



2018-19 Annual Notice To Parents/Guardians

Sierra Sands Unified School District
113 W. Felspar Avenue
Ridgecrest, CA 93555

SIERRA SANDS UNIFIED SCHOOL DISTRICT 2018-19 ANNUAL NOTICE TO PARENTS/GUARDIANS

MISSION STATEMENT

We are committed to providing the highest quality education in a safe environment to all K-12 students. We believe the school shares with the family and community the responsibility for developing life-long learners who are responsible, productive citizens.

A MESSAGE FROM THE SUPERINTENDENT

On behalf of the Board of Education, faculty, and staff of the Sierra Sands Unified School District, I welcome you to the 2018-19 school year. It is our sincere desire that each and every student be provided with the best possible educational experience. As required by law, this is the annual notice to parents/guardians of Sierra Sands Unified School District ("District"). This notice provides information to parents/guardians about federal laws and state education codes, as well as information relating to rights of parents or guardians of children. If your questions or concerns regarding our district schools, programs, policies, or procedures are not addressed in this booklet, I invite you to call your school or the District office for further information. For your convenience, telephone numbers are listed below.

As required by law, I wish to notify you as parents and/or guardians of students enrolled in our schools of your rights and responsibilities. I ask, therefore, that you please take a moment of your time to carefully review the "Mandated Notification to Parents" section of this handbook. After your review, please sign and return to your student's school the acknowledgment form on the last page indicating that you have received and reviewed these materials.

Ernie Bell
Superintendent
Sierra Sands Unified School District

TELEPHONE NUMBERS

When you have a question or concern, it is best to start with your child's teacher, the school principal, or the school office staff. If you need further assistance, District office staff is available to help you.

SCHOOLS

Burroughs High School - -----	499-1800
Faller Elementary School -----	499-1690
Gateway Elementary School ---	499-1850
Inyokern Elementary School ---	499-1683
James Monroe Middle School --	499-1830
Las Flores Elementary School -	499-1860
Mesquite High School -----	499-1810
Murray Middle School-----	499-1820
Pierce Elementary School-----	499-1670
Richmond Elementary School -	499-1840
Richmond Special Education --	499-1841
Adult School-----	499-1725
Independent Study-----	499-1724

DISTRICT OFFICES

Business Office -----	499-1604
Food Service -----	499-1880
Curriculum & Instruction-----	499-1640
Audiovisual Center -----	499-1726
Human Resources -----	499-1620
Maintenance-----	499-1870
Pupil Support Services -----	499-1702
Special Education -----	499-1702
Special Projects- -----	499-1640
Superintendent's Office-----	499-1600
Transportation-----	499-1874

SCHOOL CALENDAR

FIRST DAY OF SCHOOLAugust 14, 2018

LAST DAY OF SCHOOL.....May 30, 2019

HOLIDAYS & OTHER NON-SCHOOL DAYS

September 3..... Labor Day

October 8 Columbus Day

November 12 Veteran’s Day

November 19-23..... Thanksgiving Recess

December 24-January 4..... Winter Recess

January 1.....New Year’s Day

January 21 Martin Luther King’s Birthday

February 15 Lincoln’s Birthday

February 18 Washington’s Birthday

March 18-22 Spring Recess

April 19 In Lieu of Admission Day

May 27..... Memorial Day

QUARTER ENDINGS (Grades 6-12 Report Cards)

1st Quarter October 5

2nd Quarter/1st SemesterDecember 21

3rd Quarter..... March 15

4th Quarter/2nd SemesterMay 30

TRIMESTER ENDINGS (Grades K-5 Report Cards)

1st Trimester.....November 2

2nd Trimester February 22

3rd TrimesterMay 30

FINAL EXAMINATIONS – Middle School

December 19, 20, 21

May 28, 29, 30

FINAL EXAMINATIONS – High School

December 19, 20, 21

May 28, 29, 30

MINIMUM DAY SCHEDULE

ELEMENTARY SCHOOL	MIDDLE SCHOOL	HIGH SCHOOL
9-Nov		
13-Nov		
14-Nov		
15-Nov		
16-Nov		
	19-Dec	19-Dec
	20-Dec	20-Dec
21-Dec	21-Dec	21-Dec
12-Mar		
13-Mar		
14-Mar		
15-Mar		
24-May		
28-May	28-May	28-May
29-May	29-May	29-May
30-May	30-May	30-May

