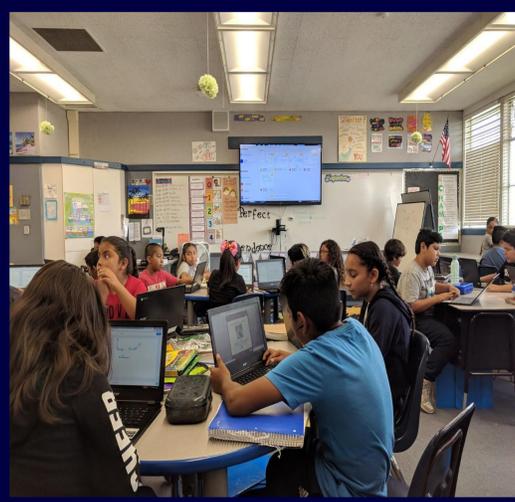


Hueneme Elementary School District

2020-2021 Annual Notice of Parents' Rights & Responsibilities



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Fred L. Williams Elementary

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Superintendent's Message

August 2020

Dear Parent/Guardian:

School districts in California are required to annually notify students, parents, and guardians of their rights and responsibilities. This is the annual notice to parents/guardians of students enrolled in programs operated by the Hueneme Elementary School District (hereinafter referred to as HESD or the District). This notice, which is required by Educational Code 48980, provides important information about federal laws and state education codes, as well as information relating to rights and responsibilities of parents or guardians of children.

Please review this information carefully as it applies directly to you and your child's participation in our educational programs. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact your school administrator. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Please complete the "Acknowledgment of Receipt and Review" form at the end of the notification and return it to your child's school.

Best wishes for a productive and successful 2020-2021 school year.

Dr. Christine Walker
Superintendent

Attendance

Avoiding Absences, Written Excuses

HESD BP 5113; HESD AR 5113

The Hueneme Elementary School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments after school or during school holidays. The district also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs.

The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences. Following an absence, a student is required to bring a written excuse from home when returning to school. Illnesses, and doctor and dental appointments are considered excused absences. Absences without a written excuse are recorded as unexcused.

Chronic Absenteeism

EC 60901; HESD BP 5113.1; HESD AR 5113.1

A student is considered a chronic absentee when he/she is absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused – and is an important measure because excessive absences negatively impact academic achievement and student engagement.

Excused Absences

EC 46014, EC 48205; HESD BP 5113

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy, and administration regulations.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulation.

Inasmuch as school attendance and class participation are integral to students' learning experiences, parents/guardians and students shall be encouraged to schedule medical and other appointments during non-school hours.

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for the following reasons:

1. Personal illness.
2. Quarantine under the direction of a county or city health officer.
3. Medical, dental, optometrical, or chiropractic appointment.
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
5. Jury duty in the manner provided for by law.
6. Illness or medical appointment of a child to whom the student is the custodial parent.
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including but not limited to:
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a religious holiday or ceremony
 - d. Attendance at religious retreats for no more than four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302.
9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a

- combat zone or a combat support position or is on leave from or has immediately returned from such deployment.
10. Attendance at a naturalization ceremony to become a United States citizen.
11. Participation in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from school. Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in AR 6112 – School Day and is not excused from school for this purpose on more than four days per school month.
12. Work in the entertainment or allied industry. Such absence shall be excused provided that the student holds a work permit authorizing such work and is absent for a period of not more than five consecutive days and up to five absences per school year.
13. Participation with a nonprofit performing arts organization in a performance for a public school audience.
A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school.
14. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances.

For the purpose of the absence described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household.

For the purpose of the absences described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household.

Procedures for Absences Due to Illness

HESD BP 5113; HESD AR 5113

Verification of absences shall be made in accordance with any reasonable method which establishes that the pupil was actually ill. Thus, for students who have been reported ill on more than nine (9) days or 5% of the accumulated days of school enrolled, parents may be required by the school to present a doctor's note verifying that the student was too ill to attend school on those days reported. If the parent does not comply with the request, any additional days beyond the nine (9) of illness will be recorded as unexcused. The school must receive appropriate verification (such as a written note or doctor's note) within 5 days of the student's return to school; otherwise the absence will be recorded as unexcused.

Tardiness

HESD BP 5113.1; HESD AR 5113.1

Children should be encouraged to be prompt as part of developing good habits. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. Repeated tardies in excess of 30 minutes without a valid excuse may lead to the student being designated as truant.

Truancy Definitions

EC 48260, EC 48262, EC 48263.6; HESD BP 5113.1; HESD AR 5113.1

A student is considered truant when he/she is absent from school for three full days or is absent from school (tardy or left early) for more than 30 minutes during the school day and the absence or tardy is without a valid excuse. After a student has been reported as a truant three or more times in a school year and the district has made a conscientious effort to meet with the family, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205 (listed above).

Enrollment

Alternative Schools Notification

EC 58501

California state law authorizes all school districts to provide for alternative schools. Education Code 58500 defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

- Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- 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.
- 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.

Attendance Options/Permits

EC 48980(h); HESD BP 5111, 5116, 5116.1, 5117; HESD AR 5111.1

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system.

The Superintendent or designee shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians, and shall not deny a student enrollment in a district school on the basis of the citizenship or immigration status of the student or his/her parents/guardians. Personnel shall not seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers. Any information obtained about a student's or parent/guardian's citizenship or immigration status shall not be shared without parent/guardian consent or a lawful judicial order, in accordance with laws pertaining to the confidentiality of student records.

Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, district personnel shall solicit that documentation or information separately from the school enrollment process.

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children seeking admission to a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall announce and publicize the timeline and process for registration of students at district schools. Applications for intradistrict or interdistrict enrollment shall be subject to the timelines specified in applicable Board policies and administrative regulations.

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

The district shall not inquire into or request documentation of a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or his/her family members. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin information, the district shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or his/her parents/guardians obtained by the district, or the student's or parent/guardian's refusal to provide such information to the district.

School registration information shall list all possible means of documenting a child's age for grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any alternative document allowed by the district shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this policy, the district's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or his/her inability to produce previous academic, medical, or other records normally required for enrollment.

[Interdistrict Attendance](#) EC 46600 et seq.

