

Lammersville Unified School District
111 De Anza Blvd.
Mountain House, CA 95391

Elementary (K-5)
Student Handbook

TABLE OF CONTENTS

TITLE	PAGE
Lammersville Unified Mission and Beliefs	3
Superintendent's Message	3
Governing Board	3
Principal's Message	4
Site Administration	4
Health	5
Security	10
ACADEMIC HONESTY	10
ATTENDANCE	10
• Tardy Policy and SARB	12
CLASSROOM DISCIPLINE	13
DISCIPLINE PHILOSOPHY	13
CODE FOR THE SCHOOL COMMUNITY	14
○ Student Rights & Responsibilities	
○ Parent Rights & Responsibilities	
○ Teacher Rights & Responsibilities	
○ Administrator Rights & Responsibilities	
○ School Board Rights & Responsibilities	
Bullying Prevention Board Policy (PB 5129)	40
Parent Responsibility/Lost or Damaged School Property	44
Homework	45
Request Official Copies of Record	45
LUSD Acceptable use Agreement (AUA) Network and Computer Related Resources	48
Notice of Rights and Responsibilities	51
❖ Uniform Complaint Procedures	59
❖ Sexual and Gender-Based Harassment (BP 5145.7)	69
Child Abuse Reporting Guidelines	76
Required Signatures for Handbook	78

Lammersville Unified School District Mission and Beliefs

Mission:

The mission of the Lammersville Unified School District is to prepare students to become responsible decision makers who, as lifelong learners, are college and career ready and are productive contributors of their local and global community.

Beliefs:

We believe that:

- Every human being is important and has value.
- The freedom and rights enjoyed in society require that individuals take responsibility for their actions
- The family is the critical element in an individual's development.
- Reaching one's potential requires great effort.
- Expectations profoundly influence our own performance and the performance of others.
- Every person is responsible for making the community a better place.
- Honesty and integrity are essential to building trusting relationships.
- People learn best in a safe, healthy environment.
- Meaningful accomplishment enhances the motivation essential for continued success.

Superintendent's Message:

Governing Board:

District Administration

Principal's Message

HEALTH

All students registering for Kindergarten must have up to date immunization records, physical or waiver, and oral health assessment or waiver prior to enrollment.

Vision and hearing screenings will be done for grades K, 2, 5 & 8.

Regional Immunization Data Exchange (RIDE)

RIDE is a computer-based program that helps us keep track of your child's shots and contacts you when shots are due. The information in **RIDE** is **confidential**. Your information will only be shared with authorized users such as (a) Doctor, clinic, or hospitals (b) School or Day Care centers (c) WIC (d) Health Care Plans (e) California Department of Public Health Immunization Branch. As the parent/legal guardian of your child, you do have the right to refuse to participate in this program. For more information please call your healthcare provider. RIDE Immunization Registry is a program of San Joaquin County Public Health Services, (209) 468-2292 www.izride.com.

PERTUSSIS

On September 29, 2010, a new law was passed (AB 354) that changed California immunization requirements for students entering 7th grade in public and private schools.

- All students entering 7th–12th grades in the coming school year (2011– 2012) must have proof of a Tdap booster shot. Documentation must state the shot was given on or after their 7th birthday. This means that ALL current 6th–11th graders must get up to date now.
- Schools will turn away students who are not up to date beginning July 1, **2012**.
- All students entering 7th grade in the coming school year (2014– 2015) must have proof of a Tdap booster shot. Documentation must state the shot was given on or after their 7th birthday. **This means that ALL current 6th grade students must update current Pertussis vaccinations before entering 7th grade.**

Remember to ask your physician about other vaccines your child may need, and bring your child's yellow immunization card to the visit. Please return a copy of ALL up to date immunizations to your child's school. For questions, please call your primary physician today or call the San Joaquin County Public Health Services Immunization Program at (209) 468-3481.

No students will be allowed to attend school, without up to date immunizations.

DIABETES

Type 2 Diabetes Information

Pursuant to California *Education Code* Section 49452.7, this type 2 diabetes information is for local educational agencies to provide to parents and guardians of incoming seventh grade students beginning July 1, 2010.

The California Department of Education developed this type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children’s Hospital of Orange County. Also see [available translations](#) of this information.

Description
Type 2 diabetes is the most common form of diabetes in adults.

- Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

The body turns the carbohydrates in food into glucose, the basic fuel for the body’s cells. The pancreas makes insulin, a hormone that moves glucose from the blood to the cells. In type 2 diabetes, the body’s cells resist the effects of insulin, and blood glucose levels rise.

Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.

Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

Risk Factors Associated with Type 2 Diabetes

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

Risk Factors

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

Being overweight. The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.

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

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

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

Puberty. Young people in puberty are more likely to develop Type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms Associated with Type 2 Diabetes

Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has Type 2 diabetes.

Increased hunger, even after eating

Unexplained weight loss

Increased thirst, dry mouth, and frequent urination

Feeling very tired

Blurred vision

Slow healing of sores or cuts

Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms

Irregular periods, no periods, and/or excess facial and body hair growth in girls

High blood pressure or abnormal blood fats levels

Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.

Get more physical activity. Increase physical activity to at least 60 minutes every day.

Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat Type 2 diabetes with medication.

The first step in treating Type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to Type 2 diabetes).

Types of Diabetes Screening Tests That Are Available

Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.

Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.

Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.

Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children, is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions.

References

[American Diabetes Association Clinical Journal](#) (Outside Source)

[Helping Children with Diabetes Succeed: A Guide for School Personnel](#) (PDF; Outside Source)

[Kids Health](#) (Outside Source)

[Mayo Clinic](#) (Outside Source)

[National Library of Medicine \(NLM\) and National Institutes of Health's \(NIH\) MedLine](#)
(Outside Source)

[US Centers for Disease Control and Prevention](#) (Outside Source)

Head Injury/Concussion

EC 49475. (a) If a school district elects to offer an athletic program, the school district shall comply with both of the following:

(1) An athlete who is suspected of sustaining a concussion or head injury in an athletic activity shall be immediately removed from the activity for the remainder of the day, and shall not be permitted to return to the activity until he or she is evaluated by a licensed health care provider, trained in the management of concussions, acting within the scope of his or her practice. The athlete shall not be permitted to return to the activity until he or she receives written clearance to return to the activity from that licensed health care provider.

(2) On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition.

(b) This section does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course required pursuant to subdivision (d) of Section 51220.

Administration of Epilepsy Medication

A parent or guardian of a pupil with epilepsy who has been prescribed an emergency antiseizure medication by the pupil's healthcare provider may request the pupil's school to have one or more of its employees receive voluntary training, as specified, in order to administer the antiseizure medication, as defined, in the event that the pupil suffers a seizure when a nurse is not available.

Minors: Medical Care: Consent

AB499

Existing law allows minor to consent to specified forms of medical or dental treatment. FC 6922. (a) A minor who is 12 years of age or older and who may have come into contact with an infectious, contagious, or communicable disease may consent to medical care related to the diagnosis or treatment, if the disease or condition is one that is required by law or regulation adopted pursuant to law to be reported to the local health officer, or is a related sexually transmitted disease, as may be determined by the State Public Health Officer.

- (a) Minor who 12 years of age or older may consent to medical care related to the prevention of a sexually transmitted disease
- (b) The minor's parents or guardian are not liable for payment for medical care provided pursuant to this section.

SECURITY

Surveillance Cameras on Campus

Cameras are installed at the school sites for safety and security, and information will be shared with the San Joaquin Sherrifs Department for any violations of the law.

ACADEMIC HONESTY

All work submitted by students should be a true reflection of their effort and ability. If it is not, then the student has demonstrated unacceptable behavior. The following instances are considered cheating:

- Claiming credit for work that is not the product of one's own honest effort.
- Providing unwarranted access to materials or information so that others may dishonestly claim credit.
- Submitting work done entirely or in part by another person.
- Giving test answers to another student or getting test answers from another student.
- Representation of another person's words or ideas as your own by not properly citing the source and giving the author credit.
- Copying from the internet and/or from another student.
- Knowledge and tolerating of the foregoing circumstances.

Any behavior, which can be defined as cheating, represents a violation of mutual trust and respect essential to education. Students who cheat should expect to be confronted by their teacher and be subject to the following penalties.

- A "zero" on submitted work.
- Possible disciplinary referral.
- Notification of parents.

If a student is found to have cheated a second time or is involved in a particularly serious act of cheating, the student will be referred to the assistant principal or principal for a formal hearing of those concerned (student, teacher, parents, counselor, administrator). Consequences may include suspension from class, school, or loss of class credits.

ATTENDANCE: COMPULSORY ATTENDANCE REGULATIONS

1. Education Code 48260 -- Any pupil subject to compulsory continuation education who is absent from school without valid excuse more than three (3) days or tardy in excess of 30 minutes on each or more than three (3) days in one school year is a truant and shall be reported to the attendance supervisor or to the Superintendent of the school district. See Disciplinary Violations and Consequences, Miscellaneous School Rules, Section R.
2. Education Code 48261 -- Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one (1) or more days, shall again be reported as a truant to the attendance supervisor or the Superintendent of the district.

3. Education Code 48262 -- Any pupil who is deemed a habitual truant who has been reported as a truant three (3) or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent/ guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261.
4. Education Code 48263 -- If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance, as defined in this article, or is referred to a school attendance review board, the supervisor of attendance, or such other persons as the governing board of the school district or county may designate, making such referral shall notify the minor and parents/guardians of the minor, in writing, of the name and address of the board to which the matter has been referred and of the reason for such referral. The notice shall indicate that the pupil and parents/guardians of the pupil will be required, along with the referring person, to meet with the school attendance review board to consider a proper disposition of the referral.
5. 48263.6. Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with Sections 48260, 48260.5, 48261, 48262, 48263, and 48291.

Absences from school are defined as follows:

Excused. The teacher will allow a student to make up the work during an **excused** absence; to the extent it is possible. Students will have the same number of days that they were absent from school to make up their work. Excused absences will be granted for the following reasons:

- a. Personal illness; a doctor's note is required if over 10 days.
- b. Medical, dental, optometrist or chiropractic services. Students are strongly urged to make appointments during non-school hours.
- c. Attending funeral services of an immediate family member. (Grandparents, parents, sibling)
- d. Exclusion for not having been properly immunized; these absences will not be excused for more than 5 days.
- e. Approved travel study.
- f. Religious instruction (Ed. Code 46014) (AR 5113)
- g. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy (Education Code 46014)
 - In such instances, the student shall attend at least the minimum school day.
 - The student shall be excused for this purpose on no more than four days per school month.
- h. Any pupil who is a dependent of military personnel shall be granted up to 5 days of excused absence or independent study when the parent is either deployed or returning from a deployment.

Unexcused: Students will not be allowed to make up work missed if an absence is unexcused. Teachers' procedures and process for make-up work should be clearly explained to both students

and parents in the individual class syllabus. Listed below are the most common reasons given for absences that will be considered unexcused:

- a. Family vacations and extended weekend trips.
- b. Oversleeping
- c. Cutting
- d. Car trouble
- e. Any absence considered excused which is not cleared by a parental or doctor's note within 48 hours of returning to school.

This list is not all-inclusive. If you have specific questions regarding unexcused absences, please contact your school's attendance secretary.

Students should not be dropped off any earlier than 5 minutes prior to the opening of the school breakfast program. Students should be picked up from school no later than 15 minutes after the dismissal bell. Inter/Intra-district transfers may be revoked due to violations of these times. Students who are not participating in approved after-school extra-curricular or athletic programs must leave the campus within 15 minutes of dismissal. Continuous violation of this policy may result in the student being transported to Mountain House Sheriff for supervision and parent notification.

Independent or Travel Study

Travel Study is a program available to students who must leave school for 5 or more days. This program provides students with the opportunity to maintain their grades and credits in their classes. Students who fit the above criteria and who wish to utilize the Travel Study program should contact the Attendance more than one week prior to leaving school to obtain and complete the appropriate forms. The contract must be approved by the Principal or his designee. *The Principal's signature is required PRIOR to beginning Travel Study.* Students not completing travel study forms and receiving approval in advance will not receive credit and will be considered unexcused. Upon returning to school, the homework should be attached to the travel study sheets and turned in immediately to the teachers to grade. When the work is graded, a bottom portion of the form is forwarded to Attendance and the absences are excused.

TARDY POLICY FOR UNEXCUSED CLASSROOM TARDIES

Tardy

Students are tardy to class if they are not in their classroom and attending to teachers' directions. Please refer to the school site tardy policy.

SCHOOL ATTENDANCE REVIEW TEAM - SART

The School Attendance Review Team may be conducted after a student has been declared truant. During this meeting a plan may be developed to correct a student's attendance.

SCHOOL ATTENDANCE REVIEW BOARD - SARB

A board comprised of teachers, administrators, counselors, law enforcement officials, and community representatives that utilize school/community services to help students resolve problems dealing with irregular school attendance or habitual truancy. The School Attendance

Review Board also has the authority to refer habitually truant students, as well as their parents, to the District Attorney for appropriate legal action.

STUDENT STUDY TEAM – SST

A Student Success Team (SST) meeting held between staff and parents, which is aimed at improving student's academic and behavioral functioning.

