



2016–2017

**Annual Notification to
Parents and Guardians**

***San Miguel
Joint Union School District***

Welcome

Dear Parents / Guardians:

We are looking forward to another successful school year for your children. Here's what you can expect from us:

- ▶ All of our teachers are highly qualified, very knowledgeable and very well trained.
- ▶ We will model for and teach our students the ethics of hard work, responsibility, good citizenship and exemplary character.
- ▶ Teachers will use research-based instructional practices to teach the state-approved curriculum at each grade level.
- ▶ Teachers will monitor student progress carefully and communicate with parents/guardians.
- ▶ All students will be provided opportunities within the school day for enrichment, physical education/competition and acceleration, and dependent upon sufficient student interest and commitment, after-school classes.
- ▶ All staff will show each day how much they truly care for your student and how committed they are to your child's success.

We also want you to know some expectations we have for you as parents/guardians:

- ▶ Send your child prepared to learn every day.
- ▶ Send your child on time everyday.
- ▶ Provide an appropriate workspace for your child at home.
- ▶ Check your child's homework each evening and read with them every night.
- ▶ Show your child how much you value school by becoming involved.
- ▶ Work with us – call us with any concerns or suggestions

Working together we will make a positive difference in the lives of our children. If you have any questions or concerns, please contact your child's teacher, the office staff, or me.

Thank you for your cooperation and support,

DR. CURT DUBOST
Superintendent

San Miguel Joint Union School District
1601 "L" Street
San Miguel, CA 93451
(805) 467-3216

Cappy Culver Elementary School
11011 Heritage Ranch Loop Road
Paso Robles, CA 93446
(805) 227-1040

Lillian Larsen School
1601 "L" Street
San Miguel, CA 93451
(805) 467-3216

**Please review the material in this booklet.
Then SIGN and RETURN the acknowledgement to your school.**

ANNUAL NOTICE OF YOUR RIGHTS AND RESPONSIBILITIES

As required by law, this is to notify of your rights and responsibilities. Please take time to carefully review the information in this booklet.

If you have any questions regarding this information, please feel free to contact the District office.

Education Code Section 48982 requires parents or guardians to sign and return this acknowledgment. After your review, please sign and return to your child's school this acknowledgment indicating you have received and reviewed these materials.

By signing below, I am neither giving nor withholding consent for my child(ren) to participate in any program. I am merely indicating that I have received and read the booklet with notices regarding my rights relating to activities which might affect my child(ren).

RELEASE OF DIRECTORY INFORMATION & OTHER PERMISSIONS

State and Federal law require school districts to release "directory information" listed in Board Policy 5125.1 to certain people or organizations. Using this form, you may have the district withhold this information. [EC 49061(c), 49070, 56515; ESEA]

Please check

Yes

No

My phone number and address may be given out for school-related use (PTO, School Directory, Graduation Committee).

Student Name (printed)

Student ID Number

School

Grade

Parent/Guardian Name (printed)

Telephone

Parent/Guardian Signature

Date

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

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

Every Wednesday is a Minimum Day

ATTENDANCE

● General Absences

Children cannot learn if they are not in school. Children learn early about being on time and not missing school. For students 6 to 18 years old, daily school attendance is compulsory. Daily school attendance improves student achievement. Teach your child to be on time and that school attendance is an important family value.

It is also important that you know the state only awards funding to school districts for actual attendance. The state no longer funds districts for the excused absences listed below. Always review the school calendar and plan activities and vacations during days off. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

Other attendance reports, such as truancy, still rely on excused and unexcused absences. There are legal consequences if your child misses too much school. You must send a note and/or phone the school within 72 hours to clear any excusable absences. Unexcused absences result in a recorded truancy.

1. Notwithstanding EC 48200, a pupil shall be excused from school when the absence is:
 - A. Due to his or her illness.
 - B. Due to quarantine under the direction of a county or city health officer.
 - C. For the purpose of having medical, dental, optometric, or chiropractic services rendered.