It is expected that pupils will attend the school district serving the attendance zone in which they reside. However, the parent or legal guardian of a pupil may seek release from the school district of residence to attend a school in any other school district. School

districts may enter into agreements for the interdistrict transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an interdistrict transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled.

Regardless of whether an agreement exists or a permit is issued, the school district of residence cannot prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if that district approves the application for transfer. Nor may a district prohibit an interdistrict permit release when no intradistrict permit options are available to a victim of bullying. A "victim of an act of bullying" means a pupil that has been determined to have been a victim of bullying by an investigation pursuant to the complaint process described in Section 234.1 and the bullying was committed by any pupil in the school district of residence, and the parent of the pupil has filed a written complaint regarding the bullying with the school, school district personnel, or a local law enforcement agency. "Bullying" means any severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on physical or mental health, interfere with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. Bullying may be exhibited in the creation or transmission of bullying online, on or off the school site, by telephone or other device in a message, text, sound, video, or image in a post on a social network internet website or burn page that creates a credible impersonation of another student knowingly and without consent for the purpose of bullying. Sharing or forwarding messages contributes to the act of bullying.

Requests are based on the district's enrollment and staffing needs. Preferences will be given to pupils whose parents are enlisted in the military. If you have any questions about the interdistrict process, please call the district office at (805) 488-3588.

Intradistrict Attendance

EC 35160.5(b)

Residents of the Hueneme Elementary School District may apply to other schools within the district for their child to attend on a space available basis. Information on each school within the district is provided on the district website www.hueneme.org. Transportation to any other school is the responsibility of the parent. Applications are available at the district office. No pupil who currently resides in the attendance area of a school can be displaced by pupils transferring from outside the attendance area.

Students who are a victim of bullying shall be allowed an intradistrict permit to transfer if space is available at the same grade level. If there is no "intra-district" space to attend, the student may seek an "inter-district" permit to another district without any delay in release from the home district, but it does not guarantee entrance to an outside district. The process to enter another school district will be according to the desired district's transfer policies. A "victim of an act of bullying" means a pupil that has been determined to have been a victim of bullying by an investigation pursuant to the complaint process described in Section 234.1 and the bullying was committed by any pupil in the school district of residence, and the parent of the pupil has filed a written complaint regarding the bullying with the school, school district personnel, or a local law enforcement agency. "Bullying" means any severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on physical or mental health, interfere with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. Bullying may be exhibited in the creation or transmission of bullying online, on or off the school site, by telephone or other device in a message, text, sound, video, or image in a post on a social network internet website or burn page that creates a credible impersonation of another student

knowingly and without consent for the purpose of bullying. Sharing or forwarding messages contributes to the act of bullying.

Involuntary Transfer

EC 48980(n), EC 48929

A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted.

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee.

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

Persistently Dangerous School

20 USC 7912; HESD BP 5116.1

Any student attending a school designated by the California Department of Education as "persistently dangerous" shall be provided an option to transfer to another district school or charter school. For more information, please contact the district's Senior Director of Student Support Services at (805) 488-3588 ext. 9220.

Residency

EC 48200 and EC 48204; HESD BP 5111.1; HESD AR 5111.1

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district if he or she is any of the following:

1. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement
2. The student is admitted through an interdistrict attendance option
3. The student is an emancipated pupil who resides within the boundaries of the school district
4. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect
5. The student resides in a state hospital located within the boundaries of the school district
6. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability
7. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week
8. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state.
9. The student's parent/guardian was a resident of California who departed the state against his/her will due to a transfer by a government agency that had custody of the parent/guardian, a lawful order from a court or government agency authorizing his/her removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of his/her parent/guardian's departure.

Residency Based on Parent/Guardian Employment (Allen Bill Transfers)

EC 48204; HESD AR 5111.1

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present:

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board.
3. Other circumstances exist that are not arbitrary.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above.

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204.

Residency Investigations

EC 48204.2; HESD BP 5111.1; HESD AR 5111.1

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency.

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district.

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view.

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation.

Victim of a Violent Crime

20 USC 7912; HESD BP 5116.1

A pupil who becomes a victim of a violent crime while in or on the school grounds must be offered the opportunity to transfer to a safe public school within the school district, including a public charter school, within ten calendar days. If there is not another school within the area served by the district, the district is encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring school district to accept pupils through an interdistrict transfer. Primary examples of violent criminal offenses in the Penal Code include attempted murder, battery with serious bodily

injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, and hate crimes. For more information, please contact Dr. Carlos Dominguez, Deputy Superintendent at (805) 488-3588, ext. 9300.

Facilities

Asbestos Management Plan

40 CFR 763.93, HESD BP 3514; HESD AR 3514

The Hueneme Elementary School District maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact Joe Hiton, Senior Director of Facilities, Operations and Transportation at (805) 488-3119.

Pesticide Products

EC 17612; HESD AR 3514.2

To obtain a copy of all pesticide products and expected use at the school facility during the year and to receive notification of individual pesticide applications at the school at least 72 hours before the application, please contact Joe Hiton, Senior Director of Facilities, Operations and Transportation at (805) 488-3119. The notice will identify the active ingredient(s) in each pesticide product, the intended date of application, an Internet address on pesticide use and reduction, and the Internet address where the school site integrated pest management plan may be found if the school site has posted the plan.

Property Damage

EC 48904; HESD BP 3515.4, 6161.2; HESD AR 5125.2

Parents or guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid.

Students who transfer to another school will continue to have their grades, diplomas, or transcripts withheld until obligations for lost or damaged property are met.

Health and Nutrition

Concussion and Head Injuries

EC 49475

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Confidential Medical Services

EC 46010.1; HESD BP 5113

The law requires that pupils in grades 7 through 12 and all parents be informed that school district authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian.

Entrance Health Screening

HSC 124085, 124100, 124105; HESD AR 5141.32

State law requires that the parent or legal guardian of each pupil provide the school within 90 days after entrance to first grade documentary proof that the pupil has received a health screening examination by a doctor within the prior 18 months. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available through the local health department. Contact the Ventura County Health Care Agency, Public Health Department at (805) 981-5101 for information about free health screenings and immunizations.