CLASSROOM DISCIPLINE

For TK-5 grade students, if a student does not comply with classroom rules and/or teacher's directions, the teacher may take the following action(s):

1. Warning, detention, or referral (teacher will contact the parents the same day on referrals).
2. Automatic referral to the office for severe disruption (e.g., fist fight, profanity, and blatant defiance).
3. Systematic exclusion from class for constant or consistent disruption. A student-parent-teacher conference with an administrator will be held before this is put into effect with a student.

DISCIPLINE PHILOSOPHY

Ed Code 48900.5: Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended 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 or property or threatens to disrupt the instructional process.

Ed Code 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.

Ed Code 48911.1

- a) A pupil suspended from a school for any of the reasons enumerated in Sections 48900 and 48900.2 may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff, or if an action to expel the pupil has not been initiated.
- b) Pupils assigned to a supervised suspension classroom shall be separated from other pupils at the school site for the period of suspension in a separate classroom, building, or site for pupils under suspension.
- c) School districts may continue to claim apportionments for each pupil assigned to and attending a supervised suspension classroom provided as follows:
 1. The supervised suspension classroom is staffed as otherwise provided by law.
 2. Each pupil has access to appropriate counseling services.
 3. The supervised suspension classroom promotes completion of schoolwork and tests missed by the pupil during the suspension.
 4. Each pupil is responsible for contacting his or her teacher or teachers to receive assignments to be completed while the pupil is assigned to the supervised suspension classroom. The teacher shall provide all assignments and tests that the pupil will miss while suspended. If no classroom work is assigned, the person supervising the suspension classroom shall assign schoolwork.
- d) At the time a pupil is assigned to a supervised suspension classroom, a school employee shall notify, in person or by telephone, the pupil's parent or guardian. Whenever a pupil is assigned to a supervised suspension classroom for longer than one class period, a school employee shall notify, in writing, the pupil's parent or guardian.
- e) This section does not place any limitation on a school district's ability to transfer a pupil to an opportunity school or class or a continuation education school or class.
- f) Apportionments claimed by a school district for pupils assigned to supervised suspension shall be used specifically to mitigate the cost of implementing this section.

For ongoing questions and concerns regarding your child please:

1. discuss matters with your child(ren)'s teacher(s)...
2. if concerns still exist then discuss matters with the school's administration...
3. if concerns still exist then discuss matters with the Assistant Superintendent of LUSD...
4. if concerns still exist then request through the Superintendent a meeting with the LUSD Governing Board.

Rights and Responsibilities

Each Student has the Right to:

- a. be respected as an individual human being.
- b. equal educational opportunities without discrimination.
- c. a safe, secure, and positive learning environment.

- d. learn without disruptions from others and to engage in normal school activities without harassment or harm from others.
- e. express his/her concerns and have them heard and respected as long as they are expressed responsibly and at an appropriate time.
- f. receive fair and consistent treatment which includes a clear explanation of rules and consequences.

Each Student has a Responsibility to:

- a. respect the authority of teachers, principals, and other school personnel to enforce district and school rules in a courteous and cooperative manner.
- b. behave in classrooms and on school campuses without disrupting or interfering with the rights or property of other students and staff.
- c. understand and abide by all classroom and school rules. show respect for and take proper care of property belonging to the school district.

Each Parent has a Right to:

- a. be respected as an individual human being.
- b. expect his/her child to attend a school which emphasizes learning and growing in an environment free of detrimental influences.
- c. be informed of disciplinary problems and actions.
- d. due process for each child.
- e. visit the school to observe programs (with prior arrangement).
- f. be informed of student achievements, awards, and honors.
- g. be provided with a qualified translator when 15% of the students in the school speak that
- h. language.

Each Parent has a Responsibility to:

- a. be aware that he/she is legally obligated to share responsibility with the school for the behavior of his/her child while he/she is in transit or at school.
- b. understand and support local school behavior standards.
- c. help the child understand, accept, and respect all school rules.
- d. cooperate with school officials in carrying out appropriate disciplinary actions and seek out appropriate community agencies for assistance when necessary.
- e. bring all issues, problems, or concerns happening at school regarding other students to the site administrator and NOT confront or address issues, problems, or concerns with other students.
- f. reinforce educational achievement of his/her child and communicate achievements at home to school staff for reinforcement at school.
- g. ensure regular and prompt attendance and notify the school in the event of an absence or tardiness.
- h. read all communications which come from school and respond when requested.
- i. be financially responsible for their children losing school materials/equipment and/or causing damage to school property or personal property of any school employee.

- j. send children to school clean, rested, well-nourished, appropriately dressed, and ready to learn.

Each Teacher has a Right to:

- a. be respected as an individual human being.
- b. work in a safe, secure, and positive learning environment.
- c. expect students to attend school regularly, punctually, and prepared to learn to the best of their ability.
- d. expect parents to meet with school personnel and discuss their child's behavior and/or academic performance when necessary.
- e. expect parents to be responsible for their child's behavior.
- f. require detention for up to one hour after school.
- g. suspend a student for violations of Ed Code 48900 (a) - (r) for the day of the infraction plus one additional day (Ed Code 48900.1)

Each teacher has a Responsibility to:

- a. provide a safe, secure, and positive learning environment.
- b. review and enforce with students the district discipline policies and school rules.
- c. communicate regularly with students, parents, and appropriate school personnel regarding
- d. behavior problems and proposed solutions, and/or academic progress, as well as outstanding
- e. student achievements.
- f. inform parents of rules and policies related to behavior and discipline.
- g. exhibit fair, consistent treatment of all students.

Each Administrator has a Right to:

- a. be respected as an individual human being.
- b. expect students, parents, and teachers to cooperate with the administration of state laws, district policies and school rules which govern the operation of the school.
- c. expect parents to communicate their concerns, questions, and suggestions first with the teacher and then with the principal.
- d. give consequences for violation of the education code, state and federal laws.
- e. investigate violations and question students without parental consent.
- f. search and seizure with reasonable suspicion without parental consent.
- g. inform law enforcement agencies and ask for assistance/collaboration regarding student violation of state and federal law.
- h. request law enforcement agencies to investigate violations, and/or question students without parental consent release pupil directory information including pupil's name, address, telephone number, date of birth, and email address as per EC 49076.

Each Administrator has a Responsibility to:

- a. create a safe, secure, and positive teaching-learning environment by properly exercising authority assigned by the School Board, the Superintendent, and state laws.
- b. communicate to parents, staff, and students the state laws, district policies, and school rules which govern behavior expectations.
- c. assist students, parents, and staff in seeking solutions to problems.
- d. establish procedures for encouraging and recognizing positive behavior.

- e. be fair, firm, and consistent in enforcing district policies and school rules, and in decisions affecting students, parents, and teachers.
- f. maintain open lines of communication between school and home.

The School Board has a Right to:

- a. be respected as the policy formulating body of the school district.
- b. expect students, parents, teachers, and administrators to comply with state laws, and district policies as established by the Governing Board.
- c. expect parents to communicate their concerns, questions, and suggestions first with the
- d. teacher, then with the administration, then with Director of Student Services, and finally with the Governing Board.

The School Board has a Responsibility to:

- a. establish policies and procedures which create a safe, secure, and positive teaching-learning
- b. environment at each of the district’s schools.
- c. assist students, parents, and staff in seeking solutions to problems by directing them to the appropriate administrative office.
- d. insure that administrators are fair, firm, and consistent in enforcing District policies and school rules, and in decisions affecting students, parents, and teachers.
- e. establish policies and procedures for encouraging and recognizing positive student behavior.
- f. establish policies and procedures which maintain open lines of communication between school and home.

DISRUPTION THREATENING PUPIL’S IMMEDIATE PHYSICAL SAFETY

PC 626. 8 (a) Any person who comes into any school building or upon any school ground, or adjacent street, sidewalk, or public way and willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of any pupil in preschool, kindergarten, or any of grades 1-8, inclusive, arriving at, attending, or leaving from school is guilty of a misdemeanor.

DUE PROCESS

Students facing major disciplinary action (such as suspension, expulsion, or transfer to another school) have a right to a fair hearing. The process requires that procedures be established to guarantee that penalties, which deny access to educational opportunity, are administered for good and just cause.

Due process procedures entitle students to: 1) oral or written notification of the charges; 2) explanation of the evidence; 3) opportunity to present his/her side of the story; and 4) a right to appeal decisions resulting in major disciplinary action to the next higher authority.

The procedures are designed to ensure that corrective action, if any, is taken only after a thorough examination of the facts. The nature of the corrective action must be reasonably related to the nature and circumstances of the violations.

It is hoped that students will never place themselves in a situation requiring the protection of due process. However, if a student does become involved in a situation in which a suspension, expulsion, or transfer might result, both the student and his/her parents will be given a more detailed description of the due process procedures.

DISCIPLINARY ACTIONS

CONFERENCE- A school official will conference with the child to reach an agreement regarding the student's future behavior.

PARENT INVOLVEMENT- A conference may be held among school officials, parent/guardian, and the student in an attempt to correct the student's behavior.

ON-SITE DISCIPLINE- The student remains at school and receives appropriate action, such as detention and/or temporary removal from the classroom.

DETENTION- Students may be assigned detention as a part of the Student Conduct Code. Detention can be assigned by the teacher or site administration. The detention can involve doing school work or community service for the school. Detention may be assigned at break, lunch, or after school. Parents not wishing children to serve detention at lunch or break must send a note to the school indicating that your child will not serve detention at that time and your child will be given an alternate time in which to serve the detention. **ADMINISTRATIVE DETENTION** is voluntary (per administration) when used in lieu of suspension.

STUDENT ASSISTANCE PROGRAM – SAP - A meeting may be held in conjunction with a Student Success Team (SST) meeting, which is aimed at improving student's academic and behavioral functioning.

SUSPENSION- Suspension is the removal of a student from school for a period of five (5) days or less. The parent or guardian will be notified by telephone or letter that the student is suspended and the conditions of the suspension.

DART- Discipline and Attendance Review Team- DART are utilized at the 10th day of suspension. It is used as a means to develop a plan regarding the student's discipline and behavior.

EXPULSION- Expulsion means the removal of a student from the immediate supervision and control, or the general supervision of school personnel for more than five (5) consecutive school days. The expulsion shall remain in effect until the governing board orders the re-admission of the student. At the time of the expulsion, the governing board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred unless expulsion

under 48915 which may include a full year expulsion, when the student may apply for re-admission to school.

Appealing Suspension Lammersville Unified District Policy 5144.1

Under the provisions of Education Code Section 48914, the District has established the following procedures for appealing a suspension and/or other disciplinary action taken by the school:

- 1) The student or the student's parent or guardian may appeal a suspension and/or other disciplinary action imposed by the assistant principal to the principal of the school. The appeal shall be filed within ten (10) school days of the time that the suspension and/or other disciplinary action took place. A meeting, if requested, must be held within three (3) school days of the time that the principal received the request for an appeal. The principal shall make a decision regarding the appeal within two (2) school days.
- 2) If the appeal is not resolved at the school-site principal level, then the student or the student's parent or guardian may appeal the suspension and/or other disciplinary action to the superintendent or the superintendent's designee. The appeal shall be filed within ten (10) school days of the time that the principal renders his/her decision. A meeting, if requested, must be held within three (3) school days of the receipt of the request by the superintendent or the superintendent's designee. The procedure shall be as follows:
 - a) The superintendent or the superintendent's designee shall determine if there was sufficient evidence to find that the alleged violation occurred, and whether the penalty was appropriate for the violation.
 - b) The pupil may designate a representative to be present with him/her at the meeting, but the representative shall not serve as legal counsel unless the district has a legal counsel present to represent the school district.
 - c) At the meeting, the superintendent or the superintendent's designee shall review all written documents in the case; and the pupil and the pupil's parent/guardian and representative may address the superintendent or the superintendent's designee on the evidence and the appropriateness of the penalty.
 - d) The superintendent or the superintendent's designee shall make a decision within five (5) school days. If the superintendent or the superintendent's designee determines that no violation occurred, all records and documentation regarding the disciplinary proceedings and suspension shall be immediately destroyed and no information regarding the superintendent or the superintendent's designee determines that the penalty imposed was inappropriate for the violation, all records and documentation concerning the suspension and/or other disciplinary action shall be revised to indicate only the facts leading to the penalty imposed by the superintendent or the superintendent's designee.

Rights of Suspended Pupil to Complete Assignments and Tests

The teacher of any class from which a pupil is suspended may require the suspended pupil to complete any assignments and tests missed during the suspension. (Education Code 48913)

Expulsion from Lammersville Unified School District

Definition and Length of Expulsion

Expulsion means the removal of a student from (1) the immediate supervision and control, or (2) the general supervision of school personnel for more than five (5) consecutive school days. The expulsion shall remain in effect until the governing board orders the re-admission of the student. At the time of the expulsion, the governing board shall set a date, not later than the last day of the semester unless expulsion under 48915 which may include a full year expulsion, following the semester in which the expulsion occurred, when the student may apply for re-admission to school.

Authority to Expel

The governing board may expel students for any of the reasons contained in Education Code 48900 and or 48915. Such action, except for single acts of a serious nature, is usually reserved for application where there is a history of misconduct and where other forms of discipline, including suspension, have failed.

