

# Walnut Valley Unified School District

"KIDS FIRST - Every Student, Every Day"

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Robert Taylor, Ed.D., Superintendent  
880 S. Lemon Avenue • Walnut, California 91789 • Tel. (909) 595-1261

July 2018

Dear Parent:

Welcome to a new year in the Walnut Valley Unified School District! It is important for you to be aware of your rights and responsibilities under the law. This document contains all of the notices that California law requires the schools to send to parents and students.

The Education Code of the State of California requires the Board of Trustees of each school district to notify the parent or guardian of a minor pupil about parent rights and responsibilities contained in designated sections of the code (EC 48980 et. seq.). Walnut Valley Unified School District will not discriminate on the basis of race, color, national origin, sex, disability or the lack of English regarding admission and participation in district programs. (Title VI and Title IX)

EC 48981 allows for notice to be provided by electronic format or regular mail if requested by the parent/guardian, or by any other method normally used to communicate with parents/guardians in writing. The electronic Signature Acknowledgement & Accountability page can be accessed on the school or district website. The signature is an acknowledgement by the parent or guardian that you have been informed of your rights, but does not indicate that consent to participate in any particular program has either been given or withheld. (EC 48982)

No school district shall undertake any activity covered by the sections contained in the notice with respect to any particular student unless the parent/guardian has been informed of such action or has received separate special notification including the approximate date upon which any of such activities will occur. (EC 48983 - 48984)

The following sections of the Education Code have been paraphrased for your convenience. Explanations regarding any activity may be requested from the Principal of any school and the Director of Pupil Personnel Services. All the activities described begin with the opening of school each year and continue throughout the school year. Separate special notification that your student is involved in any of the activities listed will be provided by the school Principal as individual students are involved.

A letter specifying any objection you may have at this time to any activity listed, or to the participation of your student in any activity listed, should be sent to the Principal of the school that your student attends or to the Assistant Superintendent of Educational Services.

Please sign the "Signature Acknowledgement & Accountability" page, which indicates your receipt of the material in this document. If you have any questions about these laws or your rights, please call the District's Educational Services Office or your school Principal.

We extend to you our hope and cooperation in providing a very successful school year for your children.

Sincerely

Pupil Personnel Services

## ***ALL SCHOOLS AND DISTRICTS***

### **Asbestos Management Plan – 40 CFR 763.93**

The Walnut Valley Unified School District maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact Director of Maintenance, Operations, Transportation and Facilities at 595-1261, Ext. 31245.

### **Attendance Options/Permits – EC 48980(h)**

#### Residency – EC 48200, 48204, and 48204.3

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

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; a pupil residing in a state hospital located within the boundaries of the school district; or a pupil whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order.

A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of 10 hours during the school week.

Residency is established when a pupil's parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school district for a minimum of 3 days during the school week.

#### Intradistrict Choice – EC 35160.5(b)

Residents of the School District may apply to other schools within the District for their child to attend on a space available basis. Information on each school within the District is provided on the District website. Parents of high school athletes should check on CIF sports eligibility rules before pursuing open enrollment. Transportation to any other school is the responsibility of the parent.

#### Interdistrict Attendance – EC 46600 *et seq.*

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

Regardless of whether an agreement exists or a permit is issued, the school district of residence cannot prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if that district approves the application for transfer.

A pupil who has been determined by personnel of either the home or receiving district to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for interdistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement.

#### District of Choice – EC 48300 *et seq.*

Some school districts may choose to become a district of choice. A school board that elects to operate the school district as a district of choice must determine the number of transfers it is willing to accept and shall

accept all pupils who apply to transfer until the school district is at maximum capacity. The school district of choice shall make sure that students are selected through an unbiased and random process that does not take into consideration his or her academic or athletic performance, physical condition, proficiency in English, family income, ethnicity, primary language, literacy, special needs, or any of the individual characteristics listed in Section 200. The parent of a pupil requesting to transfer must submit an application to the school district of choice no later than January 1 of the school year preceding the school year for which the student wishes to transfer. The parent shall be notified in writing by February 15 if the student was provisionally accepted, rejected, or placed on a waiting list. A modified application process is available for children of relocated military personnel.

### **Availability of Prospectus – EC 49063 and 49091.14**

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Please contact the school office for a copy of the prospectus.

### **California Healthy Youth Act – EC 51937-51939**

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

Parents or legal guardians have the right to:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education.
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education.
3. Request a copy of Education Codes 51930 through 51939, the California Healthy Youth Act.
4. Be informed whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants.
5. Receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year.
6. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of:
  - a. The date of the instruction
  - b. The name of the organization or affiliation of each guest speaker

### **Career Counseling & Course Selection – EC 221.5(d)**

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

### **Child Find System – EC 56301**

Requires the special education local plan area (SELPA) to establish written policy and procedures for continuous child find system including children with disabilities who are migrant or homeless or wards of the state and children with disabilities attending private schools. The Policy and procedures will include written notification to all parents of their rights regarding identification, referral, assessment, instructional planning, implementation, review, and procedures for initiating referral for assessment.