Eric Paredes Sudden Cardiac Prevention Act

EC 33479

Each school year before starting California Interscholastic Federation (CIF) activities and non-CIF activities, the school shall collect and retain a copy of sudden cardiac arrest information acknowledgement from a parent or guardian. A pupil who passes out or faints while participating or immediately following athletic activity, shall be removed by the athletic director, coach, trainer, or authorized person. In the absence of an athletic trainer, a coach shall notify the parent/guardian to determine what treatment, if any, the pupil should seek. A pupil who is removed shall not be permitted to return until evaluated and cleared by a physician. This does not apply to physical education activities during the regular school day. For more information, please contact the Senior Director of Student Support Services, David Castellano, at (805) 488-3588 ext. 9220.

Free and Reduced-Price Meals

EC 49510 et seq; HESD BP 3553

The school offers healthy meals every school day because children need healthy meals to learn. Free or reduced-price lunches are available at school for students whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Students participating in the program will not be identified, and the information on the application will be kept confidential. Applications may be submitted at any time during school hours. Application forms may be obtained through the school office.

Students who attend a Provision 2 school shall receive meals at no cost to them and do not need to apply through the application process.

Immunizations

EC 49403, EC 48216; HSC 120335, HSC 120365, HSC 120370, HSC 120375; HESD BP 5141.31

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student who parents have consented in writing.

Beginning January 1, 2016, parents of students in any school will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7th grade.

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunization records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization

status does not show proof of immunization against one of the communicable diseases described above.

State law requires the following immunizations before a child may attend school:

- All new students, in transitional/regular kindergarten through grade 8, to the Hueneme Elementary School District must provide proof of polio, diphtheria, pertussis, tetanus, measles, mumps, rubella, and varicella immunizations,
- All transitional kindergarten and kindergarten students must also provide proof of vaccination against hepatitis B.
- All seventh grade students must also provide proof of a second measles-containing vaccine, and a pertussis booster vaccine.

Free- or low-cost immunizations for children are available through the Ventura County Health Care Agency, Public Health Department. Please call (805) 951-5101 for information.

Medical or Hospital Service / Health Care Coverage

EC 49472, EC 49452.9

Services Not Provided

The Hueneme Elementary School District does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

Health Care Coverage

Your child and family may be eligible for free or low-cost health coverage through Covered California. For information about health care coverage options and enrollment assistance, contact us at (805) 488-3588 or go to www.CoveredCA.com. Additionally, California law allows all low-income children under 19 years old, regardless of immigration status, to enroll in Medi-Cal at any time in the year. Families can apply in person at their local county human services office, over the phone, online, with a mail-in applications, or at a local health center. For more information about Medi-Cal enrollment, visit www.health4allkids.org.

Medication Regimen

EC 49414, EC 49414.7, EC 49423, EC 49423.1; HESD BP 5141.21

The parent or legal guardian of any pupil taking medication on a regular basis must inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil.

Administration of Epilepsy Medication

In the absence of a credentialed school nurse or other licensed nurse on site at a school, the school district may elect to allow nonmedical employees to volunteer to provide medical assistance to pupils with epilepsy suffering from seizures and receive training in the administration of an emergency anti-seizure medication in the event that the pupil suffers a seizure when a nurse is not available, upon request by a parent or guardian pursuant to subdivision (c). If the school district elects to participate in a program pursuant to this section, the school district shall provide school employees who volunteer pursuant to this section with voluntary emergency medical training to provide emergency medical assistance to pupils with epilepsy suffering from seizures. For more information, contact the district's Health Services Department at (805) 488-3588.

Administration of Prescribed Medication for Pupils

Any pupil who is required to take, during the regular school day, medication prescribed by a physician may be assisted by the school nurse or other designated school personnel if the school district receives both a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken requesting the school nurse to assist the pupil with prescribed medication as set forth in the physician statement. Student may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives both a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken and a written statement from the parent or guardian requesting

that the student self-administer. All requests are to be approved by school nurse prior to use.

The following is a parent guide and checklist for students that need medication while at school:

- a) Talk to your child's doctor about making a medicine schedule so that your child does not have to take medicine while at school.
- b) If your child is regularly taking medicine for an ongoing health problem, even if he or she only takes the medicine at home, give a written note to the school nurse or other designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken, and the name of the doctor who prescribed it (EC 49480).
- c) If your child must take medicine while at school, give the school a written note from you and a written note from your child's doctor or other health care provider, who is licensed to practice in California. Provide new, updated notes at the beginning of each school year and whenever there is any change in the medicine, instructions, or doctor (EC 49423).
- d) As parent or guardian, you must supply the school with all medicine your child must take during the school day. You or another adult must deliver the medicine to school, except medicine your child is authorized to carry and take by him or herself.
- e) All controlled medicine, like Ritalin, must be counted and recorded on a medicine log when delivered to the school. You or another adult who delivered the medicine should verify the count by signing the log.
- f) Each medicine your child must be given at school must be in a separate container labeled by a pharmacist licensed in the United States. The container must list your child's name, doctor's name, name of the medicine, and instructions for when to take the medicine and how much to take.
- g) Pick up all discontinued, outdated, and/or unused medicine before the end of the school year.
- h) Know and follow the medicine policy of your child's school.

Emergency Treatment for Anaphylaxis

Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. It is estimated that approximately 25% of the anaphylactic reactions occur during school hours to students who had not previously been diagnosed with a food or other allergy. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Being able to recognize and treat it quickly can save lives. Recent changes to EC 49414 now require school districts to provide epinephrine auto-injectors to school nurses and trained personnel and authorizes them to use epinephrine auto-injectors for any student who may be experiencing anaphylaxis, regardless of known history.

Mandated Health Screenings

EC 49452, EC 49452.5, EC 49454, EC 59455; HESD BP 5141.3

Hearing Screening

Hearing screening is mandated in kindergarten/first grade and in second, and fifth grades and upon first school entry. Hearing screening in California public schools must be conducted by a credentialed school audiometrist.

Evaluation of a student's hearing may be waived at the parent/guardian's request if the parent/guardian presents a certificate from either a medical doctor or an audiologist specifying the results of an examination of the student's hearing.