The Principal is required to recommend expulsion for the following acts (Education Code 48915):

- (a) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:
 - 1. Causing serious physical injury to another person, except in self-defense.
 - 2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
 - 3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - 4. Robbery or extortion.
 - 5. Assault or battery, as defined in Sections 240 and 242 of the California Penal Code, upon any school employee.

- (b) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) or Section 48900. A decision to expel 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 certified school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
 2. Brandishing a knife at another person.
 3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
 4. Committing or attempting to commit a sexual assault as defined in subdivision (n) or Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- (d) The governing board 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 school site attended by the pupil at the time of suspension.
- (e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board 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), (m), (n) or (o) of Section 48900, or Section 48900.2 or 48900.3 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.

District Disciplinary Review Board

Rather than conducting an expulsion hearing itself, the governing board may appoint an impartial hearing panel composed of three (3) or more certificated personnel of the district, none of whom shall be on the staff of the school in which the student is enrolled. Lammersville Unified School District has elected to establish the District Disciplinary Review Board to serve as a hearing panel on expulsion referrals; serve as a review board on requests for reinstatement.

Procedures for Expulsion

Expulsion Recommendation by Principal / Assistant Principal

When the principal or the assistant principal determine that a student should be recommended for expulsion, the student will be suspended utilizing the regular suspension procedures. The principal or the assistant principal will then prepare a report of the case to include:

1. The student's academic/attendance records;
2. A chronological account of the development of the case and a statement of the conduct which led to the decision to recommend expulsion;
3. A description of actions taken by the school to correct the student's previous misbehavior when the expulsion recommendation is based on violation of subdivision (f), (g), (h), or (k) of Section 48900;
4. Any record of contacts with other agencies and the results of such contacts.

Pre-Expulsion Meeting

The student and the student's parent or guardian will be given an opportunity to meet with the superintendent or the superintendent's designee prior to the expulsion hearing to discuss the facts and charges upon which the recommended expulsion is based and review required expulsion procedures and due process regulations.

The superintendent or the superintendent's designee may also extend the suspension until the governing board has made a decision regarding the recommended expulsion if he/she determines that the presence of the student at school would cause a danger to persons or property or a threat of disrupting the instructional process.

Written Notice of Hearing

The student and the student's parent or guardian shall be entitled to a hearing before the District Disciplinary Review Board to determine whether the student should be expelled.

Written notice of the hearing shall be forwarded by certified mail to the student at least ten (10) calendar days prior to the date of the hearing. The notice shall include:

1. The date, time and place of the hearing;
2. A statement of the specific facts and charges upon which the proposed expulsion is based;
3. A copy of the disciplinary rules of the district and Student Conduct Code which relate to the alleged violation;
4. The opportunity of the student or the student's parent or guardian to:
 - a. Appear in person or to employ and be represented by counsel,
 - b. Inspect and obtain copies of all documents to be used at the hearing,
 - c. Confront and question all witnesses who testify at the hearing, and
 - d. Question all evidence presented, and present oral and documentary evidence on the student's behalf, including witnesses.

Decision to Expel

If the District Disciplinary Review Board decides not to recommend expulsion, the expulsion proceedings shall be terminated and the student shall be immediately permitted to return to school. The decision not to recommend expulsion shall be final.

If the District Disciplinary Review Board recommends expulsion, findings of fact in support of the recommendation shall be prepared and submitted to the governing board. If the governing

board accepts the recommendation for expulsion, acceptance shall be based either upon a review of the findings of facts and recommendations, or upon the results of any supplementary hearing that the governing board may order.

The decision of the governing board to expel a student shall be based upon substantial evidence relevant to the charges given at the expulsion hearing or hearings. The final action to expel a student shall be taken only by the governing board in a public session.

Appealing an Expulsion Action

If a student is expelled from school, the student or the student's parent or guardian may file an appeal with the County Board of Education within thirty (30) days of the board's decision to expel.

SUSPENSION AND EXPULSION

Education Code 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. 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 his or her 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.

Grounds for Suspension and Expulsion Ed. Code 48900

A pupil shall not be suspended from school or recommended for expulsion unless the superintendent 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.
- (a) (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen 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 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) 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.
- (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 the purpose 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, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 322.61, directed specifically toward a pupil or school personnel.

48900 (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).

Grounds for suspension and/or expulsion also include Education Code Sections 48915, 48900.2 and 48900.3.

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.

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.

48915. (a) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

- (1) Causing serious physical injury to another person, except in self-defense.
- (2) Possession of any knife or other dangerous object of no reasonable use to the pupil.
- (3) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
- (4) Robbery or extortion.

- (5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- (b) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel 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.
 - (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 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 school-site attended by the pupil at the time of suspension.
- (e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board 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 shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which 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.

Search and Seizure (BP 5145.12)

The Governing Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property, their lockers and/or vehicles by school officials.

School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law of the rules of the district or the school. The Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure.

When possible, staff may use a metal detector when searching an individual for weapons.

The parent/guardian of a student subjected to an individualized search shall be notified by the district as soon after the search as possible.

Procedures for Suspension

Definition: Suspension means removal of a student from on-going instruction for adjustment purposes.

S.A.P. is the Student Assistance Program. Student Assistant Programs are designed for students experiencing behaviors that result in serious barriers to learning. The primary focus areas of concern are: attendance, academics, behavior and health. SAPs are designed to provide an intermediate level of intervention when classroom and school site interventions have not been

successful. Parent and student involvement in the SAP intervention process is critical. The goal of SAP is to prevent further loss of classroom time due to behaviors that may lead to suspension and/or expulsion. Progressive discipline may include S.A.P. prior to a DART meeting.

DART is a Discipline and Attendance Review Team. DART is utilized at 10 days of suspension. It is used as a means to develop a plan regarding a student's discipline and behavior.

Student Suspensions

Pursuant to Ed. Code 48903,

- (a) Except as provided in subdivision (g) of Section 48911 and in Section 48912, the total number of days for which a pupil may be suspended from school shall not exceed 20 school days in any school year, unless for purposes of adjustment, a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of school days for which the pupil may be suspended shall not exceed 30 days in any school year.
- (b) For the purposes of this section, a school district may count suspensions that occur while a pupil is enrolled in another school district toward the maximum number of days for which a pupil may be suspended in any school year.

Teacher Suspension of a Student Ed. Code 48910

A teacher may suspend, for any of the reasons contained in Section 48900, any student from his/her class for the day of the suspension and the following day.

1. When a teacher suspends a student for any of the reasons contained in Section 48900, the teacher shall immediately report the suspension to the principal / assistant principal for appropriate action.
2. As soon as possible the teacher shall ask the student's parent or guardian to attend a parent-teacher conference regarding the suspension. A counselor should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.
3. A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal / assistant principal.

Principal / Assistant Principal Suspension of a Student Ed. Code 48911

The principal or the assistant principal may suspend and/or place a student on probation for any of the reasons contained in Education Code Section 48900. The suspension shall be limited to five (5) consecutive school days.

- 1) Suspension shall be preceded by an informal conference between the student, a certificated school employee, and whenever practicable, the teacher or supervisor who referred the student to the principal/assistant principal. At the conference, the student shall be informed of the reason(s) for the disciplinary action and the evidence against him/her, and shall be given the opportunity to present his/her version and evidence in support of his/her defense. The conference may be omitted if the principal/assistant principal determines that an emergency situation exists, in that there is a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, then a meeting shall be held as soon as practicable, but not later

than two (2) school days from the day the suspension is ordered unless the student is physically unable to attend due to hospitalization, incarceration, etc., in which case the conference will be held as soon as the student is physically able to return to school, unless the student waives the right to the conference.

- 2) At the time of suspension, a school employee shall make a reasonable effort to contact the student's parent or guardian in person or by telephone or email.
- 3) A notice of the suspension shall be mailed by a school employee to the parent or guardian within two (2) school days of the beginning of a suspension in the primary language of the parent or guardian, if practicable, containing each of the following:
 - a) A statement of the facts leading to the decision to suspend.
 - b) The date and time when the student will be allowed to return to school.
 - c) A statement of the right of the student or parent to request a meeting with the superintendent or the superintendent's designee.
 - d) A statement of the parent's or the student's right to have access to the student's record as provided in Education Code 48914.
 - e) A request that the parent or the guardian attend a conference with school officials regarding the student's behavior, including notice that State law requires parents or guardians to respond to such request without delay.
- 4) While the parent or guardian is required to respond without delay to a request for a conference regarding their child's behavior, no penalties may be imposed on the student for the failure of the parent or guardian to attend such conference. In addition, the student's re-admission shall not be contingent on the attendance of the parents or guardian at such conference.
- 5) Upon notification of suspension, a student's identification card will be confiscated by the administrator or designee. The identification card will be returned to the student upon completion of the suspension term. Failure to surrender I.D. may result in further disciplinary action.

PROHIBITED BEHAVIORS AND DISCIPLINARY ACTIONS

The following chart indicates in general the types of disciplinary action that apply to each behavior problem. This list of behaviors is not all inclusive. Only the most frequent infractions of school rules are listed. California state law permits disciplinary actions including suspension and expulsion for “good cause” and specifies that parents are responsible financially and otherwise for their children’s willful misconduct.

<u>PROHIBITED BEHAVIOR DEFINITION/LEGAL REFERENCE</u>	<u>DISCIPLINARY ACTION</u>	
	<u>Minimum</u>	<u>Maximum</u>
<u>UNEXCUSED ABSENCE</u> EC: 48260, Any absence which has not been excused by a parent or legal guardian and approved by the appropriate school official.	Parent Involvement, On site discipline.	Parent Involvement, On site discipline, referral to School Attendance Review Board (SARB) and/or Truancy Officer.
<u>FIGHTING</u> EC: 48900 (a) Engaging in or threatening any act which might cause harm to another person.	Parent Contact, on-site discipline.	Suspension from school, expulsion, Police Contact.
<p>“Students who are involved in two (2) fights in any academic year or high school students who are involved in three (3) fights within their high school career (grades 9-12) and for whom a NO FIGHTING CONTRACT has been executed, shall be recommended for expulsion unless the principal finds that expulsion is inappropriate due to circumstances.”</p> <p>First fight: suspension and Fight Contract signed.</p> <p>Second: Suspension and recommendation for expulsion with restrictions implemented. (Principal may request suspended-expulsion)</p> <p>Third fight: Suspension and expulsion recommended.</p>		
<u>THREATS/VERBAL ABUSE</u> EC: 48900 (a) Statements which intimidate or injure another person.	Parent Contact, on-site discipline.	On site discipline, Suspension from school.
<u>WEAPONS</u> EC: 48900 (b) The possession of any object which might be used to inflict injury to another person.	Parent Involvement, Suspension from school, Police Contact.	Suspension from school, expulsion, Police Contact.
<u>PROHIBITED BEHAVIOR DEFINITION/LEGAL REFERENCE</u>	<u>DISCIPLINARY ACTION</u>	
	<u>Minimum</u>	<u>Maximum</u>
<u>EXPLOSIVE/INCENDIARY DEVICES</u> EC: 48900 (b) The use, possession, or sale of explosive devices. (Including fireworks.)	Parent Involvement, Suspension from school, Police Contact.	Suspension from school, expulsion, Police Contact.

<u>DRUGS/ALCOHOL</u> EC: 48900 (c) The use, possession, or sale of drugs, narcotics, or alcoholic substances.	Parent Involvement, Suspension from school, Social Probation, Police Contact.	Suspension from school, expulsion, Police Contact.
<u>REPRESENTED DRUG/ALCOHOL/INTOXICANT SALES</u> EC: 48900 (d)	Five (5) day suspension, recommendation for expulsion and Police contact.	Five (5) day suspension, recommendation for expulsion and police contact.
<u>EXTORTION</u> EC: 48900 (e); 48915 The solicitation of money or something of value from another person in return for protection, or in connection with a threat to inflict harm.	Parent Involvement, Administrative letter to the Superintendent or Designee.	Suspension from school, expulsion, Police Contact.
<u>PROPERTY DAMAGE</u> EC: 48900 (f) Cause or attempt to cause damage to school or private property including graffiti.	In accordance with EC 48900.5 Restitution and detention, Parent Contact, Administrative Detention, police contact.	5 day suspension and recommendation for expulsion, restitution and police notification.
<u>DESTRUCTION OF PROPERTY/VANDALISM</u> EC: 48900 (f) Defacing, damaging, or destroying property or materials belonging to the school, school personnel, or other persons.	In accordance with EC 48900.5 Parent Involvement, Financial Restitution, Police Contact.	Suspension from school, expulsion, Police Contact.
<u>THEFT</u> EC: 48900 (g) Taking or attempting to take property that belongs to others.	In accordance with EC 48900.5 Parent Involvement, Financial Restitution, Police Contact.	Suspension from school, expulsion, Police Contact.
<u>SMOKING</u> EC: 48900 (h) The possession or use of tobacco on school property.	Parent Contact.	Suspension from school.
<u>PROHIBITED BEHAVIOR DEFINITION/LEGAL REFERENCE</u>	<u>DISCIPLINARY ACTION</u>	
	<u>Minimum</u>	<u>Maximum</u>
<u>DRUG PARAPHERNALIA</u> : EC-48900 (j) - Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section	In accordance with EC 48900.5 A minimum five (5) day suspension from school; police notification.	Minimum five (5) day suspension and recommendation for expulsion.