- D. 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.
- E. For the purpose of jury duty in the manner provided for by law.
- F. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
- G. 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, 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.
- H. For any student 16 years old or older, with a GPA of 2.5 or higher, for the purposes of serving as a member of a precinct board for an election pursuant to Sec. 12302 of the Elections Code.
- I. 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 EC 49701, and has been called to duty

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

BP . . . District Board Policy	BPC Business and Professions Code
AR . . . Administrative Regulation	FAC Food and Agriculture Code
EC . . . Education Code	USC United States Code
HSC . . Health and Safety Code	CFR Code of Federal Regulations
PC . . . Penal Code	ESEA Elementary and Secondary Education Act [20 USC 7114(D)(7)]
WIC . . Welfare and Institutions Code	PPRA Pupil Privacy Rights Amendment
CCR . . California Code of Regulations	FERPA . . . Family Educational Rights and Privacy Act
CC . . . Civil Code	Title VI . . . Title VI (or VII, IX) of the Civil Rights Act of 1964 [42 USC 1981]
FC . . . Family Code	IDEA Individuals with Disabilities Education Act
GC . . . Government Code	§ 504 Section 504 of the Rehabilitation Act of 1973 [29 USC 794(a)]
VC . . . Vehicle Code	EOA Equal Opportunities Act [20 USC 1701]

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.

- J. Participation in religious instruction or exercises in accordance with district policy.
2. 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 thereof. The teacher of any class from which a pupil is absent shall determine the tests and assignments, which shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
3. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
4. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
5. "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil." [EC 46014, 48205]

● Minimum Days/Pupil Free Staff Development Days

Every Wednesday is a minimum day for staff development and collaboration, with dismissal at 1:10 pm.

If your child will be affected by minimum days or staff development days, we will give you at least one month's notice. The dates that were known at press time are printed in the calendar on our district website, www.sanmiguel.school.org. [EC 48980(c)]

● Attendance Options

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Many districts, by agreement, also allow the transfer of students from

or to other districts (inter-district transfer). Victims of bullying or violence are given preference in inter-district transfers. In some cases, the district must provide transportation. Students attending "persistently dangerous" schools can transfer and enroll in a safe school. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [EC 46600, 48204, 48206.3, 48300, 48301, 48306, 48980, 49068]

1. Intradistrict transfers:

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, board policy and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district.

The Board shall annually review this policy.

Enrollment Priorities

Priority for attendance outside a student's attendance area shall be given as follows:

1. If a district school receiving Title I funds is identified for program improvement, corrective action or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school.
2. Beginning in the 2003-04 school year, if while on school grounds a student becomes a victim of a violent criminal offense, as defined by the State Board of Education, or attends a school designated by the California Department of Education as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school.
3. The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance

area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.

To grant priority under these circumstances, the Superintendent or designee must have received either:

- a. A written statement from a representative of an appropriate state or local agency, including but not limited to a law enforcement official or social worker, or a properly licensed or registered professional, including, but not limited to, a psychiatrist, psychologist or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
4. Priority may be given to siblings of students already in attendance in that school.
 5. Priority shall be given to students whose parent/guardian is assigned to that school as his/her primary place of employment.

For all other applications for enrollment outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity.

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area.

Transportation

Except as required by 20 USC 6316, for transfers out of Title I program improvement schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area. However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds. Priority for any such transportation shall be based on demonstrated financial need. [BP 5116.1, October 2011; EC 35160.5, 35291, 35351, 48980;

20 USC 6316, 7912, 5 CCR 11992-11994; 34 CFR 200.36 200.37, 200.39, 200.42, 200.43, 200.44, 200.48]

2. Interdistrict transfers:

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.

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 approve interdistrict attendance permits with other districts on a case-by-case basis to meet individual student needs.

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.

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

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.