Requires district to inform parents of federal law requirement that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years; and early intervention services for “at-risk infants and toddlers” under 3 years of age. Each district shall establish written policies

and procedures for a child-find system for individuals with disabilities. Any individual may refer a student to the school's Student Study Team (SST) for an assessment and consideration for eligibility and an Individualized Education Plan. Within 15 days of referral for special education assessment, the parents will be notified of the proposed assessment plan and their parent rights and procedural safeguards. As part of the assessment plan, parents are notified that upon completion of the assessment an individualized education program team meeting will be held. The purpose of the meeting will be to discuss the assessment, the educational recommendations, and the reasons for the recommendations. The parents are entitled to a copy of the assessment report and the documentation of determination of eligibility (EC 56329), and the right to have in-class observation of pupil, as specified.

### **Concussion and Head Injuries – EC 49475**

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

### **Confidential Medical Services – EC 46010.1**

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

### **Coursework and graduation requirements: children of military families – EC 51225.1 and 51225.2**

If you are a military family, your child may qualify to be exempted from local graduation coursework requirements that are beyond the California state requirements. Please make an appointment with the school counselor to review your child's options for graduation. All coursework that was completed at another school outside of the Walnut Valley Unified School District will be issued full or partial credit. You may reach the counselor at your school of residence.

### **Directory Information – EC 49073**

"Directory Information" includes one or more of the following items: student's name, address, telephone number, e-mail address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student.

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

### **Educational Liaison for Foster Children – EC 48204, 48645.5, 48853, and 48853.5, WIC 317 and 16010**

Requires the State Department of Education, in consultation with the California Foster Youth Education Task Force, to develop a standardized notice of the educational rights of foster children, as specified, and to make the notice available to educational liaisons for foster children for dissemination by posting the notice on its Internet Web site. The State contact for Foster Youth Coordinating Programs can be found here: <http://www.cde.ca.gov/ls/pf/fy/contacts.asp>

### **Emergency Treatment for Anaphylaxis – EC 49414**

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

### **Excused Absences – EC 46014 and 48205**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.

No pupil shall have his or her grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

- (a) Notwithstanding Section 48200, 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 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, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - (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 EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "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."

### **Free and Reduced-price Meals – EC 49510 *et seq.***

The school offers healthy meals every school day because children need healthy meals to learn. Free or reduced-price lunches are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Pupils participating in the program will not be identified, and

the information on the application will be kept confidential. Applications may be submitted at any time during school hours. Application forms may be obtained through Nutrition Services at <http://www.schoolnutritionandfitness.com/index.php?sid=2208072141584182>.

### **Harm or Destruction of Animals – EC 32255 *et seq.***

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

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

### **Homeless Youth Education – 42 US 11432, EC 51225.1 and 51225.2**

Requires every local education agency to appoint a homeless liaison to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children. Unaccompanied youth, such as teen parents not living with their parent/guardian or students that have run away or have been pushed out of their homes, have access to these same rights. Our district liaison is Martha Arellano, Child Welfare & Attendance. The district liaison oversees the following for homeless youth:

1. Circumstances for eligibility (*e.g.*, living in a shelter, a motel, hotel, a house or apartment with more than one family because of economic hardship or loss, in an abandoned building, in a car, at a campground, or on the street, in temporary foster care or with an adult who is not your parent or guardian, in substandard housing, or with friends or family because you are a runaway, unaccompanied, or migrant youth).
2. Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers.
3. Right to education and other services (*e.g.*, to participate fully in all school activities and programs for which child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment).
4. Right to be notified of possibility of graduating within four years with reduced state requirements, if the homeless student transferred after the second year of high school, is credit deficient, and will not be able to graduate on time with local district requirements.
5. Right for district to accept partial credits for courses that have been satisfactorily completed by the homeless student.

### **Immunizations – HSC 120325, 120335, 120338, 120365, 120370, and 120375**

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

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

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunization records for these students to their schools.

The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above.

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

- (a) All new students, in transitional kindergarten through grade 12, to the Walnut Valley Unified School District must provide proof of polio, diphtheria, pertussis, tetanus, measles, mumps, rubella, and varicella immunizations.
- (b) All transitional kindergarten and kindergarten students must also provide proof of vaccination against hepatitis B.
- (c) All seventh grade students must also provide proof of a second \*\*\* measles-containing vaccine, and a pertussis booster vaccine.

### **Instruction for Pupils with Temporary Disabilities – EC 48206.3, 48207 and 48208 48208**

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day. Please contact Special Education Department for further information.

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

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

### **Medical or Hospital Service – EC 49472**

#### Services Not Provided

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

### **Medication Regimen – EC 49423**

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

#### Administration of Prescribed Medication for Pupils – EC 49423 and 49423.1

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

#### Administration of Epilepsy Medication – EC 49414.7

If a pupil with epilepsy has been prescribed an emergency anti-seizure medication by his or her health care provider, the pupil's parent or guardian may request the pupil's school to have one or more of its employees receive training in the administration of an emergency anti-seizure medication in the event that the pupil suffers a seizure when a nurse is not available.