11014.5 of the Health and Safety Code.		
<u>DEFIANCE OF AUTHORITY OF SCHOOL PERSONNEL EC:</u> 48900(k) - Refusal to comply with reasonable requests of school personnel.	In accordance with EC 48900.5 Conference, Parent Involvement.	Suspension from school, expulsion.
<u>DISORDERLY CONDUCT, PROFANITY, OBSCENE BEHAVIOR EC:</u> 48900 (I) (k) Conduct and/or behavior which is disruptive to the orderly educational procedure of the school.	In accordance with EC 48900.5 Conference, Parent Involvement.	Suspension from school, expulsion.
<u>FORGERY EC:</u> 48900 (k) Writing and using the signature or initials of another person, or altering school documents.	In accordance with EC 48900.5 Conference, Parent Involvement.	Suspension from school, expulsion.
<u>TARDINESS/TRUANCIES EC:</u> 48900 (k) - Arriving late to school or class without a valid excuse. Truancy- means student is more than 30 minutes late to school.	In accordance with EC 48900.5 Conference, Parent Involvement.	Conference, on-site discipline.
<u>BOMB THREATS EC:</u> 48900 (a) (k) Any false report that a bomb or other explosive device has been placed.	Suspension from school, possible recommendation for expulsion.	Expulsion, Police Contact.
<u>BICYCLES EC:</u> 48900 (k) Bicycles shall be walked while on campus. Bikes must be locked with a secure mechanism.	In accordance with EC 48900.5 Warning and/or detention.	Suspend riding/parking on campus from five (5) to twenty (20) school days.
<u>COMPUTER USAGE EC:</u> 48900 (k) Any use of computers in violation of the District Acceptable Use Agreement such as accessing inappropriate web sites, music, pictures, and/or sending or receiving emails, etc. that are offensive threatening, or otherwise inappropriate.	In accordance with EC 48900.5 Administrative Detention.	3-5 day suspension and possible recommendation for expulsion.
<u>PROHIBITED BEHAVIOR DEFINITION/LEGAL REFERENCE</u>	<u>DISCIPLINARY ACTION</u>	
	<u>Minimum</u>	<u>Maximum</u>
<u>DETENTION EC:</u> 48900 (k) Failure to serve office detention without valid written excuse/defiance.	In accordance with EC 48900.5 Administrative Detention	1-5 day suspension.

Failure to serve administrative detention or violation of administrative detention rules and regulations.		
<u>DEFIANCE OF AUTHORITY: EC-48900 (k)</u> <ul style="list-style-type: none"> Refusal and/or repeated failure to follow school rules and regulations and/or severe disruption of school activities. Refusal to take direction from a staff member or other responsible adult, including substitutes. Extreme defiance of authority and/or verbal abuse towards an adult. Unauthorized presence on a school campus. 	<p>In accordance with EC 48900.5</p> <p>Detention, Administrative Detention</p> <p>Warning: parent contact.</p>	<p>3-5 day suspension and possible recommendation for expulsion.</p> <p>3-5 day suspension and possible recommendation for expulsion.</p> <p>5 day suspension and recommendation for expulsion and police contact.</p> <p>Report to School Resource Office 3-5 day suspension or possible expulsion.</p>
<u>DISRUPTIVE AND/OR SAFETY ITEMS: EC-48900 (k)</u> Including but not limited to: Rubber bands, matches, balloons, squirt guns, toy guns, electronic devices, laser lights, sunglasses in class, felt marking devices, cap guns, poppers, correction fluid, marking devices, aerosol cans, glass bottles, lighters, hats, radios, tape recorders, noise making devices, skateboards, roller blades, dice, gum, shoe skates, sports gloves etc.	<p>In accordance with EC 48900.5 Unit confiscated by school personnel, warning, possible detention, and parent may have to pick up Item.</p>	<p>Confiscation and parent must pick up item, 2-5 day suspension.</p> <p>See: "Defiance of Authority."</p>
<u>DRESS CODE: EC-48900 (k)</u> Parents are responsible for sending their child to school dressed in a fashion which does not distract from the instructional process. Students are expected to dress within the guidelines outlined in the Student Handbook. *Note: Bandannas are prohibited at all times.	<p>In accordance with EC 48900.5 Warning/change clothes.</p>	<p>1-5 day suspension and possible recommendation for expulsion.</p>
<u>PROHIBITED BEHAVIOR DEFINITION/LEGAL REFERENCE</u>	<u>DISCIPLINARY ACTION</u>	
	<u>Minimum</u>	<u>Maximum</u>
<u>ELECTRONIC DEVICES: EC-48900 (k)</u> Radios, cameras, iPods, MP3 players, laser pointers, CD players,	<p>In accordance with EC 48900.5 Unit confiscated by school personnel and returned to the owner via an</p>	<p>1-5 day suspension from school.</p>

and tape recorders, but not limited to, are NOT allowed on campus unless authorized by the school administration.	Assistant Principal at the close of the school day.	
*NOTE:-Students are allowed to have cell phones while on campus. However they must be turned off and out of sight. Students are not to check voicemail, text message, or turn on phones during the school day.		
<u>EXPLOSIVES</u> : EC-48900 (k) Maliciously informing any other person that a bomb or other explosive has been or will be placed, knowing that such information is false.	Five (5) day suspension and recommendation for expulsion. In addition, the principal or assistant principal shall report the incident to the police department for appropriate legal action. (Per Penal Code 148.1: "Any person who maliciously informs any other person that a bomb or other explosive has been or will be placed in any public or private place.	
<u>FIRE ALARMS</u> : EC-48900 (k) Tampering with a fire alarm or giving false alarms	Five (5) day suspension and recommendation for expulsion. In addition, the Principal/assistant principal shall report the incident to the police department for appropriate legal action. Per Penal Code 148.4: "Any person who tampers with a fire alarm or gives false alarms, is guilty of a misdemeanor punishable by up to one year in the county jail and/or a \$1,000.00 fine."	
<u>FORGERY</u> : EC-48900 (k)	In accordance with EC 48900.5 Parent contact, Administrative Detention.	5 day suspension, recommendation for expulsion.
<u>FOOD FIGHT</u> : EC-48900 (k)	In accordance with EC 48900.5 Administrative Detention, Possible Social Probation (9 weeks).	Social Probation (9 weeks), Suspension, possible recommendation for expulsion.
<u>FOOD THROWING</u> , littering, cafeteria misbehavior: EC-48900 (k)	In accordance with EC 48900.5 1-5 day detention and campus/cafeteria clean up.	3-5 day suspension and possible recommendation for expulsion.
<u>GAMBLING</u> : EC-48900 (k) The playing of a game of chance for stakes.	Detention, Administrative Detention-	3-5 day suspension.
<u>IMPEDANCE OF DIRECTIVES</u> : EC-48900 (k) - A student, who obstructs, delays, impedes or fails to follow the directives of school personnel engaged in the performance of their duties.	In accordance with EC 48900.5 Warning	1-5 day suspension and recommendation for expulsion.
<u>INTENTIONALLY RUNNING</u> : EC-48900 (k) to, moving toward, or gathering around fights that impede the ability	In accordance with EC 48900.5 Warning, parent contact, and/or 1-2 placement in detention.	Parent contact, 3-5 day suspension and possible expulsion.

of supervisors to control the situation and maintain a safe school.		
<u>INAPPROPRIATE SYMBOLS</u> : EC-48900 (k) Wearing or carrying any apparel, jewelry, accessory or notebook with crude or vulgar lettering, printing pictures, symbols that depict drugs, tobacco, alcoholic beverages, or are sexually suggestive	In accordance with EC 48900.5 Student sent home to change clothes or provided with alternative clothing. Confiscation of jewelry, accessory notebook, etc.	Five (5) day suspension.
<u>LEAVING CAMPUS WITHOUT PERMISSION</u> : EC-48900 (k)	In accordance with EC 48900.5 Administrative Detention.	1-5 day suspension.
<u>LOITERING</u> : EC-48900 (k) Loitering in or about restrooms and/or locker room, doorways or anywhere else on campus.	In accordance with EC 48900.5 Detention.	2-5 day suspension.
<u>LOITERING</u> on or around other school campuses: EC-48900 (k)	In accordance with EC 48900.5 Warning/detention, Administrative Detention.	1-5 day suspension.
<u>MISBEHAVIOR</u> during assemblies, rallies, dances: EC-48900 (k)	In accordance with EC 48900.5 Removal from activity; detention, Administrative Detention-	Social and Activity Probation (9 weeks), 3-5 day suspension.
<u>OUT OF CLASS</u> without an acceptable hall pass during class time: EC-48900 (k)	In accordance with EC 48900.5 1-5 days after school detention.	Possible referral to SARB Social Probation, and Administrative Detention, or 1-5 days suspension.
<u>ROUGHHOUSING</u> , wrestling, chasing, running in the halls, etc.: EC-48900 (k)	In accordance with EC 48900.5 Detention, Administrative Detention.	Administrative Detention, 3-5 day suspension,
<u>TRUANCIES OR CUTTING CLASSES FOR MORE THAN 30 MINUTES</u> : EC-48900 (k)	In accordance with EC 48900.5 Administrative Detention, parent notification.	Administrative Detention, parent notification, 9 weeks Social Probation, referral to SARB and/or suspension.

<u>PROHIBITED BEHAVIOR DEFINITION/LEGAL REFERENCE</u>	<u>DISCIPLINARY ACTION</u>	
	<u>Minimum</u>	<u>Maximum</u>
<u>VIOLATION OF SUSPENSION:</u> EC-48900 (k) Physically present on the school campus at any time, in the immediate vicinity of school premises, or at a school - sponsored activity while suspended from school. NOTE: Per Penal Code 626.2: "No student can be on campus during suspension."	1-5 day suspension.	1-5 day suspension and recommendation for expulsion.
<u>VIDEOTAPING FIGHTS:</u> EC-48900 (k) other violations of school rules. A student, who photographs, videotapes, records, reproduces or posts images of violations of school rules.	In accordance with EC 48900.5 Unit confiscated by school personnel and parent must contact school administrator, Warning, or detention.	
<u>THEFT:</u> EC-48900 (l) The taking of or knowingly receiving stolen school or private property without permission.	In accordance with EC 48900.5 restitution, and possible police contact.	Five (5) day suspension, restitution, recommendation for expulsion, and possible police contact.
<u>LOOK-ALIKE GUNS:</u> EC-48900 (m) Possession of a look-alike gun used in a threatening manner.	Possible 1-5 day suspension E.C. 48900(m)).	
<u>SEXUAL ASSAULT:</u> EC-48900 (n)	Parent contact, five (5) day suspension and recommendation for expulsion. Report to a law reinforcement agency.	
<u>WITNESS INTIMIDATION:</u> EC-48900 (o)	In accordance with EC 48900.5 Administrative decision may include the following: Parent conference, Support Room or suspension from school for 1-5 days and recommendation for expulsion.	
<u>DRUG SOMA:</u> EC-48900 (p) Unlawfully offered, arranged a sale, negotiated a sale, or sold the prescription of drug Soma.	Five (5) day suspension, recommendation for expulsion and Police contact.	Five (5) day suspension, recommendation for expulsion and police contact.
<u>HAZING AND HARRASSMENT:</u> EC-48900 (q)	In accordance with EC 48900.5 police contact.	Five (5) day suspension, recommendation for expulsion and police contact.

<u>PROHIBITED BEHAVIOR DEFINITION/LEGAL REFERENCE</u>	<u>DISCIPLINARY ACTION</u>	
	<u>Minimum</u>	<u>Maximum</u>
<p><u>SEXUAL HARASSMENT</u> Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. <u>This rule does not apply to students in grades K-3.</u> (E.C. 48900.2; E.C. 212.5)</p>	<p>In accordance with EC 48900.5 Conference, Parent Involvement.</p>	<p>Suspension from school, expulsion.</p>
<p><u>BULLYING</u> EC 48900 (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 322.61, directed specifically toward a pupil or school personnel. As defined by 322.61, “Bullying” means one or more acts by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4. An “electronic act” means the transmission of a communication, including, but not necessarily limited to, a message, text, sound or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not necessarily limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.</p>	<p>In accordance with EC 48900.5 Warning, Detention, Administrative Detention or (severity) 1-5 day suspension.</p>	<p>3-5 day suspension and possible recommendation for expulsion and police contact.</p>
<p><u>TERRORISTIC THREATS</u> Ed Code 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</p>	<p>Parent conference and/or suspension, 1-5 days; possible recommendation for expulsion. Police contact.</p>	<p>Suspension, 1-5 days, possible recommendation for expulsion.</p>

<p>pupil has made terroristic threats against school officials or school property, or both.</p> <p>(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.</p>		
--	--	--

DRESS STANDARDS

The primary responsibility for student dress and appearance rests with the parents. The primary purpose of school is education. Therefore, all aspects of school must be considered with that objective in mind. As a guide, students should be dressed in clothing that would be appropriate in the workplace. Wearing apparel shall be neat, clean, safe, and not disruptive to instructional activities. All students must wear some form of shoes, sandals, or moccasins. Crude or vulgar commercial lettering or printing, and pictures depicting occult messages, weapons, drugs, tobacco, alcoholic beverages, racial/ethnic slurs, unauthorized group affiliation or that are sexually suggestive, on shirts, sweatshirts and other wearing apparel are not acceptable. Such items as beach attire, nightwear, bedroom slippers, short shorts/skirts or unsafe accessories are not allowed. No spandex or lycra material shorts, skirts or dresses. No bottoms or splits are to be shorter than where the student's fingertips reach when the arms and fingertips are fully extended on the sides. Any clothing/accessory that may be deemed dangerous, i.e. chains, steel-toed boots, items with spikes or studs etc. are unacceptable. Clothes, apparel or attire must be

sufficient to conceal undergarments at all times. Clothing, apparel or attire that fails to provide adequate coverage of the body, including but not limited to, see-through, fishnet fabrics, tops that do not touch the top of the pants/skirts, tank tops, tube tops, halter tops, bandeaus, racer backs, off the shoulder or low cut tops or dresses and sagging pants are not allowed. No holes or tears that are revealing. Tank tops or T-Shirts with cut outs under the arms are not allowed. Clothing must fit or may be no larger than one size bigger. Pants must be worn at the waist, not at the hips. No hair rollers, shower caps, bandannas, hairnets, skull caps, wave caps, or other such grooming items are allowed. Tattoos must conform to the dress code.