Scoliosis Screening

Each female student in grade 7 and each male student in grade 8 may be screened for scoliosis. This screening shall comply with California Department of Education standards and shall be performed by qualified personnel as specified in law.

A letter informing parents of scoliosis screening will go home one week before scheduled screening. If parents wish to exclude their child from scoliosis screening the accompanying letter must be returned to the school no later than the day of screening.

The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at an early age.

Vision Screening

All students shall be tested for visual acuity when they first enroll in elementary school and every three years thereafter until the student completes grade 8. External observations of the student's eyes, visual performance and perception shall be made by the school nurse and the classroom teacher. For male students, color vision shall be tested one time, after the student reaches grade 1. Results of the test shall be entered into the student's health record.

Evaluation of a student's vision may be waived at the parent's guardian's request if the parent/guardian presents a certificate from either a medical doctor or an optometrist specifying the results of an examination of the student's vision including visual acuity, and, in male students, color vision.

Mental Health Services

EC 49428

In order to initiate access to available pupil mental health services, you may contact the following mental health provider: Ventura County Behavioral Health at (866) 998-2243. Our school district will notify parents at least twice per year. This is one time through our Annual Notification, and we will also notify you again a second time each school year by the following means: individual school newsletter and the district website.

Oral Health Assessment

EC 49452.8; HESD AR 5141.32

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31 of the pupil's first school year.

Pupil Meals – Child Hunger Prevention and Fair Treatment Act

EC 49557.5; HESD BP 5144

The Hueneme School District has a Meal Charge Policy about how students who pay the full or reduced cost of a school meal are impacted by not having enough cash on hand or in their account to purchase a meal. For a copy of the policy, please contact the District's Nutrition Services office at (805) 488-3588 ext. 9601.

Physical Examination

EC 49451; HESD AR 5141.3

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists.

Instruction

Acceptable Use of Technology

EC 48980

One of the adopted goals of the Hueneme Elementary School District is to assist in advancing the use of technology to enhance student learning. Access to Hueneme Elementary School District technology is a privilege, not a right, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All Hueneme Elementary School District students and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using District technological resources. The Hueneme Elementary School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate

access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability.

Availability of Prospectus

EC 49063, EC 49091.14

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Please contact the principal or the Assistant Superintendent, Helen Cosgrove, at (805) 488-3588 ext. 9200 for a copy of the prospectus.

California Healthy Youth Act (Sex and HIV/AIDS Education)

EC 51930 thru EC 51939; HESD BP 6142.1; HESD AR 6142.1

The California Healthy Youth Act requires school districts to provide pupils with integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention education at least once in middle school and once in high school. It is intended to ensure that pupils in grades 7-12 are provided with the knowledge and skills necessary to: 1) protect their sexual and reproductive health from HIV, other sexually transmitted infections, and unintended pregnancy; 2) develop health attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family; and 3) have healthy, positive and safe relationships and behaviors. It also promotes understanding of sexuality as a normal part of human development.

Parents or legal guardians have the right to:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education.
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education.
3. Students shall not be subject to disciplinary action or academic penalty if the student's parent or guardian declines to permit participation in comprehensive sexual health education.
4. Request a copy of Education Codes 51930 through 51939, the California Healthy Youth Act.
5. Be informed whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants.
6. Receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year.
7. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker
8. Per HESD Board Policy 6142.1, "Annually, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parent/guardian shall be given an alternative educational activity."

Per the annual Parent Notification Letter, HESD uses the Positive Prevention PLUS curriculum to address sexual health. "This curriculum has been and will be adapted to meet the unique needs of all students, and includes lessons on sexual development, physical/social/emotional changes during puberty, human reproduction, hygiene, diseases and their transmission, friendship, boundaries and bullying, and staying healthy."

"For any parent/guardian requesting that their child not receive comprehensive sexual health and HIV prevention education, the following alternative curriculum will be provided:

Alternative Curriculum: [Overcoming Obstacles](#)

The [Overcoming Obstacles](#) life skills curriculum focuses on three fundamental skills on which all other skills can be built: communication, decision making, and goal setting. Lessons include

opportunities to introduce, define, and model important life skills. Through activities and role-playing, students will practice life skills and learn how they are relevant to their lives."

Per HESD Annual Parent Notice of Rights and Responsibilities: "The Hueneme Elementary School District may administer to students in grades 7 through 8 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate."

Career Counseling and Course Selection

EC 221.5(d); HESD AR 6164.2

Commencing grade 7, school personnel shall assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

Child Find System

EC 56301

The district is a member of the Ventura County Special Education Local Plan Area which has established written policies and procedures including continuous child find systems including children with disabilities who are migrant, homeless, or wards of the state, and children with disabilities attending private schools. Policies and procedures including written notification to all parents of their rights regarding identification, referral, assessment, instructional planning, implementation, review, and procedures for initiating referral for assessment. For more information, please contact the Senior Director of Pupil Support Services, Denise Hicklin, at (805) 488-3588 ext. 9241.

Harm or Destruction of Animals

EC 32255 et seq.; HESD AR 5145.8

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

Instruction for Pupils with Temporary Disabilities

EC 48206.3, EC 48206.5, EC 48207, EC 48207.3, EC 48207.5, EC 48204, EC 48208, EC 51225.5

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day. Please contact the Senior Director of Pupil Support Services, Denise Hicklin, at (805) 488-3588 ext. 9241 for further information.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction

pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

A pupil with a temporary disability may remain enrolled in the district of residence of charter school and may attend regular classes when not confined to the hospital setting, the total days of instruction may not exceed the maximum of five days with both school settings and attendance may not be duplicated. If necessary, the district of residence may provide instruction in the home for the days not receiving instruction in the hospital setting, depending upon the temporary doctor orders. The supervisor of attendance shall ensure that absences from the regular school program are excused until the pupil is able to return to the regular school program.