The Superintendent or designee may deny interdistrict attendance permits because of overcrowding within district schools or limited district resources. [BP 5117 October 2011; EC 46600-46611, 46621, 48204, 48915, 48915.1, 48918, 48980, 52317]

3. Open enrollment:

Due to the transition to the new California Assessment of Student Performance and Progress system, the open enrollment list for 2016-2017 cannot be calculated. The District had at least one school on the list of 1,000 low-achieving schools for the 2015-2016 school year. For information about transferring to a different school under this provision, please contact the District Office. [EC 48350-48361]

● Attendance Where Caregiver Resides

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

● Attendance in District in Which Parent or Guardian is Employed

Until June 30, 2017, your child may have the option of attending school in the school district where you or your spouse are employed for at least 10 hours per week. After July 1, 2017, if you and the child live at your place of employment within the district three (3) days per week, the child may attend school in the district. If interested, call the district office for information. [EC 48204(b), (48204(7) after July 1, 2017), 48980(i)]

● Enrollment of Homeless or Foster Youth

Foster and homeless children living in the District shall be permitted to attend a school in the District unless they: 1) stay enrolled at their school of origin, 2) their IEP indicates attendance elsewhere, or 3) the parent or guardian, with knowledge of all options, declares in writing otherwise. [EC 48850-48859; 5 CCR 4622; WIC 361, 726, 56055]

● Individualized Instruction

If your child has a temporary disability preventing him/her from attending regular classes, the district will provide individual instruction when possible. [EC 48206.3, 48980(b)]

● Pupils in Hospitals Outside of School District

If, due to a temporary disability, your child is in a hospital or other residential health facility, which is located outside your school district, he/she may be eligible to attend the school district in which the hospital is located. [EC 48207] If this situation should arise, you should notify both the district where you reside and where the hospital is located so that individualized instruction, if possible, can be provided. [EC 48208]

● Truancy

The state defines three levels of truancy, each carrying more severe penalties for both the student and the parents or guardians. The three are truant, habitual truant, and chronic truant.

Truant: A student is truant after missing three days of school or three 30-minute periods without a valid excuse.

Chronic Truant: A chronically truant student has missed 10 percent or more school days in a school year.

Habitual Truant: If a student is truant three or more times in a school year and an effort is made to meet with parents, then the student is a habitual truant.

Interventions: Students who are habitually truant, miss a lot of school or are disorderly can be referred to a student attendance review board (SARB), a district attorney mediation program, or the county probation department. Through these programs the student can be given guidance to meet special needs for improving attendance or improving school behavior. The goal is to intervene before a student enters the juvenile justice system or drops out.

Student Penalties: First truancy may result in a one-day weekend class. Second truancy may be a written warning from a peace officer that remains in the student's records. Third truancy may result in assignment to an after-school or weekend program, a SARB, a probation officer, or district attorney program. A fourth truancy may result in a chance to improve attendance, but may also result in the student being placed within the jurisdiction of, and as a ward of the juvenile court. Other actions may include required community service, payment of a fine of \$100, attend a truancy mediation program, and loss of driving privileges. A finding of truancy may be handled through available community services.

Parent Penalties: In Education Code; first conviction – up to \$100 fine; second conviction – up to \$200 fine; third – up to \$500 fine. In Penal Code; parents of elementary students who are chronic truants face a fine up to \$2,000; imprisonment up to one year; or both. They may also be scheduled to meet regularly with district staff and/or referred for help. It is recommended that the parent or guardian attend classes at school with the student for one day. [EC 48260, 48260.5, 48261, 48262, 48263, 48263.5,

48263.6, 48264.5, 48291, 48293, 48320; PC 270.1, 830.1; WIC 256, 258, 601, 601.3; VC 13202.7]

● Notice of Alternative Schools

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

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. [EC 58501]

INSTRUCTION AND CURRICULUM

● District Courses

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

● Academic and Non-Academic Courses, Classes, Electives, Activities, Sports, and Related Facilities

State and federal policies require academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities be available to all students without regard to their gender or gender identity, and irrespective of the gender listed in their records. Staff will not counsel students into programs, courses, or careers based on their gender or gender identity. [EC 221.5, 221.8, 49600; GC 11135, 11138; Title VI, Title IX; § 504; California Interscholastic Federation (CIF) 300D]

● California State Academic Standards

California along with most other States developed and adopted common academic standards in core curriculum areas. They are rigorous, internationally benchmarked, and research- and evidence-based.