California Department of Education provides a sample checklist:

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

### **Minimum & Pupil-free Staff Development Days – EC 48980(c)**

Requires the annual notification to advise parents and guardians of all pupils attending a school of the schedule of minimum days and pupil-free staff development days. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school should notify parents and guardians of affected pupils as early as possible, but not later than one month prior to the scheduled day. The school calendar is located on our website at the following address: [http://www.wvusd.k12.ca.us/apps/pages/index.jsp?uREC\\_ID=58222&type=d&pREC\\_ID=86436](http://www.wvusd.k12.ca.us/apps/pages/index.jsp?uREC_ID=58222&type=d&pREC_ID=86436)

### **Nondiscrimination Statement**

The Walnut Valley Unified School District is committed to providing a safe school environment where all individuals in education are afforded equal access and opportunities. The District's academic and other educational support programs, services and activities shall be free from discrimination, harassment, intimidation, and bullying of any individual based on the person's actual race, color, ancestry, national origin, ethnic group identification, age, religion, immigration status, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling, and the availability of physical education, athletic activities, and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity. The District assures that lack of English language skills will not be a barrier to admission or participation in District programs. Complaints of unlawful discrimination, harassment, intimidation, or bullying are investigated through the Uniform Complaint Process. Such complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained. For a complaint form or additional information, contact the Human Resources department.

### **Notice of Alternative Schools – EC 58501**

“Notice of Alternative Schools”

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

- (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/her desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her 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.

### **Pesticide Products – EC 17612 and 48980.3**

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

### **Physical Examination – EC 49451**

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

*Note:* Physical examinations that schools are required to conduct include sight and hearing testing under EC 49452 and scoliosis screening under EC 49452.5. Schools may screen for type 2 diabetes mellitus under EC 49452.6. As indicated in EC 49451 and 20 USC 1232h a parent or guardian may file a waiver of the examination requirement based on personal beliefs.

### **Pupil Meals – Child Hunger Prevention and Fair Treatment Act of 2017 – EC 49557.5**

The Walnut Valley Unified School District has a Meal Charge Policy about how students who pay the full or reduced cost of a school meal are impacted by not having enough cash on hand or in their account to purchase a meal. The meal charge policy may be viewed at <http://walnutnutrition.org> or for a copy of the policy, please contact Director, Child Nutrition Services.

### **Pupil Records – EC 49063 and 49069, 34 CFR 99.7, 20 USC 1232g**

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records. Parents/guardians have the right to 1) inspect and review the student's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access student records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, the District shall disclose educational records without parental consent.

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

Any challenge to school records must be submitted in writing to the school office. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the student. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605.

## **RIGHTS OF PARENTS AND GUARDIANS TO INFORMATION**

### **California Education Code 51101 (in part)**

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

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

### **Safe Place to Learn Act – EC 234 and 234.1**

The Walnut Unified School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion. To report an incidence and/or to receive a copy of the district's antidiscrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact Pupil Personal Services Office.

## **SCHOOL AND STUDENT DISCIPLINE (EC §§ 35291, 35291.5) (EC48940 (a)) --**

School sites may adopt rules and procedures on school discipline. Further provides that each district may prescribe procedures to provide written notice to pupils and parents/guardians regarding school discipline rules and procedures, and the availability of rules of the district pertaining to student discipline. The California Constitution Article 1, Section 28C states that all students have the right to attend safe, secure and peaceful campuses.

The following actions are listed in the Education Code (EC 48900 et. seq.) as warranting consideration for suspension and/or expulsion from school attendance:

### **EC 48900—Grounds for Suspension and Expulsion**

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.  
(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 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, an 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 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 Soma.
- Q. Engaged in, or attempted to engage in hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, 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 the 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 reasonable predicted to have the effect of one or more of the following:

- (a) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property
- (b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) “Electronic act” means the creation or transmission originated on or off the school site, of a communication, including, but not 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 limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- (i) A message, text, or image.
- (ii) A post on a social network Internet Web site, including, but not limited to:
  - (1) 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).
  - (2) 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.
  - (3) 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 shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to 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 be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- U. As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- V. For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, that are age appropriate and designed to address and correct the pupil's misbehavior, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline as specified in Section 48900.5.
- W. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

### **EC 48900.2. Sexual Harassment**

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.

### **EC 48900.3. Hate Violence**

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.

### **EC 48900.4. Harassment, Threats or Intimidation**

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

### **EC 48900.5. Limitations on Imposing Suspension**

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.

### **EC 48900.7. Terroristic Threats**

(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.

## **EC 48915. Circumstances for Recommending Expulsion**

### ***EC 48915. Circunstancias para Recomendar la Expulsión***

(a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

(A) Causing serious physical injury to another person, except in self-defense.

(B) Possession of any knife or other dangerous object of no reasonable use to the pupil.

(C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:

(i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.

(ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.

(D) Robbery or extortion.

(E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.

(b) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:

(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

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

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.

(2) Brandishing a knife at another person.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(5) Possession of an explosive.

(d) The governing board of a school district shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the schoolsite attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
- (f) The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.
- (g) As used in this section, “knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3½ 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.