Confiscated Items- Confiscated items must be picked up on or before the last day of school. Confiscated items not picked up will be discarded.

Hats/Sun Protective Headwear- Students are not permitted to wear hats or other head coverings in class, assemblies, or at any indoor school day functions **except for religious or medical reasons**. Sports caps may be worn outside the classroom and during sports but may not be altered. Red or blue headgear is prohibited for safety reasons. Students may write their legal name in the inside band but not the bill for identification. Sports caps must be worn forward. Pins or attachments to hats are not allowed. No hair rollers, shower caps, hair sets, skull caps, wave caps, or other such grooming items are allowed. All bandannas of any color are prohibited for safety reasons.

Footwear/Shoes- No flip-flops. Shoes of any type that present a safety hazard are prohibited. For safety purposes in specialty classes, the teacher will determine appropriate shoes.

Lammersville USD

Board Policy

Bullying

BP 5131.2

Students

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 6020 - Parent Involvement)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6163.4 - Student Use of Technology)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools: Kindergarten Through Grade
Twelve, 2008

Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy LAMMERSVILLE UNIFIED SCHOOL DISTRICT
approved: November 6, 2013 Mountain House, California

CONFLICT RESOLUTION POLICY BP 5138

The Lammersville Unified School District believes that all students have a right to a safe and healthy school environment. Part of a healthy environment is the freedom to openly disagree. With this freedom comes the responsibility to discuss and resolve disagreements with respect for the rights and opinions of others.

To prevent a conflict, each school within the Lammersville Unified School District will incorporate conflict resolution education and problem solving techniques into the curriculum and campus programs. This is an important step in promoting respect and acceptance, developing new ways of communicating, understanding, and accepting differing values and cultures within the school community and helps ensure a safe and healthy learning environment.

The Lammersville Unified School District will provide training to develop the knowledge, attitudes, and skills that students will need to choose alternatives to self-destructive, violent behavior and dissolve interpersonal and intergroup conflict. Lammersville Unified School District will adopt a Student Code of Conduct to be followed by every student while on school grounds, when traveling to and from school or at a school-sponsored activity, and during lunch period, whether on or off the campus.

The Student Conduct Code includes but is not limited to:

- a. Students are to resolve their disputes without resorting to violence.
- b. Students, especially those trained in conflict resolution and peer mediation, are encouraged to help fellow students resolve problems peacefully.
- c. Students can rely on staff trained in conflict resolution and peer mediation strategies to intervene in any dispute likely to result in violence
- d. Students needing help in resolving a disagreement, or students observing conflict may go to the office to contact an adult, or to set up an appointment with peer mediators.

- e. Students involved in a dispute will be referred to a conflict resolution or peer mediation session with trained adult peer mediators. Staff and mediators will keep the discussions confidential.
- f. Conflict resolution procedures shall not supplant the authority of staff to act to prevent violence, ensure campus safety, maintain order, and discipline students.

PARENT RESPONSIBILITY/LOST OR DAMAGED SCHOOL PROPERTY

Parents will be financially responsible for their children losing school materials and/or equipment and for causing damages to school property or personal property of school employees. In addition, the school will withhold the student’s grades, transcripts, etc. until the student or the parent/guardian has paid for the damages as provided in subdivision (a) of Education Code Section 48904. All fines are due on the last day of school or upon checkout.

LIBRARY FINES AND RESTITUTION FOR DAMAGE TO SCHOOL PROPERTY

1. Any school site in Lammersville Unified School District whose real or personal property has been willfully cut, defaced, or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon demand of an employee of the school authorized to make the demand may, after affording the pupil his or her due-process rights, withhold the grades, diploma, transcripts and extracurricular activities of the pupil responsible for the damage until the pupil or the pupil’s parent or guardian has paid for the damages thereto, as provided in Education Code 48900(f).
2. The school shall notify the parent or guardian of the pupil in writing of the pupil’s alleged misconduct before withholding the pupil’s grades, diploma, or transcripts, and extra-curricular activities pursuant to Education Code 48900(f). When the minor and parent are unable to pay for the damages, or to return the property, the school shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released and student will be able to participate in extra-curricular activities.
3. The governing board of each school shall establish rules and regulations governing procedures for the implementation of this subdivision. The procedures shall conform to, but are not necessarily limited to, those procedures established in this code for the expulsion of pupils.

FIELD TRIP CRITERIA- Students who receive two or more referrals during a grading period may not participate in enrichment based “rewards” type field trips. Denial of participation on field trips may not directly impact students’ access to academic curriculum.

HOMEWORK IN LAMMERSVILLE UNIFIED SCHOOL DISTRICT

Homework

The Governing Board believes that homework serves many purposes. Research supports that homework is an essential part of a student’s academic achievement. Through their homework,

students can reinforce academic skills taught in school, learn how to conduct research effectively, develop ideas creatively and become life-long learners.

The Board believes that homework is the responsibility of the student. It is the student's job to develop regular study habits and to do most assignments independently. The Board encourages teachers at all grade levels to use the parent as a contributing resource and to structure homework assignments so as to involve the parent to help oversee homework without diminishing the student's sense of responsibility. To be effective, homework assignments should not place an undue burden on students and families. Homework should reinforce learning objectives and state standards.

REQUEST FOR OFFICIAL COPIES OF RECORDS

The District has provided forms for parents' requests for official transcripts. A copy of the form is provided on the next page. LAMMERSVILLE UNIFIED SCHOOL DISTRICT NOTICE TO PARENTS AND GUARDIANS

As required by law (Education Code Section 49063) you are hereby notified that you have a right to permit or to refuse to permit your student to engage in the school activities listed below.

NOTE: Complete policies and excerpts from the Education Code are available in the office of each school.

1. **Immunization for communicable disease** control may be consent to in writing by a parent for a licensed physician to administer an immunizing agent. Immunizations shall not be required for admission to district schools or programs if an affidavit signed by a parent or guardian states that such immunization is contrary to his/her beliefs. (Health and Safety Code, Section 3385; Ed. Code 49403)
2. **Administration of medication** prescribed by a physician for a child during the school day may be done by a nurse, or other designated school personnel if the school district receives a written statement from such 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 of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the physician's statement. (Ed. Code 49423)
3. **Any mental examination or physical examination** may not be given to a child whose parent has filed an objection. However, the child may be sent home, if for good reason, he is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code 49451)
4. **Evaluation of vision** of a child, including tests for visual acuity and color vision by the school nurse, or teacher if authorized, upon first enrollment and at least every third year thereafter. The vision evaluation or any hearing examination or scoliosis screening may be waived upon presentation of an appropriate certificate from a physician or optometrist and upon written parental request. (Ed. Code 49451, 49452, 49452.5)
5. **Medical and hospital services** for pupils injured at school or school sponsored events or while being transported may be insured at district or parent expense. (Ed. Code 49472)
6. **Corporal punishment.** Lammersville Schools has a policy not to utilize corporal punishment as a disciplinary measure. (Ed. Code 49000, 49001)
7. **Education Code Sections 49065-49078 - Student Records:** Parents have the right to review any records, relating directly to the child, that the school may have on file; i.e., attendance,

achievement, conduct, test scores, et al. The principal or designee of each school is responsible for supervision of maintenance of such records. The Certificated staff and Health Department personnel have similar access to such records. Reproduction of records for parents to be charged at rate of 25 cents per page.

8. **Directory information.** The following items are considered directory information: A student's name, home address, date and place of birth, major field of study, participation in activities and sports officially recognized by Lammersville Public Schools, dates of attendance at school, degrees and awards received, and the most recent previous public or private school attended. The weight and height of members of officially recognized athletic teams are also considered directory information. Upon receipt of a written request, direction information may be released to the following official organizations:
 - a. parent-teacher organizations;
 - b. employers and prospective employers of the student;
 - c. representatives of the news media.
9. **Education for Children with Special Needs:** Lammersville Unified School District will provide a free appropriate public education to all children with special needs between the ages of 3 years and 21 years. The school district will arrange for free evaluation services for any child who is suspected of having a handicap and of needing special education and related services. The Director of Special Education coordinates education for children with special needs.
10. **Section 504:** Lammersville School District will identify, evaluate and provide a free, appropriate public education to students with special needs who are within the meaning of Section 504 of the Rehabilitation Act of 1973. The Director of Student Services is the compliance officer.
11. **Confidential Reporting:** Students reporting any weapons seen on a school campus or at a school-sponsored event will have the right of confidential reporting to the extent permitted by law.
12. **Confidential Medical Services:** School authorities may excuse any student, grades 7-12, from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)
13. **Suspension and Expulsion/Due Process:** District regulations concerning student discipline and due process is available in school handbooks and upon request at the Principal's office in any district school. (Education Code 35291)
14. **Home/Hospital** instruction is available for students with temporary disabilities.
15. **Excuse From School:** Notwithstanding Section 48200, a pupil shall be excused from school for justifiable personal reasons, including but not limited to, an appearance in court, observation of a holiday or ceremony of his or her religion, attendance at religious retreats, or an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board. A pupil shall also be excused from school when he or she is the custodial parent of a child who is ill or has a medical appointment during school hours.
 - d. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence which can be reasonably provided and, upon satisfactory completion, shall be given full credit therefore.

The teacher of any class from which a pupil is absent shall determine, pursuant to the regulations of the governing board of the school district, what assignments the pupil shall make up and in what period of time the pupil shall complete those assignments. The tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments which the pupil missed during the absence.

- e. Absences pursuant to this section shall be deemed to be absences in computing average daily attendance and shall not generate state apportionment payments, except as otherwise provided by Article 1 (commencing with Section 46000) of Chapter 1 of Part 26, including, but not limited to, an absence for the purpose of attending the funeral services of a member of a pupil's immediate family.
(Amend. Stats. 1994, Ch. 134)

16. **Early Release Days** are staff training and work days. Early Release Days are on Fridays in all schools in Lammersville. On Early Release Days students will be released at 1:30pm. Minimum Days are for parent teacher conferencing. Your student's school will notify you through school handbooks or newsletters on upcoming minimum days.
17. **Release of Information:** Student record information will be released upon request to a judge or probation officer for conducting a truancy mediation program or for presenting evidence at a truancy petition.
18. **Management Plan for Asbestos:** The district's complete updated management plan for materials containing asbestos in school building shall be available for inspection in district and school offices. (40 CRF 763.93)
19. **Professional Qualifications:** Parents have the right to request information on the professional qualifications of their child's teacher and paraprofessional. (Section 1111 P.L. 107-110)

AUTHORIZATION FOR RELEASE OF PUPIL INFORMATION

This school does not release information or records concerning your child to non-educational organizations or individuals without your consent. The release of certain information would benefit your child such as information on athletic or academic awards, or other such information for press releases. If your child is eligible for a work permit, such information as age, scholastic records and school staff employment recommendations may be of use to an employer or potential employer. Federal Law includes the release of student directory information to military recruiters.

Your consent is required for the release of such information. Such consent may be revoked by you at any time by notifying the principal of your child's school in writing. You may receive a copy of the information released by submitting your request in writing to the school office.

CONSENT TO RELEASE PUPIL INFORMATION

Information concerning my child's participation in school events and information concerning any scholastic or athletic awards that my child may receive may be released to the news media

upon their request. If my child is eligible for a work permit, information such as age, scholastic records and school staff recommendations may be released to an employer or potential employer. Directory information may be released to federal, state and local agencies, military recruiters, and non-profit youth organizations.

PERMISSION FOR STUDENT NAME ON SCHOOL/DISTRICT WEB PAGES AND OTHER SOCIAL MEDIA

Web pages are published on the Internet and are, therefore, available world-wide to anyone browsing the Internet. Student information on District Web Pages: 1) For K-8 students—only first names can be used with written permission of parent. 2) For 9-12 students—both first and last names can be used with written permission of parent.

LAMMERSVILLE UNIFIED SCHOOL DISTRICT ACCEPTABLE USE AGREEMENT (AUA) NETWORK AND COMPUTER RELATED RESOURCES (Based on BP/AR 4040 and BP/AR 6163.4)

In exchange for the use of the Lammersville Unified School District (LUSD) computer systems and data communication networks, either locally attached or through remote connection on or near school property, in school vehicles and buses, and at school-sponsored activities, the following agreement will apply. Please read this document carefully. It is a legally binding agreement when signed. The guardian/parent must sign when the user is under 18 years of age.