Minimum Days and Pupil-free Staff Development Days

EC 48980(c)

Minimum days for the 2020-21 school year are as follows:

Back to School Night (varies by school site)
December 18, 2020 (Minimum Day Schedule)
June 18, 2021 (Minimum Day Schedule – Last day of school)

Section 504 – Services for Students with Disabilities

29 USC 794; 34 CFR 104.32; HESD BP 6164.4

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. The School District provides a free and appropriate public education to all pupils regardless of the nature or severity of their disability. The District has a responsibility to identify, evaluate, and if eligible, provide pupils with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. To qualify for Section 504 protections, the pupil must have a mental or physical impairment which substantially limits one or more major life activity. For additional information about the rights of parents of eligible pupils, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the Section 504 Coordinator, Denise Hicklin at dhicklin@hueneme.org, (805) 488-3588.

School Accountability Report Card

EC 35256, EC 35258

Parents may obtain a copy of any school's annual School Accountability Report Card at the district office, each school site, or the district web site (www.hueneme.org). Each school is required to maintain copies of their individual School Accountability Report Card which shall be provided upon request.

Special Education – Use of Assistive Technology

EC 56040.3

The Hueneme Elementary School District allows home and community use of assistive technology (AT) devices by students who have assistive technology devices as part of their IEP FAPE offer. Students may continue to use while at distributing school and for up to a maximum of two months or until a replacement or comparable device is obtained in new setting. Not every IEP will have an AT device as part of the IEP team offering, but if it is there, it must remain in possession so that the student does not have a lapse in educational access to such device.

Safe School Programs

Safe Place to Learn Act

EC 234, EC 234.1

The Hueneme Elementary School District is committed to providing a safe school environment where all individuals are afforded equal access and opportunities. The District prohibits discrimination, harassment, intimidation, bullying and sexual harassment based on actual or perceived ancestry, age, color, mental or physical disability, gender, gender identity, gender expression, immigration status, nationality, marital or parental status, pregnancy status, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived

characteristics in all educational programs, school related or school sponsored activities, school attendance or employment policies which may have an impact or create a hostile environment at school as required by Title IX of the 1972 Education amendments, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the California Fair Employment and Housing Act, and other applicable laws and regulations. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling, and the availability of physical education, athletic activities, and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion.

To report an incidence and/or to receive a copy of the district's antidiscrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact the District's Discrimination, Equity, and Title IX Compliance Officer: Raven Aipa, Senior Director Educational Programs at 205 North Ventura Rd, Pt Hueneme, CA. (805) 488-3588, ext. 9260, raipa@hueneme.org.

School Bus Safety

EC 39831.5; HESD AR 3543

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (i.e., a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

School Safety: Bullying

EC 234.4, EC 32283.5

The Hueneme Elementary School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying. Annual training will be provided to all staff who work with students, to prevent bullying and cyberbullying. You may find a list of education web pages describing the staff training at: <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>. If you or your child should experience any bullying on campus, at school events, or on the way to or from school, please contact our district counseling liaison, David Castellano, Senior Director of Student Support Services, available to assist you in identifying and stopping this behavior at: (805) 488-3588, ext. 9220, dcastellano@hueneme.org.

School Safety Plan

EC 32280 et seq

Each Hueneme Elementary School District school site has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire and emergency drills are held periodically at each school.

Suicide Prevention

EC 215; HESD BP 5141.52

The Board of Trustees recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. To attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention. Information is available to both parents/guardians and students and can be located on the district's website, in the school office, or you may contact the

district's Senior Director of Student Support Services, David Castellano, at (805) 488-3588 ext. 9220 for more information.

Tobacco-free Campus

HSC 104420, HSC 104495; HESD BP 3513.3

The Hueneme Elementary School District (HESD) does not tolerate the use, possession, or sale of tobacco, drugs, including marijuana, alcohol, or related paraphernalia by students, staff or visitors on school campuses, property or at school-sponsored activities. Administrators, in cooperation with law enforcement, must take immediate action to prevent, discourage, and eliminate the use or possession of tobacco, drugs, including marijuana, alcohol, or related paraphernalia on campus, school property and at school activities.

Smoking and the use of all tobacco products, alcohol or drugs, including marijuana shall be prohibited on all District property, including District owned or leased buildings and in District vehicles, at all times by all persons, including employees, students, and visitors at any school or District site or attending any school sponsored events.

HESD also prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products on all District property and in District vehicles at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroine.

Section 119405 of the Health and Safety Code prohibits the sales of e-cigarettes to minors which means that students should not be in possession of any such devices. Students using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, such as suspension or expulsion, particularly because ENDS are considered drug paraphernalia, as defined by Education Code 48900 et. seq and 11014.5 of the Health and Safety Code. Every person under 18 years of age who purchases, receives, or possesses any tobacco, cigarette, or cigarette papers, or any other preparation of tobacco, or any other instrument or paraphernalia that is designated for the smoking of tobacco, tobacco products of any controlled substance shall, upon conviction, be punished by a fine of seventy-five dollars (\$75) or 30 hours of community service work.

Parents and students are encouraged to seek assistance at their school site. For more information, contact Ventura County Public Health "Call It Quits" at (805) 201-STOP.

School Environment

Dress and Grooming

EC 35183; HESD BP 5132; HESD AR 5132

Pupils may not wear attire which is disruptive to the educational process. For reasons of safety and health students must wear closed shoes to school. Each school in the Hueneme Elementary School District has policies regarding type of clothing to be allowed, such as a policy regarding the prohibition of wearing gang-related clothing and the use of sunscreen at school (EC 35183.5). Copies of the dress code are available at each school site. A school must notify parents at least six months before implementing a school wide uniform policy.

Nondiscrimination Statement

HESD BP 0410

The Hueneme Elementary School District is committed to providing a safe school environment where all individuals are afforded equal access and opportunities. The District prohibits discrimination, harassment, intimidation, bullying and sexual harassment based on actual or perceived ancestry, age, color, mental or physical disability, gender, gender identity, gender expression, immigration status, nationality, marital or parental status, pregnancy status, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics in all educational programs, school related or school sponsored activities, school attendance or employment policies which

may have an impact or create a hostile environment at school as required by Title IX of the 1972 Education amendments, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the California Fair Employment and Housing Act, and other applicable laws and regulations. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling, and the availability of physical education, athletic activities, and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity. The district assures that lack of English language skills will not be a barrier to admission or participation in District programs.