Each state, and each district in California decides how they will teach and what resources they will use. More information can be found at www.cde.ca.gov/re/cc/ or www.corestandards.org. California launched a new computer-based student testing system that ties to the standards for English language arts and mathematics called the California Assessment of Student Performance and Progress (CAASPP). This new system replaces the Standardized Testing and Reporting (STAR) Program that was based on 1997 standards. Parents can opt their child(ren) out of CAASPP testing by submitting a written letter. More information about the CAASPP can be found at www.cde.ca.gov/ta/tg/ca/. [EC 60119, 60604.5, 60615]

● LCFF and LCAP

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

The LCAP (Local Control Accountability Plan) is a critical part of the LCFF. Each school district is required to engage parents, educators, employees, and the community to establish their plan. The plan must describe the overall vision for students, annual goals, and specific action to achieve these goals. The LCAP must focus on eight areas identified as State priorities. The plan will demonstrate how the district's budget will help achieve the goals, and annually assess how well the strategies improved outcomes. [EC 52060, 52066]

● Curriculum and Personal Beliefs

Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request an excuse in writing. [EC 51240]

Family Life, Human Development, and Sexual Health Education

Your child will be taking classes in compliance with the California Healthy Youth Act. These will include instruction in comprehensive sexual health education, HIV prevention education, and research findings regarding pupil health behaviors and risks. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker for ten cents (10¢) per page. You will be notified before such instruction, and have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. At the discretion of the District, staff give such instruction. If taught by a consultant or guest speaker, or in an assembly, parents will receive notice of the dates, name of organizations, and affiliation of speakers by mail or other commonly used method of notification at least 14 days prior to the dates of the class or assembly. During this class, students in grades 7-8 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes

Your children may decide, or you may decide for them, not to participate in some parts of certain classroom activities for various reasons.

toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at www.leginfo.legislature.ca.gov. [EC 51933, 51934, 51937-51939]

Dissection of Animals

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

Tests/Surveys on Personal Beliefs

Unless you give written permission, your child will not be given any test, questionnaire, survey, examination, or marketing material containing questions about your child's, or his/her parents' or guardians' personal beliefs or practices in politics, mental health, anti-social, illegal, self-incriminating, or demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility in a program or for receiving assistance), sex, family life, morality, or religion. Parents may also opt out of their child supplying information to be used for marketing. Parents have the right to review any survey or educational materials related to the survey on any of the above items. The District has developed policies relating to the surveys and personal information. Notice will be sent to parents prior to any such test or survey. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 60614, 60615; PPRA; 34 CFR 98; ESEA; ne]

SCHOOL RECORDS AND STUDENT ACHIEVEMENT

● Pupil Records

You have the right to review, get copies, and inspect their school records within five business days of a written or oral request or before any meeting regarding an individualized education program or a hearing. Those records are confidential, and privacy will be maintained, except in some instances such as when your child transfers to another school. In some instances information about your child may be released to District staff, foster agencies, after school program operators, summer camp operators, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, discipline letters, commendations, attendance, health information. The records are maintained at school sites by the school secretary. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. District policy or administrative regulation set forth the criteria by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for twelve cents (12¢) per page. If you cannot afford the cost of copies they will be provided free of charge. You also have the right to file a written request with the superintendent challenging the records. You can challenge how your request was handled with the district or with United States Department of Education if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, comment not based on personal observation with time and date noted, misleading information, or violation of privacy rights. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority.

If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49063, 49060, 49068, 49069, 49069.3, 49070-49079.7, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR 99]

● Student Data from Social Media Websites

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

● Regulations Regarding Pupil Achievement

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. [EC 49067]

● Teacher Qualifications

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

● Release of Directory Information

The law allows schools to release "directory information" to certain persons or organizations including military recruiters. Directory information includes student's name, address, telephone information, electronic mail address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school attended by the student. You may

have the district withhold any of this information by submitting a request in writing. In the case of students with exceptional needs or who are homeless, no material can be released without parent or guardian consent. [EC 49061(c), 49070, 49073(c), 56515; FERPA; ESEA]

