 7. Within 45 days of filing a complaint, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same timeframe.
- 8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
- 9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [EC 35186, 48985]

■ **Further Information is Available**

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office. [FERPA, 34 CFR 99.7(b)]

DISTRICT FACILITIES

■ **Asbestos-Containing Material**

The district has available upon request a

complete and updated management plan for asbestos-containing material. [40 CFR 763.93]

■ **Lead Poison Testing**

The district website has information about lead poisoning, including risks and effects of childhood lead exposure; blood lead screening tests for children enrolled in Medi-Cal; recommendations for children not enrolled in Medi-Cal who are at high risk of lead exposure and blood lead screening tests as required. The District will handout information to parents of district child care or preschool programs. [HSC 105286]

■ **Pesticide Use**

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. Only fully certified pesticides can be used on school grounds. The identification includes the name and active ingredients. The school’s Integrated Pest Management Plan (IPM) is updated by july 1st each year. The IPM, pesticide names and active ingredients, and application dates are posted on the school and/or district website at www.soulsbyvilleschool.com.

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, www.cdpr.ca.gov. [EC 17610.1, 17612, 48980; FAC 13184]

Product Name	Active Ingredient(s)
Misty Dualcide P3	2,4-D, Dicamba
Roundup	Glyphosate
Terro Ant Bait.	Sodium Tetraborate
Wasp and Hornet Spray .	Pyrethrins



SOULSBYVILLE ELEMENTARY

20300 Soulsbyville Road
Soulsbyville, CA 95372

(209) 532-1419

www.soulsbyvilleschool.com

Jeff Winfield, Superintendent
(209) 532-1419 ext 3363
jwinfield@soulsbyvilleschool.com

Mary Lindsley, Principal
(209) 532-1419 ext 3368
mlindsley@soulsbyvilleschool.com

Laura Nelson, Attendance & Registrar
(209) 532-1419 ext 3361
lnelson@soulsbyvilleschool.com

Isabel Valdez, Chief Business Official
(209) 532-1419 ext 3373
kkohen@soulsbyvilleschool.com

Joe Ferrari, Maintenance & Operations
(209) 532-1419, 3367
jferrari@soulsbyvilleschool.com

Betsy Taylor, School Secretary – Main Office
(209) 532-1419 ext 3362
betsyt@soulsbyvilleschool.com

Gretchen Flowerdew, Director Title I & ELL
(209) 532-1419 ext 3358
gflowerdew@soulsbyvilleschool.com

Hannah Blott, School Secretary – The Nest
(209) 532-1419 ext 3352
hblott@soulsbyvilleschool.com

Lara Hall, Director of Special Education
(209) 532-1419 ext 3330
lhall@soulsbyvilleschool.com