### **Sex and HIV/AIDS Education – EC 51938**

The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act (Education Codes 51930 through 51939) is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

The Walnut Valley School District will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Request a copy of Education Codes 51930 through 51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
5. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
  - a. The date of the instruction
  - b. The name of the organization or affiliation of each guest speaker

The District may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate.

### **Sexual Harassment – EC 231.5 and 48980(g)**

The Walnut Valley School District is committed to maintaining a learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. For a copy of the district’s sexual harassment policy or to report incidences of sexual harassment, please contact Human Resources.

### **Social Security Numbers – EC 49076.7 and 56601**

Prohibits a local educational agency from collecting or soliciting social security numbers or the last four digits of social security numbers from students or their parents.

### **Sudden Cardiac Arrest – EC 33479 *et seq.***

Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. When this happens, blood stops flowing to the brain and other vital organs. SCA is not a heart attack; it is a malfunction in the heart's electrical system, causing the victim to collapse. The malfunction is caused by a congenital or genetic defect in the heart's structure. SCA is more likely to occur during exercise or sports activity, so athletes are at greater risk. These symptoms can be unclear and confusing in athletes. Often, people confuse these warning signs with physical exhaustion. If not properly treated within minutes, SCA is fatal in 92 percent of cases. In a school district, charter school, or private school that elects to conduct athletic activities, the athletic director, coach, athletic trainer, or authorized person must remove from participation a pupil who passes out or faints, or who is known to have passed out or fainted, while participating in or immediately following an athletic activity. A pupil who exhibits any of the other symptoms of SCA during an athletic activity may be removed from participation if the athletic trainer or authorized person reasonably believes that the symptoms are cardiac related. A pupil who is removed from play may not return to that activity until he or she is evaluated by, and receives written clearance from, a physician or surgeon. On a yearly basis, an acknowledgement of receipt and review of information regarding SCA must be signed and returned by the pupil and the pupil's parent or guardian before a pupil participates in specific types of athletic activities which generally does not apply to those conducted during the regular schoolday or as part of a physical education course.

### **Surveys – EC 51513**

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

### **Title IX – EC 221.61**

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects male and female pupils and employees, as well as transgender pupils and pupils who do not conform to sex stereotypes, against discrimination based on sex, including sexual harassment. California law also prohibits discrimination based on gender, gender expression, gender identity, and sexual orientation. Under Title IX, pupils may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting pupils may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. For more information about Title IX, or how to file a complaint of noncompliance with Title IX, contact:

Dr. Jeanette Koh, Director, Educational Services

880 S. Lemon Ave., Walnut CA, 91789

[jkoh@wvusd.k12.ca.us](mailto:jkoh@wvusd.k12.ca.us)

909-595-1261

### **Uniform Complaint Policy and Procedure – 5 CCR 4622, EC 234.1, 32289, and 49013**

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (*EC*) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, immigration status, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, lactation accommodations, homeless, foster youth, juvenile court student, physical education minutes, or



non-instructional courses, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in Section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, immigration status, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics 5) unlawful imposition of pupil fees for participation in educational activities in public schools; 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3; 7) noncompliance with physical education instructional minutes at specified grade levels; 8) inappropriate assignment of a pupil to courses without educational content or previously completed and received a grade sufficient for satisfying the requirements for high school graduation and admission into post-secondary education; 9) noncompliance with education provisions for pupils in foster care, who are homeless, or who are former juvenile court school students; and 10) failure to reasonably accommodate lactating pupils.

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

A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in Section 4650 of Title 5 of the California Code of Regulations exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district. If a district is found to have violated a state or federal law and/or regulation, and the District does not take corrective action to comply, then various civil remedies may be available.

### **Victim of a Violent Crime – 20 USC 7912**

A pupil who becomes a victim of a violent crime while in or on the school grounds must be offered the opportunity to transfer to a safe public school within the school district, including a public charter school, within ten calendar days. If there is not another school within the area served by the district, the district is encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring school district to accept pupils through an interdistrict transfer. Primary examples of violent criminal offenses in the Penal Code include attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, and hate crimes. For more information, please contact Director, Pupil Personnel Services.

### **Williams Complaint Policy & Procedure – EC 35186**

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

## ***ELEMENTARY & MIDDLE SCHOOLS ONLY***

### **Entrance Health Screening – HSC 124085, 124100, and 124105**

State law requires that the parent or legal guardian of each pupil provide the school within 90 days after entrance to first grade documentary proof that the pupil has received a health screening examination by a doctor within the prior 18 months. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available for eligible students through the Child Health Disabilities Prevention Program.

### **Oral Health Assessment – EC 49452.8**

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

### **School Bus Safety – EC 39831.5**

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

## ***HIGH SCHOOLS ONLY***

### **Access by Military Recruiters – 20 USC 7908**

Federal law requires school district to provide military recruiters the same access to secondary school pupils as is provided to post-secondary educational institutions or to prospective employers. Parents may request that the district not release their pupil's name, address and telephone number without prior written consent. Written notice must be submitted to the school if the parent or legal guardian wishes to deny access to this information.