● **School Safety Plan**

Every year, each school shall review and update its plan by March 1. Each school shall make its plan public and shall share the plan with numerous community leaders, school site personnel, and parent groups. Plans should, among other things, provide guidance for the response to and/or the prevention of bullying, child abuse, and disasters. Key elements are to be described in the School Accountability Report Card. Planned responses to criminal incidents need not be disclosed. The Uniform Complaint Procedure can be used regarding School Safety Plan compliance. [EC 32281, 32282.1, 32286, 32288, 32289]

STUDENT SERVICES

● **Student Lunch Program**

Many sources of school funding depend on the number of students that qualify for free or reduced-price meals. If your child qualifies for free or reduced-price meals, they may automatically qualify for other programs or services. Your child may, but is not required to take advantage of these services. Information on the application is confidential, and is used only to determine funding sources for the district. Please submit an application to help the district qualify for as many of these funds as possible. [EC 49510-49520, 49558]

● **Universal Breakfast**

Breakfast is available free of charge for all students.

● **Student Use of Technology**

The Governing Board intends that technological resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

The Superintendent or designee shall notify students and parents/guardians about authorized

uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement

Before a student is authorized to use the district's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the district's technological resources and to help ensure that the district adapts to changing technologies and circumstances.

Use of District Computers for Online Services/Internet Access

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

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

The Superintendent or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Student use of district computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access. [BP 6163.4 June 2012; EC 51006, 51007, 51870-51874, 60044; Penal Code 313, 502, 632, 653.2; 15 USC 6501-6506, 20 USC 6751-6777, 6777, 47 USC 254; 16 CFR 312.1-312.12, 47 CFR 54.520]

● **School Accountability Report Card**

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

● **Services to Disabled Pupils**

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

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

● **Pupil Fees**

While there are limited exceptions, families and students should not have to pay fees for most items

related to public education. There are four types of fees identified in Education Code:

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

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

Voluntary Donations: While voluntary donations may be suggested for activities, no student may be denied participation based on the family's ability to make a donation.

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

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

HEALTH SERVICES

● **Immunizations**

A pupil may not be admitted to a classroom setting in school unless he/she has been fully immunized against diphtheria, hepatitis b, haemophilus influenza type b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella,

tetanus, and varicella (chickenpox). Students must be immunized for varicella or provide proof from a doctor stating child has had the disease. All advancing students, new students, or transferring students in grades 7 through 12 must be fully immunized, including a required booster against pertussis (Tdap). They shall not be admitted without the Tdap booster.

It is this district's policy that there be no "conditional" admittance to schools. Documented proof that immunizations are up-to-date is required before admission to school is granted. This requirement does not apply in at least the following instances:

- If note from physician is supplied saying physical or medical condition does not allow vaccination.
- If a homeless or foster child is enrolling.

The required immunizations are available through a usual source of medical care, County Health Department, a school nurse, or may be administered by a health care practitioner acting under the direction of a physician. Immunizations may be given at school. There may be funds for those who cannot access services.

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

Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying the County Health Department listed in this section. [HSC 120325, 120335, 120338, 120370, 120375, 120400, 120405, 120410, 120415, 120480; EC 48216, 49403, 48852.7, 48853.5; 17 CCR 6000-6075; 42 USC 11432(C)(i)]

● Physical Examinations

If you want your child to be exempt from physical examinations at school, file a written statement annually with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [EC 49451; PPRA]

● Kindergarten and First Grade Physical Exam

State law requires that for each child enrolling in the first grade, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file with the school district a waiver stating the reasons you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted. [EC 49450; HSC 124085, 124100, 124105]

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

San Luis Obispo County
Health Department
723 Walnut Avenue
Paso Robles, CA 93446
805-237-3050

● Kindergarten and/or First Grade Oral Health Assessment

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

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

● Vision, Hearing, and Scoliosis Screening

An authorized person will check your child's vision upon enrollment (unless the student enters the District in grade 4 or 7) and in grades 2, 5, and

8. Hearing tests will be conducted when your child is enrolled or first enters a District school. Between grades 6 and 8, your child may be screened for scoliosis (curvature of the spine). These tests will/ may be administered unless you annually present to the school a certificate from a physician or optometrist verifying prior testing, or submit a letter denying consent. [EC 44878, 49451, 49452, 49452.5, 49455]