The use of the LUSD network/computer system is a privilege for which users accept responsibility. Each user must act in an appropriate manner consistent with LUSD Board of Education policies, California Education Code, and other local, state and federal laws and regulations governing the applicable matter. It is intended to provide Internet and technological resources to:

- Support learning
- Promote educational excellence and innovation
- Improve administrative efficiency
- Increase opportunities for communication and communicate with others in furtherance of the user's education
- Conduct research and provide additional resources for general information
- Result in more timely and accurate information
- Increase opportunities for professional/personal growth
- Enhance parent involvement

The LUSD network/computer system is shared and available to all registered users. The system may not be used in a way as to disrupt or interfere with its use by others. Inappropriate use of the system includes, but is not limited to:

- Virtual and physical damage, vandalism or theft of equipment as well as theft, piracy or altering of software.
- Theft of services, including connection of unauthorized network/computer equipment to the system.

- Installation of non-approved software/programs, or the download and installation of software/programs on District computers or network communication systems.
- Use of the system to communicate unlawful information or to transmit computer viruses. Accessing or communicating information which is pornographic, obscene, sexist, racist or abusive.
- Access or communication of “Harmful matter” as defined by California Penal Code 313.
- Violation of copyright law and Plagiarism of ideas or information.
- Use of the system for anonymous access or communication of information.
- Use of the system for commercial purposes or for political campaigning.
- Other conduct deemed objectionable by the Lammersville Unified School District.
- Any violations of the classroom rules, school conduct code, educational code, or penal code.

Students, parents/guardians, and District Staff shall recognize that the nature of the use of District technological resources extends outside of the school itself and into off-campus remote locations such as homes. The District’s jurisdiction to enforce student behavior and discipline policies, and rules shall apply whether the misuse or violation is at school or away from school as long as the District’s technological resources are being used in the inappropriate behavior.

The District will log the use of all systems and monitor all system utilization. Any and all information on the LUSD networks, with the exception of student and personnel records is not deemed private. Digital storage is LUSD property. All District computers will comply with A.R.S. 34-501 (enacted, 1999) (access to materials harmful to minors) and all District employees are required to comply with the Family Education and Privacy Rights Act of 1974 (disclosure of personally identifiable information). Student names will be included as part of their network user/email accounts. The Superintendent or designee will determine what is appropriate use of technology resources and their decision is final. The LUSD reserves the rights to any materials stored in files, and will remove any material which the Superintendent or designee may believe to be unlawful, obscene, pornographic, abusive, or otherwise objectionable. The system may not be used to obtain, view, download, or otherwise gain or provide access to such materials. The Superintendent or designee will refer for disciplinary action anyone who does not comply with the provisions of this agreement. Cancellation of user privileges will be at the discretion of the staff after application of due process.

The Lammersville Unified School District will not be held responsible for any damages suffered by the user, including those arising from non-deliveries, mis-deliveries, service interruptions, unauthorized use, loss of data and exposure to potentially harmful or inappropriate material sustained or incurred in connection with the use, operation, or inability to use the system. The LUSD specifically denies any responsibility for the accuracy or quality of information obtained electronically. Use of any information obtained electronically is at the risk of the user. The District assumes no liability for personal technology, including computers, smart phones, network access devices, or other electronic signaling devices, if such devices are damaged, lost or stolen. The user, or user’s parent/guardian, shall indemnify and hold LUSD harmless from any losses sustained as the result of use or misuse of the District’s technological resources by the user, and/or the loss or damage of personal technology.

One of the services available through the LUSD network/computer system is the Internet. The Internet, a community of network systems, is not governed by any entity. The District does not have control over the kind or quality of the information that is accessible to Internet users. It is not feasible to limit access to all materials or all emails that a parent/guardian might consider inappropriate; therefore, inappropriate use is the responsibility of the user.

Not all access to the Internet can be supervised. Users agree not to send, access, submit, publish, display or print over the Internet or LUSD network, or using LUSD technology resources, any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, offensive or illegal material. Cyberbullying is specifically prohibited. It shall be the user's responsibility to report the inappropriate use, web site, or communications to teachers or other District Staff.

The use of LUSD network/computer system requires that all users abide by the following rules:

- Be polite, do not send or respond to abusive, harassing, or suggestive messages to anyone. Report such messages.
- Respect (do not access, delete, move, or alter) anyone else's files and/or data.
- Use appropriate language. Do not swear, use vulgarities, or express yourself in any other inappropriate language.
- Communication advocating, encouraging or supporting illegal activities is strictly forbidden.
- Copyright, trademark and/or registered laws must be adhered to at all times. All materials from the Internet and other digital resources, including graphics, must be properly cited.
- Respect the privacy of all users. Do not reveal the personal address or phone numbers of yourself or anyone else.
- District e-mail accounts are not private. LUSD e-mail is operated for and by the District.
- Respect the originator of email and do not forward e-mail messages or information without permission.
- Individuals will ONLY use authorized accounts they have been personally issued.
- All users must keep their account passwords confidential.
- Do not send "junk", "mass", or "spam" email.
- Do not use a modem connected to a LUSD computer or network.
- Access to the Internet or other District network communication systems from personal technology is limited to wireless access points on the school campuses. Access to the Internet or other District network communication systems from personal technology is not available via hardwire connections.

The Lammersville Unified School District computer system is intended for the exclusive use of its registered users who are responsible for their password and their accounts. Any problems which arise from the use of the account are the responsibility of the account holder. Any misuse of the account or system will result in disciplinary action and/or the suspension or cancellation of privileges. Use of the account by someone other than the registered user will be grounds for cancellation and/or may result in disciplinary action.

NOTICE OF RIGHTS AND RESPONSIBILITIES

State law requires that parents be notified of their rights and responsibilities in certain matters pertaining to their children's education.

- Absence for Religious Exercises and Instruction:** Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. (Ed. Code, § 46014)
- Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:** Parents may request in writing that their child not receive comprehensive sexual health education or HIV/AIDS prevention education. Parents may inspect the written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of Education Code section 51938. Every child's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified. Parents have a right to request that the District provide them with a copy of Education Code sections 51933 and 51934.
- Excuse From Instruction in Health:** Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)' religious training or beliefs (including personal moral convictions). (Ed. Code, § 51240)
- Administration of Medication:** Medication prescribed by a physician for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician. Forms for administering medication may be obtained from the school secretary. (Ed. Code, §§ 49423, 49423.1, 49423.5, 49480)
- Students on Medication:** Parents are to notify the principal if their child is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the principal or school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (Ed. Code, § 49480)
- Immunizations:** The District shall exclude from school any pupil who has not been immunized properly. Pursuant to Health & Safety Code section 120325, a parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. (Ed. Code, §§ 48216, 48853.5(d)(7)(B), 48980(a), 49403, Health & Safety Code, §§ 120325, 120335, 120341)
- Physical Exams and Testing:** The District is required to conduct certain physical examinations and vision, hearing and scoliosis testing of students unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code, §§ 49451, 49452, 49452.5 and 49455, Health & Safety Code, § 124085)
- Confidential Medical Services:** For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian. (Ed. Code, § 46010.1)

9. **Medical Coverage for Injuries:** Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. No pupil shall be compelled to accept such services without his or her consent or, if the pupil is a minor, without the consent of a parent or guardian. (Ed. Code, § 49472) [*NOTE: If the District provides and pays for the insurance, this should be noted.*]
10. **Medical and Hospital Services Not Provided:** The District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, §§ 32221.5, 49471) [*NOTE: This notification is required only if the first sentence is a true statement in your District.*]
11. **Services for Students with Exceptional Needs or a Disability:** State and federal law requires that a free and appropriate public education (FAPE) last restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. §104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone:

Julie Corona
Director of Special Education
111 S. DeAnza Blvd.
Mountain House, CA 95391
(209) 836-7400

12. **No Academic Penalty for Excused Absence:** No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §§ 48205, 48980(j))

A pupil shall be excused from school when the absence is:

- (1) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during the school hours of a child of whom the pupil is the custodial parent.
- (7) For justifiable personal reasons, including but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the

pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

- (8) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
- (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.

A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

"Immediate family," as used in this section refers to mother, father, grandmother, grandfather, or a grandchild of the pupil or of the spouse of the pupil, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the pupil, or any relative living in the immediate household of the pupil. (Ed. Code, § 48205)

13. **Equal Opportunity:** Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

Dr. Khushwinder Gill
Assistant Superintendent
111 S. DeAnza Blvd.
Mountain House, CA 95391
(209) 836-7400

14. **Complaints (Special Education):** Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. To file a complaint, write a description of the manner in which the parent believes special education programs for handicapped do not comply with state or federal law or regulations and file with the District official listed below at the following address and telephone:

Julie Corona
Director of Special Education
111 S. DeAnza Blvd.
Mountain House, CA 95391
(209) 836-7400

(Cal. Code Regs., tit. 5, § 4630)

15. **Release of Student Information:** The District does not release information or records concerning a child to noneducational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information:

Name, address, telephone, date of birth, e-mail address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended. (Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R. § 99.7) In accordance with state and federal law, the District may also make available photographs, videos, and class rosters.

Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be released. (Ed. Code, § 49073(c), 20 U.S.C. § 1232g, [42 U.S.C. § 11434a\(2\)](#))

[NOTE: Notice of this item is required to be in the home language of the student, insofar as is practicable.]

16. **Inspection of Student Records:** State law requires that the District notify parents of the following rights which pertain to student records. (Ed. Code, §§ 49063, 49069, 34 C.F.R. § 99.7)

a. A parent or guardian has the right to inspect and review student records relating directly to his or her child during school hours or obtain a copy of such records within five (5) business days of his/her request.

b. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records.

c. A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

The parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

- (1) Inaccurate.
- (2) An unsubstantiated personal conclusion or inference.
- (3) A conclusion or inference outside of 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.
- (5) Misleading.
- (6) In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the

Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Ed. Code, § 49070)

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

d. A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians. (Ed. Code, § 49064)

e. School officials and employees having a legitimate educational interest, as well as persons identified in Education Code sections 49076 and 49076.5 and in the Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officials and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel), a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or a parent or student whose access to student records is legally authorized. A "legitimate educational interest" is one held by a school official or employee whose duties and responsibilities create a reasonable need for access. (Ed. Code, §§ 49063(d), 49076, 49076.5, 20 U.S.C. § 1232g)

f. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.

g. Parents and guardians will be charged _____ (____) cents per page for the reproduction of student records.

h. Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232g(g))

i. Parents may obtain a copy of the District's complete student records policy by contacting the Superintendent.

17. **Family Educational Rights and Privacy Act:** In addition, parents have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents of these rights is attached.

18. **Student Discipline:** District and School rules pertaining to student discipline are available to parents or guardians of district students in the school office. (Ed. Code, § 35291) [*NOTE: The following language may be used to address off campus technology misuse; such language is optional and may be deleted:*] Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against

students, staff, or district property even if such misconduct occurred off-campus and during nonschool hours. (Ed. Code, §48900(r))

19. **Dissection of Animals:** If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. (Ed. Code, §§ 32255-32255.6)
20. **Temporary Disability:** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence shall be deemed to comply with the residency requirements of the school district in which the hospital is located. (Ed. Code, §§ 48206.3, 48207, 48208, 48980(b))
21. **Student Residency:** A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code, §48200); (2) the District has approved interdistrict attendance (Ed. Code, § 46600); (3) the student is placed in a regularly established children's institution, licensed foster home, or family home; (4) the student is a foster child who remains in his or her school of origin pursuant to Education Code Section 48853.5(d) and (e); (5) the student is emancipated and lives within the District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit; or (7) the student resides in a state hospital within the District. (Ed. Code, § 48204) The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district's boundaries for a minimum of 10 hours during the school week. (Ed. Code, §48204).
22. **Attendance Options:** All districts must inform parents at the beginning of the school year how to enroll in a school within the district that is different than the one assigned. Students who attend schools other than those assigned by the district are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district which the parent lives (intradistrict transfer), and three separate processes for selecting schools in other districts (interdistrict transfer). (Ed. Code, § 48980(h)) *[NOTE: The following language is optional:]* There is also a process under the Open Enrollment Act for students enrolled in "low-achieving schools," as identified annually by the State Superintendent of Public Instruction. (Ed. Code, § 48350 et seq.)
Attached is a copy of the District's Policy of Interdistrict and Intradistrict Transfers. Parents interested in interdistrict or intradistrict transfers should contact Dr. Khushwinder Gill. The general requirements and limitations of each process are described as follows:
 - a. Choosing a School Within the District in Which Parent Lives: Education Code section 35160.5(b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:
 - Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
 - In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer.
 - Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance

or would leave the district out of compliance with a court-ordered or voluntary desegregation program.