For questions, concerns or to file a complaint regarding discrimination, harassment, intimidation, bullying or sexual harassment, please contact the District's Discrimination, Equity, and Title IX Compliance Officer: Raven Aipa, Senior Director Educational Programs, at 205 North Ventura Rd, Pt Hueneme, CA. (805) 488-3588, ext. 9260 raipa@hueneme.org.

For inquiries about District policies and procedures related to students, please contact David Castellano, Senior Director of Student Support Services, at 205 North Ventura Rd, Pt Hueneme, CA, (805) 488-3588, ext. 9220, dcastellano@hueneme.org.

For inquiries about District policies and procedures related to employees contact Dr. Carlos Dominguez, Deputy Superintendent, at 205 North Ventura Rd, Pt Hueneme, CA, (805) 488-3588, ext. 9300, cdominguez@hueneme.org.

Parent Engagement – School Accountability

EC 11500 thru EC 11503

To participate in the district offerings of parent education and to provide parental input to the local training programs for parents, please contact the district's Senior Director of Student Support Services, David Castellano, at (805) 488-3588 ext. 9220.

Parent Involvement Policy

EC 11500 through EC 11506; HESD BP 6020

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall consult with parents/guardians and family members in the development of meaningful opportunities for them to be involved in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The district's local control and accountability plan shall include goals and strategies for parent/guardian involvement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities.

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

Title I Schools

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/ guardians and family members.

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities.

The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities and shall ensure that priority is given to schools in high poverty areas in accordance with law.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following:

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members.
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502.

Parent Participation in School Meetings and Conferences

Labor Code 230.8

If the parent's employer has 25 or more employees, the parent must be allowed to attend school meetings and events for your children, up to a maximum of 40 hours each year without discrimination or fear of job loss. Purposes to attend child-related activities include: enrollment in grades 1-12, to address child care or school emergency, behavior or discipline problem that requires immediate parent attention, sudden school closure, or natural disaster. (Parent" means a parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in.) If an employer discharges, threatens to discharge, demotes, suspends or otherwise discriminates against the parent, the employee may be entitled to reinstatement and reimbursement for lost income or benefits.

Right to Know Professional Qualifications of Teachers and Paraprofessionals

ESSA Section 1112

In compliance with the requirements of the Every Student Succeeds Act, the Hueneme Elementary School District would like to inform you that you may request information about the professional qualifications of your student's teacher(s) and/or paraprofessional(s). The following information may be requested:

- Whether the student's teacher –
 - has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

- is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
- is teaching in the field of discipline of the certification of the teacher
- Whether the child is provided services by paraprofessionals and, if so, their qualifications

If you wish to request information concerning your child's teacher and/or paraprofessional's qualifications, please contact Dr. Carlos Dominguez, Deputy Superintendent, at (805) 488-3588, ext. 9300, cdominguez@hueneme.org.

School Rules

EC 35291, HESD BP 5131

School site and District discipline rules, policies, and reasonable dress codes have been developed by committees to ensure a safe and effective school environment. School rules are available from the school principal.

Sexual Harassment

EC 231.5, EC 48980(g); HESD BP 5145.7; HESD AR 5145.7

The Hueneme Elementary School District is committed to maintaining learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. For a copy of the district's sexual harassment policy or to report incidences of sexual harassment, please contact David Castellano, Senior Director of Student Support Services, dcastellano@hueneme.org, (805) 488-3588, ext. 9220.

Specialized Education Programs

Before & After School Programs

EC 8482.6, EC 8483(e), EC 8431.1(e), EC 8483.95

The After School Education and Safety Program serves pupils in kindergarten through grade 8 at participating public schools, including charter schools. The grades served by the program at participating schools may be determined by local needs. Programs that charge family fees shall not charge for a child who is homeless or in foster care. In any before or after school program, first priority for enrollment goes to pupils who are identified by the program as homeless at the time they apply or at any time during the school year, and pupils who are identified by the program as being in foster care; second priority in programs serving middle and junior high school pupils goes to those who attend daily. The program must inform the parent or caregiver of a pupil of the right of homeless and foster children to receive priority enrollment and how to request priority enrollment.

Bilingual Education

EC 52173, 5 CCR 11303

California Law requires the school district to provide parents and guardians an opportunity for consultation prior to placement of child in a program of bilingual education. It requires notification, in writing or in person, to inform parents and guardians: 1) in a simple, nontechnical description of purposes, method, and content of the program; 2) that they have the right and are encouraged to visit classes and to come to the school for a conference to explain the nature and objectives of bilingual education; 3) of their right not to have their child enrolled in such a program; and 4) of the opportunity to participate in the school or school district advisory committee, or both. Written notice shall be provided in English and the primary language of the pupil. Information about the district's bilingual programs, in English and Spanish, are available at school and district offices.

Education for Foster Youth

EC 28645.5, EC 48204, EC 48853, EC 48853.5; WIC 317, WIC 16010; HESD BP 6173.1

All pupils in foster care are entitled to a meaningful opportunity to meet the challenging state pupil academic achievement standards to which all pupils are held. They shall be placed in the least restrictive educational programs and have access to the same academic resources, services, and extracurricular and enrichment activities that are available to all pupils. Each local educational agency is required to designate a foster care educational liaison. The liaison serves as an advocate for all foster youth that reside within his/her district, and ensures that every foster youth has a proper school placement, transfer of records, and immediate enrollment in school. School enrollment is not contingent upon receipt of a student's academic or medical records. Because school stability is extremely important to a child living in foster care, a foster child is allowed to remain in his or her school of origin, even if the child's home placement changes, for the duration of the school year. Students who do change schools during the school year are able to receive practical credit for coursework that is satisfactorily completed. If any dispute arises as to the school placement of a foster child, the student has the right to remain in his or her school of origin pending the resolution of the dispute. Each local educational agency is required to have a dispute resolution process in place that relates to the enrollment of foster youth within their school jurisdiction. The local liaison can assist parents or students in the dispute resolution process.

The Foster Youth educational liaison for the Hueneme Elementary School District is David Castellano, Senior Director of Student Support Services. He may be reached at (805) 488-3588, ext. 9220, dcastellano@hueneme.org.