● Medication

Children may take medication, which is prescribed by a physician, and get help from school personnel during the school day if:

1. The district designee has received the district's medication authorization form signed by the parents and the physician indicating the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian, or caregiver annually submits a written statement asking the school district to assist their child in taking the medication or allow the student to self-administer certain medications. This includes allowing a school staff member to volunteer to identify the need for, and administer glucagon, epinephrine, and epilepsy seizure medication to a student. The letter gives permission to a district representative to communicate with the health care provider, pharmacist and acknowledge understanding of how the medication will be administered. Each school determines if it will have staff trained in the use and storage of auto-injectable epinephrine. The District will have a supply of epi-pens at each school site. [EC 49414(d), 49414.7, 49423, 49480]

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

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

For your child's safety, we need to know if your child is taking medication on a regular basis.

● Sun Protection

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

● Type-2 Diabetes 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.

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.
- 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

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.

- 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.

Online References:

American Diabetes Association Clinical Journal (outside source) — <http://clinical.diabetesjournals.org/content/23/4/181.full>

Helping Children with Diabetes Succeed: A Guide for School Personnel (PDF; outside source) — http://www.ndep.nih.gov/media/Youth_NDEPSchoolGuide.pdf

KidsHealth.Org (outside source) — <http://kidshealth.org/parent/medical/endocrine/type2.html>

Mayo Clinic (outside source) — <http://www.mayoclinic.com/health/type-2-diabetes-in-children/DS00946>

National Library of Medicine (NLM) and National Institutes of Health's (NIH) MedLine (outside source) — <http://www.nlm.nih.gov/medlineplus/ency/article/000313.htm>

US Centers for Disease Control and Prevention (outside source) — <http://www.cdc.gov/diabetes/projects/cda2.htm>

● Medical and Hospital Insurance for Students

The district DOES provide supplemental accident insurance coverage on individual students while on school grounds or in school buildings during the time children are required to be there due to regular school attendance; or while being transported by the district to and from school or other places of instruction. The school district assumes no liability for accidents to pupils at school. [EC 32221.5, 49472]

Please contact the school office to inquire if the school has information on supplemental insurance which parents may purchase.

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Covered California (800) 300-1506 or online at www.coveredca.com. [EC 49471.5]

Public, Charter, and Private school parents/guardians and athletes are annually required to complete a concussion awareness form if student participates in school-sponsored athletics other than physical education or athletic event during the school day. [EC 49475]

● Drug, Alcohol, and Tobacco Use Prevention

The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs, alcohol, or any form of tobacco product on District premises or as a part of any District activity is strictly prohibited. Beginning in January 2017, “tobacco product” is defined as (i) any product made or derived from tobacco or nicotine that is intended for human consumption, regardless of how consumed; (ii) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device (commonly known as “e-cigarettes”); or (iii) any component, part or accessory of a tobacco product. Except for members of the military, possession of tobacco by those under 21 is illegal and can lead to a \$75 fine or 30 hours of community service. It is illegal to possess synthetic marijuana. School districts may adopt no smoking policies that are not part of the TUPE program. The District has adopted a policy banning electronic-cigarettes (e-cigarettes) and other vapor delivery devices. [EC 48900, 48901; HSC 11357.5, 11375.5; BPC 22950.5(c); PC 308]

This district often seeks funding to support student programs; the district qualifies for Tobacco Use Prevention Education (TUPE) grant money. Money for the grant comes from Proposition 99 (1988) that added a 25¢ tax on each pack of cigarettes. In grades 6-12, TUPE funds support health education efforts aimed at the prevention and reduction of tobacco use by students and provide intervention and cessation services to students currently using tobacco. All recipients will adopt tobacco free district policies as well as post “Tobacco Use Is Prohibited” signs at all property entrances. [HSC 104350, 104420, 104460]

Any student, parent or community member may contact SLO County Public Health Department at (805) 781-5564 to obtain information on FREE stop smoking classes as well as Baby’s First Breath program specializing in services to pregnant women and parents of children ages 0-5.