- A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

b. Choosing a School Outside District in Which Parent Lives: Parents have three different options for choosing a school outside the district in which they live. The three options are:

i. Districts of Choice (Ed. Code, §§ 48300–48315): The law allows, but does not require, each school district to become a “district of choice”—that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. The school board of a district that decides to become a “district of choice” must determine the number of students it is willing to accept in this category each year and make sure that the students are selected through a “random, unbiased process,” which prohibits student enrollment and district communications about enrollment from being based upon actual or perceived academic or athletic performance, or any other personal characteristic. If the number of transfer applications exceeds the number of students the school board is willing to accept, transfer approval must be determined by a random public drawing held at a regular board meeting. If the district chooses not to become a “district of choice,” a parent may not request a transfer under these provisions. Other provisions of the “district of choice” option include:

- Either the district to or from which a student would transfer may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Siblings of students already attending school in the “district of choice” must be given transfer priority.
- A parent may request transportation assistance within the boundaries of the “district of choice.” The district is required to provide transportation only to the extent it already does so.

ii. Other Interdistrict Transfers (Ed. Code, §§ 46600–46611): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. The law on interdistrict transfers also provides for the following:

- Once a pupil is enrolled in a school pursuant to an interdistrict transfer agreement, the pupil must be allowed to continue to attend the school in which he or she is enrolled without reapplying, unless revocation of the interdistrict transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.
- Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the district of residence must be given priority for interdistrict attendance under any existing interdistrict attendance agreement or additional consideration for the creation of an interdistrict attendance agreement. (Ed. Code, §§ 46600(b), 48900(r))
- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

iii. “Allen Bill” Transfers (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which his/her parents (or legal guardian(s)) physically work for a minimum of 10 hours during the school week if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental

income, academic achievement, or any other “arbitrary” consideration. Other provisions of Education Code section 48204(b) include:

- Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student’s transfer if it is determined that there would be a negative impact on the district’s desegregation plan.
- The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

[NOTE: The following language is optional, but may be used regardless of whether the District has a school on the Open Enrollment List:]

c. Applying to Attend a School under the Open Enrollment Act: The Open Enrollment Act allows the parent of a pupil enrolled in a “low-achieving school” to submit an application for the pupil to transfer to another public school served by the school district of residence or another school district. (Ed. Code, § 48350 et seq.) The parent must submit an application requesting a transfer to the school district in which the parent does not reside, but in which the parent intends to enroll the pupil. With some exceptions, the application must be submitted prior to January 1 of the school year before the school year for which the pupil is requesting a transfer. Both of the school districts from which and to which the parent has applied to transfer may prohibit or limit pupil transfers in accordance with the Open Enrollment Act. Additionally, the school district in which the parent does not reside, but in which the parent intends to enroll the pupil may adopt specific, written standards for acceptance and rejection of applications pursuant to the Open Enrollment Act. (Ed. Code, § 48356)

23. **Sexual Harassment Policy:** Each student will receive a written copy of the district policy on sexual harassment. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A copy of the District's policy on sexual harassment is attached. (Ed. Code, §§ 231.5, 48980(g))
24. **Notice of Alternative Schools:** California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to:
- a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
 - b. Recognize that the best learning takes place when the student learns because of the student’s desire to learn.
 - c. Maintain a learning situation maximizing student self-motivation and encouraging the student in his or her own time to follow his or her own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by the student’s teachers of choices of learning projects.
 - d. Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous permanent process.
 - e. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

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

each attendance unit have copies of the law available for parent information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (Ed. Code, § 58501)

25. **Nutrition Program:** The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. (Ed. Code, § 49510 et seq.)

26. **U.S. Department of Education Programs:** The following applies only to programs directly funded by the U.S. Department of Education:

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children.

No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- a. political affiliations;
- b. mental and psychological problems potentially embarrassing to the student or his family;
- c. sex behavior and attitudes;
- d. illegal, anti-social, self-incriminating and demeaning behavior;
- e. critical appraisals of other individuals with whom respondents have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or student's parent; or
- h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

(20 U.S.C. § 1232h)

27. **Uniform Complaint Procedures:**

Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying:

State and federal law prohibit discrimination in education programs and activities. The District is primarily responsible for compliance with federal and state laws and regulations. (Cal. Code Regs., tit. 5, § 4620.)

Under state law, all pupils have the right to attend classes on school campuses that are safe, secure, and peaceful. (Ed. Code, § 32261.) State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of their actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), nationality (includes citizenship, country of origin and national origin), race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (Ed. Code, §§ 210-214, 220 et seq., 234 et seq., 66260-66269, Cal. Code Regs., tit. 5, § 4900 et seq., 20 U.S.C. § 1681 et seq., 29 U.S.C. § 794, 42 U.S.C. § 2000d et seq., 42 U.S.C. § 12101 et seq., 34 C.F.R. § 106.9) The District prohibits discrimination, harassment, intimidation, bullying, and retaliation in all acts related to school activity or attendance. In addition to being the subject of a complaint, a pupil engaging in an act of bullying as defined by Education Code section 48900(r) may be suspended from school or recommended for expulsion.

The District has a written complaint procedure which may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650, Ed. Code, § 234 et seq., 48900(r).)

- a. Any individual, public agency or organization has the right to file a written complaint alleging that he/she has personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., tit. 5, § 4630(b)(1))

b. Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)

c. Complaints must usually be filed with the (director/district superintendent/designee of the District). In the following cases, however, complaints may be filed directly with the State Superintendent of Public Instruction: (Cal. Code Regs., tit. 5, §§ 4630(a), 4650)

(1) Complaints alleging that the District failed to comply with the complaint procedures described herein.

(2) Complaints alleging facts which indicate that complainant will suffer an immediate loss of some benefit such as employment or education.

(3) Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at the District level.

(4) Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.

(5) Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.

(6) The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District.

d. Discrimination complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, complainant may file a written request with the State Superintendent of Public Instruction for an extension of up to ninety (90) days. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs., tit. 5, § 4630(b))

Complaints Other Than Discrimination, Harassment, Intimidation, and Bullying:

The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying.

a. Written complaints may be made regarding:

- (1) Adult Basic Education
- (2) Consolidated Categorical Aid Programs
- (3) Migrant Education
- (4) Vocational Education
- (5) Child Care and Development
- (6) Child Nutrition
- (7) Special Education

(8) “Williams Complaints”

(9) Pupil Fees

(Cal. Code Regs., tit. 5, §§ 4610(b), 4630, Ed. Code, §§ 35186, 49013)

b. Complaints must usually be filed with the administrator/superintendent of the District. However, complaints may be filed directly with the State Superintendent of Public Instruction in the following cases:

(1) Complaints alleging that the District failed to comply with the complaint procedures described herein.

(2) Complaints regarding Child Development and Child Nutrition programs not administered by the District.

(3) Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.

(4) Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.

(5) Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.

(6) Complaints relating to Special Education, but only if:

(a) District unlawfully refuses to provide a free appropriate public education to handicapped students; or

(b) District refuses to comply with due process procedures or fails to implement due process hearing order; or

(c) Children may be in immediate physical danger, or their health, safety or welfare is threatened; or

(d) A handicapped pupil is not receiving the services specified in his/her Individual Educational Program (IEP); or

(e) The complaint involves a violation of federal law.

(7) The District refuses to respond to the State Superintendent’s request for information regarding a complaint originally filed with the District.

(Cal. Code Regs., tit. 5, §§ 4630, 4650)

c. Williams Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (Ed. Code, § 35186)

(1) Insufficient textbooks and instructional materials;

(2) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils;

- (3) Teacher vacancy or misassignment; or
- (4) The provision of intensive instruction and services for pupils who have not passed the high school exit exam by the end of grade 12.

A complainant not satisfied with the resolution of a Williams Complaint has further rights under Education Code Section 35186.

d. Pupil Fees Complaints: A complaint of noncompliance with Education Code section 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

- (1) A complainant not satisfied with the decision of the school may appeal to the California Department of Education and will receive a written appeal decision within 60 days of the department's receipt of the appeal.
- (2) If the school finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school must provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

Responsible Official: The District official responsible for processing complaints is listed below at the following address:

Dr. Khushwinder Gill
Assistant Superintendent
111 S. DeAnza Blvd.
Mountain House, CA 95391
(209) 836-7400

Appeals:

a. Except for Williams Complaints, if a complaint is denied, in full or in part, by the District, the complainant may appeal to the California Department of Education. (Ed. Code, § 262.3(a), Cal. Code Regs., tit. 5, § 4632)

- (1) Appeals must be filed within fifteen (15) days of receiving the District decision.

Complainant may, within that fifteen (15) day period, file a written request for an extension. Extensions will not be automatically granted, but may be granted for good cause.

- (2) Appeals must be in writing.
- (3) Appeals must specify the reason(s) for appealing the District decision.
- (4) Appeals must include a copy of the original complaint and a copy of the District decision.

b. If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)

(1) Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.

(2) The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies:

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b), Cal. Code Regs., tit. 5, § 4622)

28. **Pupil-Free Staff Development Day and Minimum Day Schedule:** A copy of the District's pupil-free staff development day and minimum day schedules is attached for reference. A pupil's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, §48980(c))
29. **Review of Curriculum:** A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for parent review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code, §§ 49063, 49091.14)
30. **Child Find System; Policies and Procedures:** Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to Education Code section 56300 et seq. (Ed. Code, § 56301, 34 C.F.R. § 104.32(b))
31. **School Accountability Report:** Parents/guardians may request a hard copy of the School Accountability Report Card which is issued annually for each school of the District. (Ed. Code, § 35256)
32. **Asbestos Management Plan:** An updated management plan for asbestos-containing material in school buildings is available at the District Office. (40 C.F.R. § 763.93)
33. **No Child Left Behind Act of 2001:** Under the NCLB Act, parents have the following rights:
 - **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects s/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether s/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to the parents' child and, if so, their qualifications. The District shall also notify parents if their child has been assigned to or has been taught for four or more consecutive weeks by a teacher who is not highly qualified. (20 U.S.C. § 6311(h)(6))
 - **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student. (20 U.S.C. § 6311(h)(6))
 - **Limited English Proficient Students:** The Act requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, including: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs; how the recommended program will meet the student's

needs; the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable, and; parent options for removing a student from a program and/or declining initial enrollment. (20 U.S.C. § 6312(g)(1)(A))

- **Program Improvement Schools:** Parents shall be notified when their child's school is identified a "program improvement" school. Parents must be notified as to what the identification means, how the school compares to other District schools, the reasons for the identification, how the low achievement is being addressed by the school, District, or State, and how the parents can be involved. The parents must also be notified about the opportunities for school choice and supplemental instruction. (20 U.S.C. § 6316(b)(6))

The information provided above is available upon request from each child's school or the district office. Additional notices that may be required under the No Child Left Behind Act shall be sent separately. (20 U.S.C. §§ 6301 et seq.)

34. **Children In Homeless Situations:** Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (Ed. Code, § 48852.5, 42 U.S.C. § 11432(g)(1)(J)(ii), (g)(6))
35. **Sex Equity In Career Planning:** Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (Ed. Code, § 221.5(d))
36. **Pesticide Products:** All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list provides the name of each pesticide product, the active ingredient(s) and the Internet address for further information. Parents or guardians may request prior notice of individual pesticide applications at the school. If a parent wishes to be notified every time a pesticide is going to be applied, he or she must complete the attached form and return it to his or her child's school. (Ed. Code, §§ 48980.3, 17612)
37. **Pupil Fees:** A pupil enrolled in a public school must not be required to pay a pupil fee for participation in an educational activity. (Ed. Code, § 49011)
 - (a) The following requirements apply to prohibited pupil fees:
 - (1) All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
 - (2) A fee waiver policy shall not make a pupil fee permissible.
 - (3) School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
 - (4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.
 - (b) Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. School districts, schools, and other entities are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Ed. Code, § 49010 et seq.)

**ACKNOWLEDGEMENT OF PARENT OR GUARDIAN OF ANNUAL RIGHTS
NOTIFICATION**

Detach, sign, and return this page to your child's school indicating you have received the Parent Notice of Rights and Responsibilities. Also, where specified on this page, indicate whether you have a child on continuing medication and if you do not wish directory information to be released.

Student's Name: _____

School: _____ Grade: _____

Student is on a continuing medication program: (Please check one) YES ___ NO ___

If YES, you have my permission to contact student's physician:

Physician's Name: _____ Telephone: _____

Medication: _____ Dosage: _____

Medication: _____ Dosage: _____

If you do not wish directory information released, please sign where indicated below and return to the school office within the next 30 days. Note that this will prohibit the District from providing the student's name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Do NOT release directory information regarding _____

(Pupil's Name)

- Check if an exception may be made to include student information and photos in the yearbook.

I hereby acknowledge receipt of information regarding my rights, responsibilities, and protections.

Signature of Parent or Guardian: _____ Date: _____

Notification of Rights Under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise the parent or eligible student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

[OPTIONAL: PICK ONE] Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll. - **OR** - The School will make a reasonable attempt to notify the parent or eligible student of a records request by officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

YOUR DISTRICT'S POLICY OF INTERDISTRICT
AND INTRADISTRICT TRANSFERS

Lammersville USD

Board Policy

Interdistrict Attendance

BP 5117

Students

The Governing Board recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons.

(cf. 5116.1 - Intradistrict Open Enrollment)

The Board desires to communicate with parents/guardians and students regarding the district's educational programs and services.

Upon request by students' parents/guardians, the Superintendent or designee may annually approve or deny interdistrict attendance permits with other districts on a case-by-case basis to meet individual student needs.