Education for Homeless Youth (McKinney Vento Act)

42 USC 11432; EC 48853, EC 49069, EC 51225.1, EC 51225.2; HESD BP 6173

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school-aged children to the same free and appropriate public education that is provided to non-homeless students. A homeless student is defined as a person between the ages of six to eighteen who lacks a fixed, regular, and adequate nighttime residence and may:

- Live in an emergency or transitional shelter; abandoned building, parked car, or other facility not designed as a regular sleeping accommodation for human beings
- Live doubled-up with another family, due to loss of housing stemming from financial problems (e.g., loss of job, eviction or natural disaster)
- Live in a hotel or motel, a trailer park or campsite with their family
- Be a migratory or abandoned, runaway, or pushed out youth that qualifies as homeless because he/she is living in circumstances described above

Students are identified through an interview with the district's Homeless Youth Liaison, David Castellano, Senior Director of Student Support Services. You may contact him at (805) 488-3588, ext. 9220, dcastellano@hueneme.org.

The law requires the immediate enrollment of homeless students. Schools cannot delay or prevent the enrollment of a student due to the lack of proof of residency, immunization records, school records or legal guardianship papers. It is the responsibility of the school to request all necessary documents from the previous school, and refer parents to all programs and services for which the student is eligible. Referrals may include, but are not limited to: free nutrition, special education services, tutoring, preschool, before and after school services and any other services needed. Unaccompanied youth have these same rights.

A homeless student has the same responsibility to attend school and follow all school rules as any other student but also has the right to choose between attending either the school that the student was last enrolled or the school of residence. The District shall assist with transportation as appropriate, at the request of the parent/guardian/unaccompanied homeless youth, to and from the school of origin, if feasible.

Additionally, effective January 1, 2015, Assembly Bill 1806 provides certain graduation exemptions for homeless students who transfer schools after the 2nd year of high school from high school graduation requirements beyond statewide coursework requirements, with exceptions. The bill also extends to homeless students an existing provision requiring coursework completed while attending another school to be issued full or partial credit. The bill also provides that the district homeless liaison should be notified of expulsion recommendations and invited to any IEP's where an expulsion determination is made.

If a dispute arises over school selection or enrollment, the parent/guardian has the right to dispute the school's decision. For further information please contact the Homeless Youth Liaison.

English Learners Identification Notice

EC 313.2

Parents are to be notified by schools that in addition to the child's English proficiency status, for which they are notified using the English Language Proficiency for Assessments for California (ELPAC), and they are to be notified that their child is a "Long-term English Learner" or is an "English learner at-risk of becoming a Long-term English Learner".

Language Acquisition Program

EC 310; 5 CCR 11309

Hueneme Elementary School District is committed to preparing ALL students to function in a diverse, multicultural society. To achieve this goal, we offer students who are acquiring English a comprehensive education program for English Learners. The central purpose of this program is to ensure that all children in our schools receive the highest quality education, master the English language, and access high-quality, innovative, and research-based language programs that prepare them to participate in a global economy. (E.C. § 300(n).)

Hueneme Elementary School District offers the following Language Acquisition Programs for English Learner students:

Sheltered English Immersion Program (SEI)
Transitional Bilingual Education (TBE)
Dual Language Education Program (DL)

Students are provided the same academic course of study as all students in the district at the same grade level and are held to the same academic standards. All English learner students receive designated and integrated instruction on the English Language Development (ELD) standards.

The District informs parents of the results of the current California English language proficiency test and the placement of their child in a program for their English learner student. Information about the district's language acquisition programs is available at the school and district offices or by contacting David Castellano, Senior Director of Student Support Services at (805) 488-3588, ext. 9220, dcastellano@hueneme.org.

Migrant Education

EC 5444.2; HESD BP 6175; HESD AR 6175

The Hueneme Elementary School District will actively support students enrolled in the Migrant Education Program administered by Migrant Education Program Region 17, housed in the Ventura County Office of Education.

Student Information and Records

Directory Information

EC 49073; 20 USC 1232h

"Directory Information" includes one or more of the following items: student's name, address, telephone number, e-mail 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 public or private school attended by the student. The District has determined

that the following individuals, officials, or organizations may receive directory information:

- State and local enforcement agencies.
- Probation, adoption, child protective agencies.
- Potential employers (age and scholastic records only).
- News media (awards, honors, activities, etc.).
- Military Recruiters

No information may be released to private profit making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil's directory information. Directory information regarding a pupil identified as a homeless child or youth shall not be released unless a parent, or eligible pupil given parental rights, has provided written consent that directory information may be released.

Educational Equity: Immigration and Citizenship Status

EC 200, EC 220; EC 234.1 (adding Article 5.7 to EC 234.7), EC 66251, EC 66260.6, EC 66270, EC 66270.3

Educational Equity

The Equity in Higher Education Act, states that all persons, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic such as hairstyles, equal rights and opportunities and adds this opportunity to apply for financial aid for higher education to also be equitable, and an application may not be denied of a student based on their immigration status. This does not guarantee any final eligibility, but simply an ability to apply for financial aid just like any other student, without discrimination.

Educational Equity: Immigration and Citizenship Status

All persons in public schools, regardless of their Immigration status, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, are to be afforded equal rights and opportunities in the schools, and are not to be discriminated against on the basis of these specific characteristics in any program or activity conducted by the school that receives or benefits from state financial assistance or enrolls students who receive state financial aid. School officials are prohibited from collecting information or documents regarding citizenship or immigration status of students or their family members. Schools are to adopt a policy that prohibits and adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. The superintendent of a school district or county office of education and principal of a charter school are to report to the governing board of local educational agency in a timely manner any requests for information or access to the school site by an officer or employee or a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. Schools are encouraged, when an employee is aware that a student's parent or guardian is not available to care for the student, to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the student's care unless the school is able to arrange for care through the use of emergency contact information or instructions provided by the student's parent or guardian. Governing boards or schools are to provide information to parents and guardians as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs.