Synthetic Marijuana (Cannabis)

Every person who sells, dispenses, distributes, furnishes, administers, gives; or offers to sell, dispense, distribute, furnish, administer, or give; or possesses for sale any synthetic cannabinoid

compound, or any synthetic cannabinoid derivative, to any person, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment. [HSC 11357.5, 11375.5]

● Meningitis

Meningococcal disease or Meningitis can be a life threatening infection that can be treated, but cannot always be cured. Routine vaccinations are recommended for 11-12 years olds, students entering high school and students living in college dorms. For more information please visit the California Department of Public Health website or go to www.cdph.ca.gov/HealthInfo/discond/Pages/MeningococcalDisease.aspx [HSC 120395-120399]

● Fluoride Treatments

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

● Confidential Medical Services

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

STUDENT BEHAVIOR AND SAFETY

● School Rules

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

● Cell phones, Pagers, Electronic Signaling Devices

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

sponsored activities, or while under the supervision and control of school district employees. Use is allowed if essential to student's health as determined by a licensed physician or surgeon. [EC 48901.5]

● Safe Place to Learn

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school sites and school activities based on actual or perceived characteristics: race, color, ancestry, nationality, national origin, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics at any school sponsored activity. District employees must report and, when safe to do so, intervene when they see discrimination, harassment, intimidation or bullying. Resources about bullying, intimidation, and violence are found at www.cde.ca.gov, www.cde.ca.gov/lr/ss/se/bullyres.asp, www.cde.ca.gov/lr/ss/se/bullyfaq.asp, www.cde.ca.gov/lr/ss/vp/ssresources.asp, www.californiahealthykids.org

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer below for assistance. [EC 200, 220, 234; PC 422, 422.55; 5 CCR 4900; BP 5131.2, 5145.3, 5145.7, 1312.3]

DISCIPLINE

● Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not

As a parent, you are the best person to set rules and consequences for your children.

Unfortunately, society has been forced to set some rules as well. This section talks about those rules.

returned. Parents' or guardians' liability may be as much as \$19,100 in damages and another maximum of \$10,500 as adjusted annually by the California Department of Education for payment of a reward, if any. The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904; CC 1714.1; GC 53069.5]

Vandalism

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

☰ Impersonation on the Internet

Pretending to be another pupil or real person other than yourself on the Internet or through other electronic methods to harm, intimidate, threaten or defraud is punishable by a \$1,000 fine or imprisonment for up to one year. [EC 48900; PC 528.5]

☰ Grounds for Suspension or Expulsion

A pupil may not be suspended from school or recommended for expulsion unless the superintendent of the district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to one or more subdivisions:

- (a) 1. Caused, attempted to cause, or threatened to cause physical injury to another person; or
2. Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such 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, any 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 any 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 then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any 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 any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) 1. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
2. Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this

subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.

- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. An “imitation firearm” means a replica of a firearm so similar in physical properties to a firearm as to lead a reasonable person to conclude that the replica is a firearm. Displaying an imitation weapon at a school can result in a misdemeanor or fines.
- (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 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. For purposes of this subdivision, the following terms have the following meanings:
 - (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4,

directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
 - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
 - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
 - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2) (A) “Electronic act” means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (ii) A post on a social network Internet Web site, including, but not limited to, (I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1); (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

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

(3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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

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

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this section.

Except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

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

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.

(w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil

who is truant, tardy, or otherwise absent from school activities. [EC 35291, 48900, 48910]

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

☛ **Mandatory Suspension / Expulsion**

Education Code Section 48915(a): Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

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

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

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior or written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm

only if the possession is verified by an employee of a school district.

2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

● Student Search

The school principal or designee may search the person of a student, the student's locker, backpack or purse if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. [U.S. Supreme Court Case: *New Jersey v. T.L.O.* (1985) 469 U.S. 325]

● Release of Student to Peace Officer

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

DISCRIMINATION, PROTECTIONS, COMPLAINTS AND PROCEDURES

All pupils have the right to participate fully in the educational process, free from discrimination and harassment. Schools have an obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity and ensure safe school sites.