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

The interdistrict attendance permit shall not exceed a term of five years and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied.
(Education Code 46600)

The Superintendent or designee may deny interdistrict attendance permits because of overcrowding within district schools or limited district resources.

The Board shall annually determine the number of interdistrict transfer students the district will accept for the following school year. The Board shall also identify the schools, grade levels, and programs that will be able to accept these additional students.

Because the district admits students in accordance with the school district of choice program pursuant to Education Code 48300-48315, the Superintendent or designee may admit a student based on an individual interdistrict attendance permit only in situations of extreme need and upon the request of the district of residence.

Legal Reference:
EDUCATION CODE

46600-46611 Interdistrict attendance agreements
48204 Residency requirements for school attendance
48300-48315 Student attendance alternatives
48915 Expulsion; particular circumstances
48915.1 Expelled individuals: enrollment in another district
48918 Rules governing expulsion procedures
48980 Notice at beginning of term
52317 ROP, enrollment of students, interdistrict attendance
GOVERNMENT CODE
6250-6270 Public Records Act
ATTORNEY GENERAL OPINIONS
84 Ops.Cal.Atty.Gen. 198 (2001)
87 Ops.Cal.Atty.Gen. 132 (2004)
COURT DECISIONS
Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Policy LAMMERSVILLE UNIFIED SCHOOL DISTRICT
adopted: December 11, 2013 Mountain House, California

Lammersville USD

Board Policy

Sexual Harrassment

BP 5145.7

Students

The Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made
(cf. 5131.5 - Vandalism, Theft and Graffiti)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

- (cf. 1312.1 - Complaints Concerning District Employees)

Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964) (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance
UNITED STATES CODE, TITLE 20
1681-1688 Title IX, Discrimination
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
CODE OF FEDERAL REGULATIONS, TITLE 34
106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Reese v. Jefferson School District, (2001) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989
Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452
Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143
Clyde K. v. Puyallup School District #3, (1994) 35 F.3d 1396
Patricia H. v. Berkeley Unified School District, (1993) 830 F.Supp. 1288
Franklin v. Gwinnet County Schools, (1992) 112 S. Ct. 1028
Kelson v. City of Springfield, Oregon, (1985, 9th Cir.) 767 F.2d 651

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
Protecting Students from Harassment and Hate Crime: A Guide for Schools, January 1999

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Revised Sexual Harassment Guidance, January 2001
Sexual Harassment Guidance, March 1997

WEB SITES

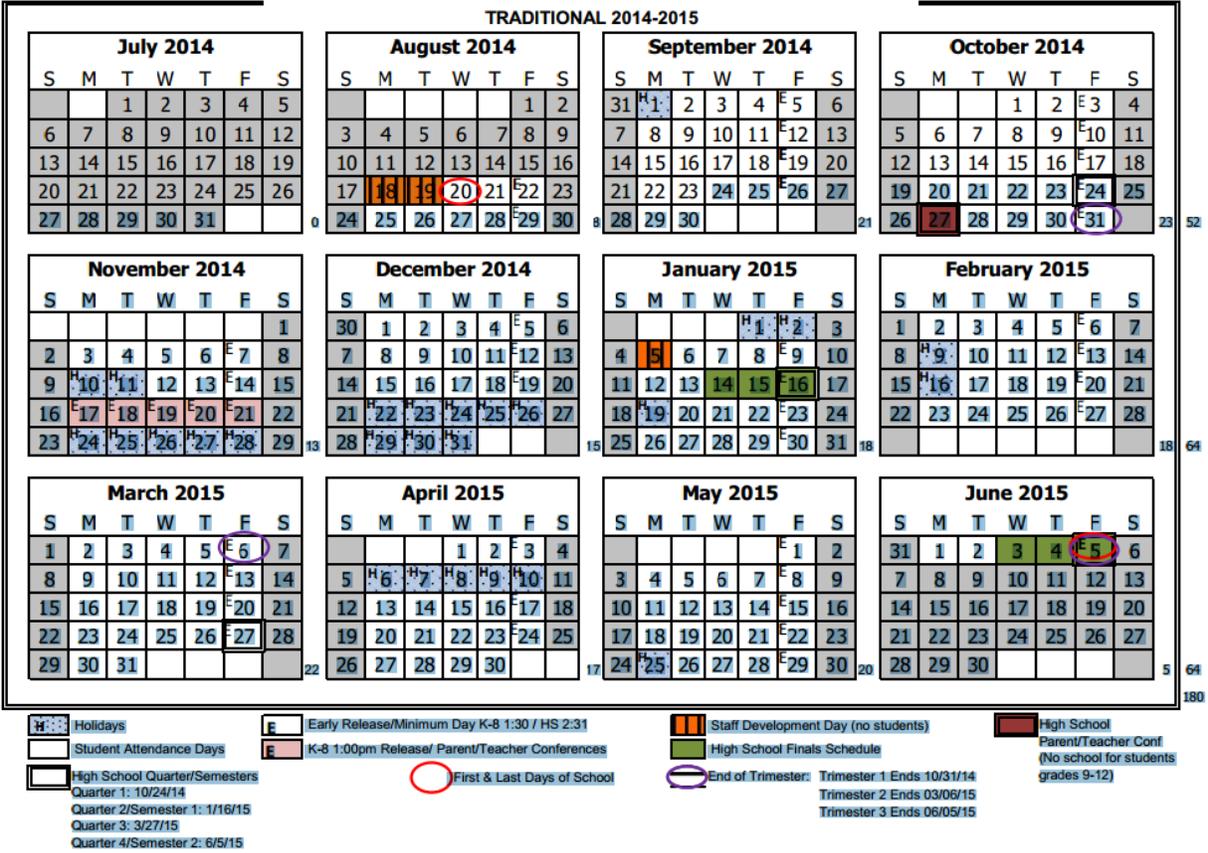
OCR: <http://www.ed.gov/offices/OCR>

Policy LAMMERSVILLE ELEMENTARY SCHOOL DISTRICT
adopted: November 19, 2008 Mountain House, California

YOUR DISTRICT'S SCHEDULE OF PUPIL-FREE STAFF DEVELOPMENT DAYS AND MINIMUM DAYS

Lammersville Unified School District

TRADITIONAL 2014-2015



HEALTHY SCHOOLS ACT OF 2000

Notice to all students, parents/guardians and employees of the Lammersville Unified School District:

Assembly Bill 2260 went into effect on January 1, 2001. This legislation enacted Education Code sections 17608 et seq. which require, among other things, that school districts notify parents and staff about the use of pesticides at school. The purpose of this legislation is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised of the following:

The Lammersville Unified School District expects to use the following pesticides at its campuses during the upcoming year:

<u>Pesticide Name</u>	<u>E.P.A. Reg. Number</u>	<u>Active Ingredient(s)</u>
-----------------------	---------------------------	-----------------------------

Parents/guardians of the _____ School District can register with the District's designee, _____, to receive notification of individual pesticide applications by calling _____. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code section 13184, you can do so by accessing the Department's web-site at www.cdpr.ca.gov.

**Model Notification of Rights Under the Protection of
Pupil Rights Amendment (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)--
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.

- Receive notice and an opportunity to opt a student out of --
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

- Inspect, upon request and before administration or use --
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the education curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Lammersville Unified School District has adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. LUSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. LUSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to

participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. LUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
 - Administration of any unprotected information survey not funded in whole or in part by the Department of Education.
 - Any non-emergency, invasive physical examination or screening as described above.
- Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

REQUEST FOR ELECTRONIC ACCESS TO ANNUAL RIGHTS NOTIFICATION

Sign and return this form to your child's school by _____, if you would like electronic access to the 2013-2014 Parent Notice of Rights and Responsibilities. If you do not return this form by the specified date, you will be provided with a hard copy of the Notice at the beginning of the 2013-2014 school year.

Student's Name: _____

School: _____ Grade: _____

I hereby request to receive the annual Parent Notice of Rights and Responsibilities in electronic format.

I understand that, by requesting the Notice in an electronic format, it is my responsibility to access the Notice at the beginning of the 2013-2014 school year on the District's website at _____.

I also understand that the Notice contains important information regarding my rights, responsibilities, and protections and that, by requesting the Notice in an electronic format, I will be required to access, print, complete, and timely return to my child's school the ACKNOWLEDGEMENT OF PARENT OR GUARDIAN OF ANNUAL RIGHTS NOTIFICATION, which is included with the Notice. [Note: Insert any other forms which need to be completed and returned by the parent.]

Signature of Parent or Guardian: _____ Date: _____

CHILD ABUSE REPORTING GUIDELINES AND PROCEDURES

The following information will assist parents and guardians in determining whether or not child abuse has occurred and, if so, how to file a complaint of child abuse with local law enforcement. This information has been taken from the California Child Abuse and Neglect Reporting Act in the California Penal Code and from sections of the California Education Code.

Child Abuse Can Be Any of the Following:

- A physical injury which is inflicted on a child by another person other than by accidental means.
- The sexual abuse, assault, or exploitation of a child, such as:
 - The negligent treatment or maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare, whether the harm or threatened harm is from acts or omissions on the part of the responsible person;
 - The willful infliction upon a child of any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition; or
 - The willful harming or injuring of a child or endangering of the person or the health of a child where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency.

Child Abuse Does *Not* Include:

- A mutual fight between minors;
- An injury that is caused by the actions of a peace officer using reasonable and necessary force within the scope of his or her employment; or
- An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
 - To stop a disturbance threatening physical injury to people or damage to property;
 - For purposes of self-defense;
 - To obtain possession of weapons or other dangerous objects within control of a pupil; or
 - To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

How to File a Complaint of Child Abuse Committed at a School Site

Parents and guardians of pupils have the right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. To file a complaint, the parent or guardian must file a formal report with an appropriate local law enforcement agency. An appropriate law enforcement agency may be one of the following:

- A Police or Sheriff's Department (not including a school district police department or school security department)
- A County Probation Department if designated by the county to receive child abuse reports, or
- A County Welfare Department/County Child Protective Services.

The complaint may be filed over the telephone, in person, or in writing. A complaint may also be filed at the same time with your school district or county office of education. School districts and county offices of education, however, do not investigate child abuse allegations.

The local law enforcement agency is required to investigate all complaints.

In addition, if the child is disabled and enrolled in special education, a separate complaint may be filed by the parent or guardian with the California Department of Education (CDE) according to Title 5 of the California Code of Regulations Section 4650(a)(vii)(c). The CDE does not, however, investigate allegations of child abuse but rather investigates the conditions that may involve immediate physical danger or threaten the health, safety, or welfare of the child or children or which may result in denial of a free and appropriate public education.

If the complaint of child abuse is "substantiated" or confirmed by the local law enforcement agency, meaning that the report of child abuse or neglect, as determined by the law enforcement investigator who conducted the investigation, is, based upon the evidence, more likely to have occurred than not, then a report of the investigation will be transmitted by the law enforcement agency to the governing board of the local school district or County Office of Education. A confirmed report of child abuse or neglect received by a governing board of a school district or County Office of Education will be subject to the provisions of California Education Code section 44031, which gives school employees certain rights regarding personnel information and records.

In addition, a confirmed report shall be forwarded by the law enforcement agency that investigated the complaint to the California Department of Justice according to California Penal Code Section 11169 and notice will be provided to the alleged child abuser that he or she has been reported to the Child Abuse Central Index, as maintained by the Department of Justice.

This guidance is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this guidance that is not supported by a specific statutory and/or regulatory requirement is not prescriptive pursuant to California Education Code Section 33308.5.

**PARENT/STUDENT AGREEMENTS FOR LAMMERSVILLE UNIFIED SCHOOL DISTRICT
POLICIES AND HANDBOOKS (Please also sign the form on the back of this sheet)**

Student Name (Print): _____ Date: _____
Grade: _____ CLASSROOM/HOMEROOM TEACHER: _____

I have viewed the school website (www.Lammersville.k12.ca.us/sites/bes) and reviewed all information below under the Parent/Student documents with my child. If you do not have Internet access, please contact the school office for a copy of these documents. My signature next to the document title **ON THIS SHEET** gives my acknowledgement and/or permission. (Please turn in this page to the classroom/core teacher by August , 2014.)

DOCUMENT

PARENT SIGNATURE

Notice to Parents/Guardians _____
(Parent acknowledges notification of rights)

Authorization to Release Pupil Information _____
(Parent agrees to the release of pupil information)

Consent to Release Pupil Information _____
(Parent agrees to web page use)

Permission for Student Name on School/District Web page _____
(Publicity)

LUSD Acceptable Use Agreement/Computers _____
(Parent and Student Agreement)

Attendance Agreement _____
(Parent acknowledges notification)

Library & Textbook Contract _____
(Parent and student agreement)

School Site Elementary Student Handbook _____
(Parent and student agreement)

School Safety/Violence Prevention Handbook _____
(Parent and student agreement)

Uniform Complaint Procedures, Annual Notification _____
(Parent acknowledges notification)

HIV/AIDS Prevention Education (Please mark below grade level _____
_____ 4th/5th Grade or _____ 6th through 8th grade

I HAVE READ AND DISCUSSED THE STUDENT HANBOOK'S CONDUCT CODE WITH MY CHILD AND WILL ABIDE BY ITS PROVISION AND THE RULES OF THE SCHOOL.

Student Signature: _____ Date: _____

Parent Signature: _____ Date: _____