LATE START WEDNESDAYS

Burroughs	8:10 AM
Faller	8:30 AM
Gateway	8:30 AM
Inyokern	8:45 AM
Monroe	8:00 AM
Las Flores	8:30 AM
Murray	8:00 AM
Pierce	9:30 AM
Richmond	9:30 AM

Late Start Wednesdays are:

August 22, 29; September 5, 12, 19, 26; October 3, 10, 17, 24, 31; November 7, 28; December 5, 12; January 9, 16, 23, 30; February 6, 13, 20, 27; March 6, 27; and April 3, 10, 17, 24

Non- Late Start Wednesdays are:

August 15; November 14, December 19; March 13; and May 1, 8, 15, 22, 29

PRIVACY AND INFORMATION RIGHTS

RIGHTS RELATING TO PUPIL RECORDS

The District maintains pupil records and information contained therein that are directly related to students. "Pupil Records" means any item of information directly related to an identifiable pupil, other than directory information, that is maintained by a school district or required to be maintained by an employee in the performance of his or her duties whether recorded by handwriting, print, tapes, film, microfilm, or other means. (*Education Code (E.C.) § 49061*)

"Pupil Records" do not include:

- Instructional, supervisory or administrative notes by District staff that are made only for that staff member or his/her substitute.
- Records of a law enforcement unit that were created for use by the law enforcement unit.
- Employee records made for personnel use.
- Records of a doctor, psychologist, psychiatrist or other treatment provider and/or assistant regarding a student who is 18 or older or who is attending a postsecondary educational institution. In this case, "treatment" does not include remedial instructional measures. (*E.C. § 49061*)

Parents/guardians, pupils age 18 and older, pupils age 14 and older who are both homeless and an unaccompanied youth, and individuals who have completed and signed a Caregiver's Authorization Affidavit have the right to request an inspection of any official records, files and data related to their student/child. Parents/guardians or eligible students may review individual records by submitting a request to the [school principal](#). The District has five (5) business days from the day of receipt of request to provide access. Copies of records may be requested and a small fee for duplicating (35 cents per page) may be charged by the school site. The District is required to retain enrollment and scholarship records of students indefinitely.

A log or record shall be maintained for each pupil's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests therefor. The log or record shall be open for inspection by a parent at [the school office](#). The school principal is responsible for the maintenance of each type of record. (*E.C. §§ 49060, 49063, 49064, 49069, 49070, and 49073; Family Educational Rights and Privacy Act (FERPA), section 1232g of Title 20 of the United States Code (U.S.C.)*)

CHALLENGING CONTENT OF PUPIL RECORDS

Following an inspection and review of a pupil's records, the parent or guardian with legal custody of a pupil or former pupil, and/or an eligible student, have the right to challenge the content of any pupil record or offer a written response to a pupil record that the parent or eligible student believes to be any of the following: (1) inaccurate; (2) an unsubstantiated personal conclusion or inference; (3) a conclusion or inference outside of the observer's area of competence; (4) not based on the personal observation of a named person with the time and place of the observation noted; (5) misleading; or (6) in violation of the privacy or other rights of the pupil. To do so, parents or eligible students should submit a request in writing to the school principal which clearly identifies the part of the record they want changed and specify the reasons therefor. The request will be processed in accordance with District Administrative Regulation 5125.3, *Challenging Student Records*.

If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to appeal the decision for a hearing before the District's Governing Board. If the Governing Board's decision is unfavorable to the parent/guardian or eligible student, the parent/guardian or eligible student will have the right to submit a written statement of objections that will become part of the student's record. Additional information regarding the appeal and hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. (*E.C. § 49070 and 49063.*)

RELEASE OF INFORMATION ABOUT STUDENTS

Information other than directory information is not provided to individuals or groups other than school personnel without written parent consent, except to the extent that FERPA and/or the Education Code authorize disclosure without such consent. One exception which permits disclosure without consent is disclosure to school officials and employees with legitimate educational interests. A legitimate educational interest is one held by officials or employees whose duties and responsibilities to the District, whether routine or as a result of special circumstance, require that they have access to student records.

Additionally, certain groups are permitted to access directory information about your child without your consent. Directory information is the student's name, birthdate, email address, address, dates of attendance, awards, previous school attendance, offices held, and participation in school activities. The groups to which school officials will give directory information include school personnel with legitimate educational interests,

schools of intended enrollment, federal and state educational administrators, representatives of organized parent groups, reunion-planning committees, and representatives of the news media.