### **Advanced Placement & International Baccalaureate Exam Fees – EC 52244**

Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both. Please contact school site for information.

### **Cal Grant Program – EC 69432.9**

A Cal Grant is money for college that does not have to be paid back. To qualify, a student must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants.

In order to assist students apply for financial aid, all students in grade 12 are automatically considered a Cal Grant applicant and each grade 12 student's GPA will be submitted to the California Student Aid Commission (CASC) electronically by a school or school district official. A student, or the parent/guardian of a student under 18 years of age, may complete a form to indicate that he/she does not wish for the school to electronically send CASC the student's GPA. Until a student turns 18 years of age, only the parent/guardian may opt out the student. Once a student turns 18 years of age, only the student may opt himself/herself out, and can opt in if the parent/guardian had previously decided to opt out the student. All grade 12 students' GPA will be sent to CASC on October 1, of the grade 12 year.

### **California High School Exit Exam – EC 60840**

The California High School Exit Exam (CAHSEE) has been suspended for any pupils completing grade 12 through the 2017-18 school years. All schools, including state special schools, are to grant a diploma of graduation from high school to any pupil who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination.

### **California High School Proficiency Exam – 5 CCR 11523**

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. Pupils planning to continue his or her studies in a college or university should contact the admissions office of the institution to find out if the Certificate of Proficiency will meet admission requirements.

A pupil is eligible to take the CHSPE only if he or she meets one of the following requirements on the test date: 1) is at least 16 years old; 2) has been enrolled in the tenth grade for one academic year or longer; or 3) will complete one academic year of enrollment in the tenth grade at the end of the semester during which the CHSPE regular administration will be conducted. A fee for each examination application shall not be charged to a homeless or foster youth under the age of 25. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

## **College & Career Technical Education – EC 51229**

### **COLLEGE ADMISSION REQUIREMENTS AND HIGHER EDUCATION INFORMATION**

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school.

In order to attend a community college you need only be a high school graduate or 18 years of age. In order to attend a CSU you have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if your GPA is 3.0 or above. In order to attend a UC you must meet requirements for coursework, GPA, and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. You may also transfer to a CSU or UC after attending a community college. For more information on college admission requirements, please refer to the following webpages:

[www.cccco.edu](http://www.cccco.edu) – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

[www.assist.org](http://www.assist.org) – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

[www.csumentor.edu](http://www.csumentor.edu) – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu) – This massive website offers information regarding admissions, online application, and links to all UC campuses.

Students may also explore career options through career technical education. These are programs and classes offered by a school that are specifically focused on career preparation and/or preparation for work. The programs and classes are integrated with academic courses and support academic achievement. Students can learn more about career technical education by referring to the following webpage: [www.cde.ca.gov/ds/si/rp](http://www.cde.ca.gov/ds/si/rp).

You may meet with a school counselor to choose courses at your school that will meet college admission requirements or enroll in career technical education courses, or both.

#### **Foster youth exemption from local graduation requirements - EC 48853, 49069, and 51225.2**

Foster and homeless youth are allowed educational rights, such as: immediate enrollment, remain in school of origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities. A local educational agency must provide a remedy to the affected pupil following the Uniform Complaint Procedures, including information regarding exemption from local graduation requirements, if educational rights are not allowed at the public high school.

#### **Health Insurance Coverage for Athletes – EC 32221.5**

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 the school site.

## ***SPECIAL CIRCUMSTANCES***

### **Before and After School Programs – EC 8482.6, 8483(e), 8483.1(e), and 8483.95**

Students who are identified as homeless or foster children have a right to receive priority enrollment. To request priority enrollment, please contact Martha Arrellano, Child Welfare and Attendance at 909-594-1434. No current participant in a before or after school program shall be disenrolled in order to allow enrollment of a student with priority enrollment.

### **Bilingual Education – EC 52173, 5 CCR 11303**

Requires the school district to provide parents an opportunity for consultation prior to placement of child in a program of bilingual education. Requires notification, by mail or in person, to inform parents: 1) in a simple, nontechnical description of purposes, method, and content of the program; 2) that they have the right and are encouraged to visit classes and to come to the school for a conference to explain the nature and objectives of bilingual education; 3) of their right not to have their child enrolled in such a program; and 4) the opportunity to participate in the school or school district advisory committee, or both. Written notice shall be provided in English and the primary language of the pupil.

### **Career Technical Education Course – EC 48980(m)**

Requires a school district that elects to allow a career technical course to satisfy the graduation requirement imposed by EC 51225.3(a)(1)(E) to provide the following notifications:

1. Information about the high school graduation requirements of the school district and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California.
2. A complete list of career technical education courses offered by the school district that satisfy the subject matter requirements for admission to the California State University and the University of California, and which of the specific college admission requirements these courses satisfy.

### **Competitive Athletics – EC 221.9**

Commencing with the 2015-2016 school year and every year thereafter, each public elementary and secondary school, including each charter school, that offers competitive athletics, shall publicly make available at the end of the school year all of the following information:

1. The total enrollment of the school, classified by gender.
2. The number of pupils enrolled at the school who participate in competitive athletics, classified by gender.
3. The number of boys' and girls' teams, classified by sport and by competition level.