Pupil Records

EC 49063, EC 49069; 34 CFR 99.7; 20 USC 1232g; HESD BP 5125

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records. Parents/guardians have the right to:

1. inspect and review the pupil's educational record maintained by the school,

2. request that a school correct records which they believe to be inaccurate or misleading, and
3. have some control over the disclosure of information from educational records.

School officials with legitimate educational interests may access pupil records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a pupil seeks or intends to enroll, the District shall disclose educational records without parental consent.

Parents' request to access their pupil's educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of pupil records are available to parents for a fee per page.

Any challenge to school records must be submitted in writing to the school principal. A parent challenging school records must show that the records are:

1. inaccurate,
2. an unsubstantiated personal conclusion or inference,
3. a conclusion or inference outside the observer's area of competence,
4. not based on the personal observation of a named person with the time and place of the observation noted,
5. misleading, or
6. in violation of the privacy or other rights of the pupil.

Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

Surveys

EC 51513; HESD AR 5022

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. Questions pertaining to the sexual orientation and gender identity of a student shall not be removed from a survey that already includes them.

Complaint Procedures

Uniform Complaint Procedures

5 CCR 4622; EC 234.1, EC 32289, EC 234.1; HESD BP 1312.3; HESD AR 1312.3

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (EC) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in Section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity,

religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics; 5) unlawful imposition of pupil fees for participation in educational activities in public schools; and 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3. 7) noncompliance with physical education instructional minutes at specified grade levels; 8) inappropriate assignment of a pupil to courses without educational content or previously completed and received a grade sufficient for satisfying the requirements for high school graduation and admission into post-secondary education; 9) noncompliance with education provisions for pupils in foster care, who are homeless, or who are former juvenile court school students; and 10) failure to reasonably accommodate lactating pupils.

A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to the compliance officer who will coordinate an investigation and response within 60 calendar days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 calendar days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in Section 4650 of Title 5 of the California Code of Regulations exists, including cases in which the district has not taken action within 60 calendar days of the date the complaint was filed with the district. If a district is found to have violated a state or federal law and/or regulation, and the District does not take corrective action to comply, then various civil remedies may be available. For additional information or assistance contact the following compliance officer: David Castellano, Senior Director of Student Support Services, Hueneme Elementary School District, 205 North Ventura Road, Port Hueneme, CA 93041, (805) 488-3588, ext. 9220, dcastellano@hueneme.org.

*Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school must be filed within one (1) year from the date the alleged violation occurred. A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees.

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

Williams Complaint Policy and Procedure

EC 35186; HESD AR 1312.4

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the Hueneme Elementary School District office. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

California Education Codes

Circumstances for Recommending Expulsion

EC 48915

- (a) (1) 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 determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:
 - (A) Causing serious physical injury to another person, except in self-defense.
 - (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
 - (C) 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 either of the following:
 - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
 - (D) Robbery or extortion.
 - (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- (2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.
- (b) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:
 - (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
 - (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
- (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 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. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.
 - (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.
- (d) The governing board of a school district shall order a pupil expelled upon finding that the pupil committed an act listed in

subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

- (1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.
 - (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
 - (3) Is not housed at the schoolsite attended by the pupil at the time of suspension.
- (e) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:
- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
 - (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
- (f) The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.
- (g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.
- (h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

Harassment, Threats or Intimidation

EC 48900.4

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

Hate Violence

EC 48900.3

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233.

Limitations on Imposing Suspension

EC 48900.5

- (a) Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069.7. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools

determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

- (b) Other means of correction include, but are not limited to, the following:
- (1) A conference between school personnel, the pupil's parent or guardian, and the pupil.
 - (2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.
 - (3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and the pupil's parents.
 - (4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)).
 - (5) Enrollment in a program for teaching prosocial behavior or anger management.
 - (6) Participation in a restorative justice program.
 - (7) A positive behavior support approach with tiered interventions that occur during the schoolday on campus.
 - (8) After school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
 - (9) Any of the alternatives described in Section 48900.6

Rights of Parents and Guardians to Information

EC 51101 (in part)

The parents and guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

1. Within a reasonable period of time after making the request, to observe their child's classroom(s).
2. Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.
3. To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher.
4. To be notified on a timely basis if their child is absent from school without permission.
5. To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of their child's school on standardized statewide tests.
6. To request a particular school for their child, and to receive a response from the school district.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of their child's class(es).
9. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
10. To have access to the school records of their child.
11. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
12. To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
13. To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
14. To participate as a member of a parent advisory committee, schoolsite council, or site-based management leadership team.
15. To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.

16. To be notified, as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

Suspension and Expulsion Education Code

EC 48900 et seq.

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 110535) 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 his or her 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, 288, 288a, or 289 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 pre-initiation 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 his or her physical or mental health.
 - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
 - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - (2) (A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager of a communication, including, but not limited to any of the following:
 - (i) A message, text, sound, video or image.
 - (ii) A post on a social network Internet 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 above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(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, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her 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 may use his or her discretion to provide alternatives to suspension or expulsion 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.

Sexual Harassment

EC 48900.2

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

Terroristic Threats

EC 48900.7

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

Acknowledgement of Receipt and Review – Annual Notification to Parents 2020-2021

The Hueneme Elementary School District is required to annually notify parents and guardians of rights and responsibilities in accordance with Education Code 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact the principal at your child’s school. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Pursuant to Education Code 48982, the parent/guardian shall sign this notice and return it to the school. Signature on the notice is an acknowledgment by the parent or guardian that he or she has been informed of his or her rights but does not necessarily indicate that consent to participate in any particular program or activity has been given or withheld.

Student Name: _____

School: _____ Grade: _____ Room: _____

Parent/Guardian Name: _____

Address: _____

Telephone Number: _____

I have received and read the bulletin, "ANNUAL NOTIFICATION TO PARENTS 2020-2021" regarding equal educational and employment opportunities and my rights relating to topics, courses, and activities, outlined in this notice. I acknowledge receipt of this notice and give my consent for the above named pupil to be included in the designated courses, topics and activities **with exceptions noted above.**

PARENTAL OBJECTION

I hereby object to the participation of the above named pupil in the following topics, courses or activities:

- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____

Signature of Parent/Guardian

Date

If you should have any questions, comments or concerns, please email your site administrator.

Please complete this form and return it to your child’s school.