If you do not wish to have directory information released about your child, please write a brief signed note to your school principal requesting that this information not be shared. Parents/guardians must notify the school principal in writing every year if they do not want the District to disclose directory information from their child's education records without prior written consent. Otherwise, the District may disclose appropriately designated "directory information" as specified herein without written consent. However, no information may be released to a 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 related to homeless and unaccompanied youth will not be released without the express written consent for its release by the eligible pupil, his/her parent or guardian. (*E.C. §§ 49063, 49064, 49068, 49073, 49074, 49076, and 49076.5*)

RELEASE OF INFORMATION PURSUANT TO COURT ORDER OR SUBPOENA

Information concerning a student shall be furnished in compliance with a court order or a lawfully issued subpoena. The District shall make a reasonable effort to notify the parent and the pupil in advance. (*E.C. § 49077*)

CONFIDENTIALITY OF INFORMATION ABOUT INDIVIDUALS WITH EXCEPTIONAL NEEDS

The District may not release information from the education records of an individual with exceptional needs to any public agencies without first obtaining parental consent, unless the information is contained in the education records and the disclosure is authorized without parental consent under FERPA. (*E.C. § 56515(c)*)

APPEARANCE OF STUDENTS IN VIDEO/TELEVISION

Often videos are filmed to share school programs. These videos can appear on television. Sometimes film crews come to campus to film events. Newspaper photographers also visit our campuses to highlight educational activities. If you do not want your child to appear as a featured student in one of these videos, or newspaper articles, please write a brief signed note to your school principal requesting that your child not appear. The District cannot guarantee that a student will not appear in the background of a video or television program, or newspaper article, even when the student's parents or guardians have requested that the student not appear.

FERPA COMPLAINTS

Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

PERSONAL BELIEFS

Tests, questionnaires, or examinations containing questions about the student's or their parents' or guardians' personal beliefs or practices in sex, family life, morality, and religion may not be given to pupils unless the parent or guardian is notified in writing and gives written permission. (*E.C. § 51513; 20 U.S.C. § 1232h*)

AVAILABILITY OF PROSPECTUS

Each school site shall create a prospectus which includes the curriculum, including titles, descriptions, and instructional aims of every course offered. The prospectus shall be made available upon request by parent or guardian. (*E.C. § 49091.14*)

TRANSFER OF RECORDS

The District is required to transfer a copy of your child's permanent pupil records to the school in which your child intends to enroll within 10 school days following the date the request is received. (*E.C. § 49068*)

DISCIPLINE

RULES AND PROCEDURES ON STUDENT DISCIPLINE

Rules pertaining to student discipline, including those that govern suspension or expulsion, are outlined in Education Code sections 48900 *et seq.* and are available from the site principal. They are communicated annually to students. (*E.C. §§ 35291, 35291.5*).

PARENTS HAVE THE FOLLOWING RIGHTS/DUTIES REGARDING STUDENT DISCIPLINE

Parents have the right to:

- Participate in the formation of the school's written policy;
- Appeal any suspension or expulsion by contacting the Kern County Board of Education;
- Appeal the discipline by a teacher or administrator by contacting that person's supervisor;
- Receive a written copy of the school's rules and procedures on discipline; and

Know that their children will not receive corporal punishment. (*E.C. §§ 35291, 35291.5, 48900, 49001*)

Parents are required to:

- Request and attend conferences regarding the discipline of their children;
- If requested by the teacher and consistent with District policy, spend a portion of the schoolday in a classroom from which the parents' child has been suspended;
- Assume liability (up to \$10,000, adjusted annually for inflation) for willful conduct of their children which results in injury or death to another pupil or to any person employed by or volunteering for the District; and
- Assume liability (up to \$10,000, adjusted annually for inflation) for damage to school property or personal property of any school employee caused by a minor's willful misconduct. (*E.C. §§ 48900.1, 48904*)

SCHOOLS HAVE THE FOLLOWING DUTIES REGARDING STUDENT DISCIPLINE

According to law, school teachers, staff and officials:

- Must hold students responsible;
- Must fairly and equitably enforce the written policies of the school and District;
- May withhold grades, diplomas or transcripts of the pupil responsible for damage or loss of property until such damages are paid or until completion of a voluntary work program in lieu of payment of monetary damages;
- Are working on eradicating gangs and gang activities. The District does not permit gangs and gang paraphernalia, clothes, writings, tags or any form of gang activity on its campuses and at its activities; and,
- Are working on eradicating hate crimes. All students, staff, and parents have the right to be free from any discrimination, harassment, intimidation, and bullying on the basis of race, ethnicity, nationality, immigration status, , gender, gender identity, gender expression, sexual orientation, physical or mental disability, religious beliefs, and any other characteristic that is contained in the definition of "hate crimes" set forth in section 422.55 of the Penal Code.
- Every teacher shall hold pupils accountable for their conduct on the way to and from school, on the playgrounds, or during recess.
- The District is committed to maintaining a learning and working environment that is free from bullying. Any student who engages in bullying of anyone in or from the District may be subject to disciplinary action up to and including expulsion. (*E.C. §§ 35291.5, 48915, 48904, 44807, 35183; Board Policy (B.P.) 5144, and Administrative Regulation (A.R.) 5144, 5145.3, and B.P. 5145.9*)

STUDENT RESPONSIBILITIES REGARDING DISCIPLINE

According to law and policy, students must:

- Attend school punctually and regularly.
- Obey all school and classroom rules while at school, at school activities, and on the way to and from school activities.
- Obey promptly all the directions of the teacher and others in authority.
- Observe good order and proper behavior.
- Be diligent in study.
- Be kind and courteous to others.
- Refrain entirely from the use of profane and vulgar language.
- Not visit other schools or be within two blocks of a school while school is in session and one hour before and after that session unless attending a school-sponsored event with prior permission of that site's principal. Remain on campus once they have arrived and follow the rules regarding leaving campus. (*E.C. §§ 35291.5, 48915, 48904, 44807, 35183; Board Policy (B.P.) 5144, and Administrative Regulation (A.R.) 5144*)

HAZING

Pupils or other persons in attendance at any public or private educational institution shall refrain from engaging or attempting to engage in hazing. Hazing is a basis for suspension or expulsion of a student. *E.C. § 48900(q)* defines hazing as a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an education 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. *E.C. § 48900(q)* excludes athletic events or school sanctioned events from the definition of "hazing." (*E.C. § 48900(q)*)

BULLYING PROHIBITION

The District may suspend or expel students for bullying, including cyberbullying and cyber sexual bullying (*E.C. § 48900(r)*). Bullying is any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act directed toward one or more pupils that that has or can be reasonably predicted to have the effect of, one or more of the following:

- Placing a reasonable pupil or pupils in fear of harm to person or property.
- Causing a reasonable pupil to experience a substantially detrimental effect on physical or mental health.
- Causing a reasonable pupil to experience substantial interference with academic performance.
- Causing a reasonable pupil to experience substantial interference with the ability to participate in or benefit from school services, activities, or privileges. (*E.C. § 48900(r)*)

Cyberbullying is an act of bullying conducted via electronic communication technology (e.g., text messages, e-mails, sounds, images, blogs, postings on a social network Internet Web site, videos) and meets the impact of bullying. Cyber sexual bullying means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that meets the impact of bullying. (*E.C. § 48900(r)(2)(A)(iii)*.) A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

As stated above, the District is committed to maintaining a learning and working environment that is free from bullying. Any staff member who observes, overhears or otherwise witnesses such actions or to whom such actions have been reported must take prompt and appropriate action to stop the behavior and to prevent its reoccurrence. Students who observe, overhear or otherwise witness such actions must report them to a staff member. Parents or guardians and District visitors are also encouraged to report the behaviors to a staff member.

ATTENDANCE

RESIDENCY REQUIREMENTS

Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency 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 meets any of the following:

- Placed within the boundaries of the district in a foster home or licensed children's institution as defined in Section 56155.5, or a family home pursuant to a commitment or placement under the Welfare and Institutions Code.
- A pupil who is a foster child who remains in his or her school of origin pursuant to subdivisions (d) and (e) of Section 48853.5.
- A pupil for whom interdistrict transfer has been approved.
- 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.
- A pupil whose parent or legal guardian resides outside the boundaries of the 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 three days during the school week.
- A pupil whose parent or legal guardian is physically employed within the boundaries of the school district for a minimum of 10 hours during the school week. A pupil whose parent is transferred or is pending transfer to a military installation within the boundaries of the school district while on active military duty pursuant to an official military order. (*E.C. § 48204.3*)
- A pupil whose parent or parents were residents of this state and have departed California against their will, and if the pupil seeks admission to a school of a school district, shall be admitted, regardless of his or her current residency, provided the pupil has:
 - Official documentation evidencing the departure of his or her parent or legal guardian;

- Moved outside of California as a result of his or her parent or legal guardian departing against their will and the pupil lived in California immediately before moving outside of California; and.
- Provides documentation that the pupil was enrolled in a California public school immediately before moving outside of California. (E.C. § 48200, 48204, 48204.3, 48204.4.)