Schools shall make the information identified above publicly available by posting it on the school's website. If the school does not maintain its own website, the school can submit the information to its school district or charter operator to have the information posted on the district's or operator's website; the information shall be disaggregated by school site.

"Competitive athletics" means sports where the activity has coaches, a governing organization, and practices, and competes during a defined season, and has competition as its primary goal.

### **Disclosure of Student Information for Marketing Purposes – 20 USC 1232h**

Requires notification to parents of pupils, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when an activity involving the collection, disclosure, or use of personal information collected from pupils for the purpose of marketing or selling that information is scheduled or expected to be scheduled. Notification to offer parents an opportunity to opt pupils out of participation in the activity.

Requires the school district to develop policy, in consultation with parents, regarding the collection, disclosure, or use of personal information collected from pupils for the purpose of marketing or selling that information. Requires notification to parents of pupils enrolled in schools served by the district of the adoption or continued use of such policies. Notification to be provided annually, at the beginning of the school year, or within a reasonable period of time after any substantive changes in the policy.

### **English Immersion Program – EC 310, 5 CCR 11309**

In order to facilitate parental choice of program, all parents and guardians must be informed of the placement of their children in a structured English immersion program and must be notified of an opportunity to apply for a parental exception waiver. Notice to include a description of the locally-adopted procedures for requesting a parental exception waiver, and any locally-adopted guidelines for evaluating a parental waiver request.

### **Gun-Free School Zone – PC 626.9 and 30310**

Reorganizes those exceptions: deletes the exemption that allows a person to carry ammunition or reloaded ammunition onto school grounds if the person is licensed to carry a concealed firearm. Creates an additional exception to that prohibition by authorizing a person to carry ammunition or reloaded ammunition onto school grounds if it is in a motor vehicle at all times and is within a locked container or within the locked trunk of the vehicle.

### **Lactating Pupils – EC 222**

Lactating pupils are allowed reasonable time to accommodate the need to express breast-milk in a private and secure room without academic penalty, and access to a power source and a place to safely store expressed breast milk. A student may make compliant to California Department of Education, via the following website, if still not accommodated, according to the law, after filing a complaint: <http://www.cde.ca.gov/re/cp/uc/>

### **Migrant Education – EC 54444.2**

Requires a school district receiving migrant education funds or services to actively solicit parental involvement in the planning, operation, and evaluation of its programs through the establishment of, and consultation with, a parent advisory council. Requires notice to parents, in language they understand, that parents have sole authority to decide composition of council.

### **Persistently Dangerous Schools – 20 USC 7912**

Requires that school district have a written policy stating that students who attend a persistently dangerous school must be allowed to attend a safe public school. The written policy must be communicated to all parties.

### **Pupil Records Obtained from Social Media – EC 49073.6**

Requires a school district, county office of education, or charter school that considers a program to gather or maintain in its records any information obtained from social media, as defined, of any enrolled pupil to first notify pupils and their parents/guardians about the proposed program, and to provide an opportunity for public comment at a regularly scheduled public meeting of the governing board before the adoption of the program.

Once a program is adopted, the following information must be provided to parents/guardians as part of the annual notification:

1. Definition of “social media.”
2. Assurance that the information gathered or maintained pertains directly to school or pupil safety.
3. An explanation of the process by which a pupil or a pupil’s parent/guardian may access the pupil’s records for examination of the information gathered or maintained.
4. An explanation of the process by which a pupil or a pupil’s parent/ guardian may request the removal of information or make corrections to information gathered or maintained.
5. Notice that the information gathered and maintained shall be destroyed within one year after a pupil turns 18 years of age or within one year after the pupil is no longer enrolled, whichever occurs first.

### **Residency Investigations – EC 48204.2**

If a school district elects to undertake an investigation, as specified, require the governing board of the school district to adopt a policy regarding the investigation of a pupil to determine whether the pupil meets the residency requirements for school attendance in the school district before investigating any pupils. Requires the policy to, among other things, identify the circumstances upon which the school district may initiate an investigation, describe the investigatory methods that may be used, including whether the school district will be employing the services of a private investigator, prohibit the surreptitious photographing or video-recording of pupils who are being investigated, as provided, and provide for an appeal process, as specified. Requires the policy to be adopted at a public meeting of the governing board of the school district.

### **Sexual Abuse and Sex Trafficking Prevention – EC 51900.6**

Authorizes school districts, county offices of education and charter schools to provide age-appropriate instruction for students in kindergarten through grade 12, in sexual abuse and sexual assault awareness and prevention. Parents or guardians may submit a written request to excuse their child from participation in any class involving sexual abuse and sexual assault awareness and prevention.

### **Sexual Abuse and Sexual Assault Awareness and Prevention – EC 51950**

Authorizes school districts to provide sexual abuse and sex trafficking prevention education which includes instruction on the frequency and nature of sexual abuse and sex trafficking, strategies to reduce their risk, techniques to set healthy boundaries, and how to safely report an incident. Parents or guardians may submit a written request to excuse their child from participation in any class involving sexual abuse and sex trafficking prevention education, and assessments related to that education.