The District is primarily responsible for compliance with local, state and federal laws and regulations and has procedures to address allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected individual or group including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, mental or

physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program, or activity that receives or benefits from local, state and federal financial assistance.

● Sexual Harassment

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.

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.

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.

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. [BP 5147.7 October 2011; EC 200-262.4, 48900, 48900.2, 48904, 48980; CC 51.9, 1714.1; GC 12950.1; 5 CCR 4600-4687, 4900-4965; 20 USC 1681-1688, 42 USC 1983, 2000d-2000d-7, 2000e-2000e-17; 34 CFR 106.1-106.71]

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

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected individual or group identified under Board Policy, Education Code,

California Code of Regulations, Penal Code, or Government Code including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnicity, race, ancestry, national origin, religion, color, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

The District shall promote programs that ensure non-discriminatory practices in all district activities. If you want further details in this regard, or wish to file a complaint, please contact the District's Uniform Complaint Officer. The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with law:

Curt Dubost, Superintendent
1601 "L" Street
San Miguel, CA 94351
805-467-3216

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, ROP programs and centers, child development, Consolidated Categorical Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, nutrition services, special education, homeless or foster youth education options, course content, physical education, discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 234, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI, Title IX; § 504; IDEA; 42 USC 2000d, 2000e, 2000h; 34 CFR 106.9]

District's Uniform Complaint Process

You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. The complaint procedure can be used for a variety of issues not mentioned above including but not limited to employee issues and policies and procedures of the district. Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of another person or group of people within six months of the occurrence or when facts became known. Complaints regarding a special needs student or pupil fees may be filed within 12 months of the occurrence. Complaints regarding Pupil Fees may be filed anonymously and with the principal. If a complaint regarding pupil fees is valid, then the parents are due full reimbursement. Staff has been trained to deal with these types of complaints.

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

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure should be completed within 60 days from the receipt of the complaint. The Superintendent and complainant may agree in writing to extend the timeline.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The compliance officer shall send a written report about the investigation and decision. There are then five days to appeal to the Board of Education.
6. If you are not satisfied with the results, the complainant then has 15 days to appeal to the California Department of Education. The appeal must include a copy of the locally filed complaint and a copy of the LEA decision.

7. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district's complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to: injunctions and restraining orders.

For discrimination complaints, 60 days must elapse from the time an appeal is filed with CDE before pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504 – Office of Civil Rights
Child Abuse – Department of Social Services, Protective Services Division, or law enforcement

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

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

General Education – this school district

Health and Safety/Child Development – Department of Social Services

Student Records – Family Policy Compliance Office (FPCO), U.S. Department of Education

[20 USC 11138; 34 CFR 300.510-511, 300.513; EC 235.262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5 CCR 4600, 4620-4632]

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

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

Williams Settlement complaint procedure

A complaint form may be obtained, free of charge, at the school office, the district office, or downloaded from the district's Web site at sanmiguelschools.org, but the form need not be used to make a complaint. You may also download a copy of the California Department of Education complaint

form from this Web site, www.cde.ca.gov/re/cp/uc. The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying:

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

Further Information is Available

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

DISTRICT FACILITIES

Management Plan for Asbestos-Containing Material

The District has available upon request a complete and updated management plan for asbestos-containing material. [40 CFR 763.93]

Pesticide Use

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. The identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds. The school’s Integrated Pest Management Plan (IPM) is updated by September 30 each year. The IPM, pesticide names and active ingredients, and application dates are posted on the school and/or district website at www.sanmiguelsschools.org/safety.html.

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

<u>Product Name</u>	<u>Active Ingredient(s)</u>
Cool Power	Dicamba, Triclopyr, MCPA, Isooctyl Ester
Glystar Plus	Glyphosate
OxiStar	Oxyfluorfen
Magnify	<i>none</i>
No Foam A	<i>none</i>
Permethrin SFR	Permethrin
Gentrol IGR	Hydroprene
Suspend PolyZone	Deltamethrin
Advion Cockroach Gel Bait	Indoxacarb
Advion Ant Gel Bait	Indoxacarb
Niban Granular Bait	Orthoboric acid