### **Tobacco-free Campus – HSC 104420 and 104495**

Requires all school districts and county offices of education that receive Tobacco Use Prevention (TUPE) funding to adopt and enforce a tobacco-free campus policy no later than July of each fiscal year. The policy shall prohibit the use of tobacco products, any time, in district-owned or leased buildings, on district property and in district vehicles. Information about the policy and enforcement procedures must be communicated clearly to school personnel, parents, pupils and the larger community. Signs stating “Tobacco use is prohibited” must be prominently displayed at all entrances to school property. Information about smoking cessation support programs must be made available and encouraged for pupils and staff.

HSC 104495 prohibits smoking a cigarette, cigar, or other tobacco-related product and disposal of cigarette butts, cigar butts, or any other tobacco-related waste within 25 feet of any playground or tot lot sandbox area. Any person who violates this section is guilty of an infraction and shall be punished by a fine of two hundred fifty dollars (\$250) for each violation of this section. The prohibitions do not apply to private property or a public sidewalk located within 25 feet of a playground or a tot lot sandbox area.

## ***ADDITIONAL NOTIFICATIONS***

### **Acceptable Use of Technology**

One of the adopted goals of the Walnut Valley School District is to assist in advancing the use of technology to enhance student learning. Access to Walnut Valley School District technology is a privilege, not a right, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All Walnut Valley School District students and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using District technological resources. The Walnut Valley School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability.

### **Avoiding Absences, Written Excuses**

Walnut Valley School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments after school or during school holidays. The district also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences.

Following an absence, a student is required to bring a written excuse from home when returning to school. Illnesses, and doctor and dental appointments are considered excused absences. Absences without a written excuse are recorded as unexcused.

### **Tardiness**

Children should be encouraged to be prompt as part of developing good habits. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. Repeated tardies in excess of 30 minutes lead to the student being designated as truant.

### **Truancy Definitions – EC 48260, 48262 and 48263.6**

A student is considered truant after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year and the district has made a conscientious effort to meet with the family, the student is considered an habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205.

### **Arrest of Truants/School Attendance Review Boards – EC 48263 and 48264**

The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without valid excuse within the county, city or school district. A student who is an habitual truant may be referred to a School Attendance and Review Board (SARB).

### **Chronic Absenteeism – EC 60901**

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

### **CAASPP Exemption Parent Information**

Under California Education Code Program Provisions, parents have the right to excuse their child from participating in the California Assessment of Academic Achievement CAASPP assessments.

California Education Code, Chapter 5. California Assessment of Academic Achievement, Section 60615, Article 2



"Notwithstanding any provision of law, a parent's or guardian's written request to school officials to excuse his or her child from any or all parts of the assessments administered pursuant to this chapter shall be granted."

*SBAC summative assessment in English language arts and mathematics for grades 3-8, inclusive, and Grade 11*

*SBAC Science assessment in Grades 5, 8, and 10*

*The California Alternate Performance Assessment (CAPA)*

*The Early Assessment Program (EAP)*

Title 5 of the CA Code of Regulations, Division 1, Chapter 2, Subchapter 3.75 "Standardized Testing and Reporting Program", Section 852, (a) "A parent or guardian may submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Ed Code Section 60640. The parent or guardian must initiate the request and the school district and its employees shall not solicit or encourage any written request on behalf of any child."

### **Child Abuse and Neglect Reporting – PC 11164 et seq.**

The Walnut Valley School District is committed to protecting all students in its care. All employees of the District are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. District employees may not investigate to confirm a suspicion. All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (i.e. Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents and guardians of students also have a 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. Complaints may be filed with the local law enforcement agency; you may also notify the District of an incident by contacting the Human Resources department.

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:

1. To stop a disturbance threatening physical injury to people or damage to property;
2. For purposes of self-defense;
3. To obtain possession of weapons or other dangerous objects within control of a student;
4. 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.

### **Civility on School Grounds – CC 1708.9, EC 32210**

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

It is unlawful for any person, except a parent/guardian acting toward his/her minor child, to intentionally or to attempt to injure, intimidate, interfere by force, threat of force, physical obstruction, or nonviolent physical obstruction with any person attempting to enter or exit any public or private school grounds.

### **Custody Issues**

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

## **Dangerous Objects**

Laser Pointer – PC 417.27

It is a crime for any student to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instructional or other school-related purpose.

## **Imitation Firearm – PC 12550, 12556**

A BB device can be considered an imitation firearm. The Penal Code makes it a criminal offense to openly display or expose any imitation firearm in a public place, including a public school.

## **Disaster Preparedness Educational Materials – EC 32282.5**

Requires the California Department of Education to electronically distribute disaster preparedness educational materials to school districts and county offices of education in, at least, the three most dominant primary languages spoken by English learners in California.

## **Dress Code/Uniforms – EC 35183**

Authorizes a school to adopt a dress code policy that requires pupils to wear a school-wide uniform or prohibits pupils from wearing gang-related apparel.

Requires a school to provide six months' prior notice to parents or guardians before implementing a policy that requires pupils to wear a school-wide uniform. Policy to address the availability of resources to assist economically disadvantaged pupils and to provide that no pupil will be penalized academically or otherwise discriminated against nor denied attendance to school if the pupil's parents chose not to have the pupil comply with the uniform policy.

## **Electronic Listening or Recording Device – EC 51512**

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action.

## **Electronic Nicotine Delivery Systems (e-cigarettes)**

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

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

## **Electronic Signaling Devices – EC 48901.5**

By policy or practice the school district, or its individual schools, may regulate the right of pupils to possess or use electronic signaling devices, including cell phones and pagers, during the school day or at school functions.

*Note:* No student may be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician to be essential for the health of the pupil and the use of which is limited to the pupil's health.

## **Foster Youth Educational Placement – EC 48850 et seq.**

Requires school district educational liaisons to ensure pupils in foster care receive stable school placements which are in the best interests of the child, placement in least restrictive educational programs, access to academic resources,

services, and extracurricular and enrichment activities available to all pupils, full and partial credits for coursework taken, and meaningful opportunity to meet state pupil academic achievement standards.

### **Health Care Coverage – EC 49452.9**

Your child and family may be eligible for free or low-cost health coverage. For information about health care coverage options and enrollment assistance, contact Risk Management or go to [www.CoveredCA.com](http://www.CoveredCA.com).

### **Internet Safety**

School districts may consider informing parents or guardians about the danger use of the internet may pose to minors. In particular, websites being used by child predators and cyber bullies.

### **Medical Records Sharing – HSC 120440**

Requires a school district planning to provide information from pupils' medical records to an immunization system to inform students or parents or guardians of the following.

1. Medical information may be shared with local health departments and the State Department of Health Services
2. The name and address of the State Department of Health Services or of the immunization registry with which the school will share the information
3. Information shared with local health departments and the State Department of Health Services will be treated as confidential and will only be used to share with each other, and, upon request, with health care providers, schools, child care facilities, family child care homes, WIC service providers, county welfare departments, foster care agencies, and health care plans
4. The providers, agencies, and institutions will, in turn, treat the shared information as confidential, and shall use it only as specified
5. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it
6. The student or the parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both.
7. After refusal, a physician may maintain access to this information for the purposes of patient care or protecting the public health. After refusal, the local health department and the State Department of Health Services may maintain access to this information for the purpose of protecting the public health

*Note:* Students or parents or guardians may refuse to permit record sharing. Notification may be provided by ordinary mail and must include reasonable means for refusal, such as return form or contact telephone number.

### **Megan's Law – PC 290 *et seq.***

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

### **Property Damage – EC 48904**

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

### **Release Juvenile Information – WIC 831**

Only if a court order is provided, will any student information be disseminated, attached or provided to federal officials. The court order must indicate prior approval of the presiding judge of the juvenile court.

### **Requirement of Parent/Guardian School Attendance – EC 48900.1**

Teachers may require the parent or guardian of a student who has been suspended by a teacher to attend a portion of that school day in his or her student's classroom. The attendance of the parent or guardian will be limited to the class from which the student was suspended. A written notice will be sent to the parent or guardian regarding implementation of this requirement. Employers are not allowed to apply sanctions against the parent or guardian for this requirement if the parent or guardian has given reasonable notice to his/her employer.

### **School Accountability Report Card – EC 35256 and 35258**

Requires school districts to develop for each school a school accountability report card. Content of the report card defined by EC 33126, 32286 and 52056. Requires districts to publicize the report cards, and notify parents or guardians that a hard copy will be provided upon request. Commencing with the 2008-09 school year, hard copies to be made available by February 1.

### **School Safety Plan – EC 32280 *et seq.***

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

### **School Visiting Procedures – EC 51101(a)(12)**

Parents and guardians of students enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed in advance about school rules, including procedures for visiting the school.

PC 627.6: Requires schools to post at every entrance a notice setting forth the visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements.

### **Search of School Lockers**

School lockers remain the property of the Walnut Valley School District even when assigned to students. The lockers are subject to search whenever the District finds a need to do so. The use of the school locker for other than school-related purposes is prohibited. Improper use of school lockers will result in progressive discipline.

### **Section 504 – 29 USC 794, 34 CFR 104.32**

If a student has a disability that limits his or her ability to attend or function at school, a written accommodation plan may be documented under Section 504. Students have the right to be educated in the least restrictive environment. You may contact Sarah Ammon as the person designated by Walnut Valley Unified School District responsible for screening, evaluating, and implementing Section 504.

### **Student Conduct – EC 51100**

#### **Duties of Pupils – 5 CCR 300**

Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language.

#### **Jurisdiction – EC 44807**

Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

#### **Mandatory Expulsion Violations – EC 48915**

Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault.
5. Possession of an explosive.

The school board shall order the student expelled upon finding that the student committed the act.

### **Walking or Riding a Bike to School – VC 21212**

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any

other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.