NOTIFICATION

If a child is absent, the parent is to call the school as early as possible. If the school does not receive a call or note from the parent, the school will notify the parent when the student is not in school. In order to avoid being disrupted while you are at work, please call or send a note. (5 C.C.R. § 306; E.C. § 48205)

EXCUSED ABSENCES (E.C. § 48205, 48210)

State law permits students to be absent for justifiable reasons and allows for completion of missed assignments. Students who are absent without valid excuse, and their parents/guardians, may be subject to truancy and/or criminal proceedings under Education Code 48260, et seq. State law provides:

- (a) Notwithstanding section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to the pupil's 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 the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
 - (5) For the purpose of jury duty in the manner provided for by law.
 - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at 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 Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
 - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, has the same meaning as set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

GRADE REDUCTION/LOSS OF ACADEMIC CREDIT

No student shall have his/her grade reduced or lose academic credit for any excused absence pursuant to E.C. 48205 for missed assignments/tests that can reasonably be provided/completed. (E.C. § 48980(i))

ABSENCES FOR RELIGIOUS INSTRUCTION/EXERCISE

Students are not permitted to leave campus during the school day for religious instruction. (*E.C. § 46014*)
Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law. (*E.C. § 46014*)

INTRADISTRICT OPEN ENROLLMENT LOTTERY

Parent(s) may select the school their child attends within the District where space is available. State law requires school districts to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The policy must comply with the following limitations:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- In cases in which a school receives requests for admission in excess of the openings at the school, the selection process must be random and unbiased.
- The District cannot use a student's academic or athletic performance as a reason to accept or reject a transfer.
- The District must decide the number of openings at each school which can be filled by transfer students.
- The District has the authority to keep appropriate racial and ethnic balances among its schools at the District's discretion or as specified in applicable court-ordered or voluntary desegregation plans.
- The District is not required to provide transportation assistance to a student that transfers to another school in the district.
- If the District denies a parent's transfer request, the parent does not have an automatic right to appeal the decision. The District may, however, voluntarily decide to establish an appeal process for parents regarding decisions denying a parent's transfer request.

More information can be obtained from the Superintendent's Office. (*E.C. §§ 35160.5, 35351, 48204*)

CALIFORNIA OPEN ENROLLMENT ACT

The State of California Open Enrollment Act establishes a list of 1,000 "low achieving" schools for each school year. Parents/guardians at one of the 1,000 California Open Enrollment schools have the option to request a transfer to another school with a higher Academic Performance Index ("API") within or outside of the District. Information regarding the application process and applicable deadlines can be obtained from the District office. The District will notify parents of students attending a school on the list of their option to transfer to another public school on or before the first day of the school year. An application requesting a transfer shall be submitted by the parent of a student to the school district of enrollment prior to January 1 of the school year preceding the school year for which the pupil is requesting to transfer. (*E.C. § 48350 et seq.*)

INTERDISTRICT TRANSFERS

State law permits two or more school districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. If either district denies a transfer request, a parent may appeal that decision to the county board of education. A school district of residence shall not prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the application for transfer. (*E.C. § 46600*)

PARENT EMPLOYMENT RELATED TRANSFERS

A pupil, whose parent/guardian is employed within the boundaries of a school district other than that of the district of residence, may apply for an Interdistrict transfer to the non-residence school district. However, it is still up to both districts to decide whether the transfer will be granted based on limits imposed by law for such transfers. More information regarding your Interdistrict transfer options are available at your school of residence. (*E.C. § 48204*)

TEMPORARILY DISABLED STUDENT: INDIVIDUAL INSTRUCTION

Individual instruction is available for pupils, at home or in a hospital, who have a temporary disability not covered under the special education provisions. The parent of a pupil with a temporary disability who is in a hospital or other residential health facility shall notify the District in the area where the pupil is receiving care if an individualized instructional program is desired. Pupils hospitalized with a temporary disability are deemed residents of the district in which the hospital is located. (*E.C. §§ 48206.3, 48207-48208, 48980(b)*)

INSTRUCTION

SCHOOL ACCOUNTABILITY REPORT CARD

Each school is required annually to issue a school accountability report card, which shares with the community the programs, and successes of the school including information about expenditures, discipline, attendance, and student performance. The school accountability report card shall provide data by which a parent can make meaningful comparisons between public schools that will enable him or her to make informed decisions on school enrollment for his or her children. School districts must make a concerted effort to notify parents of the purpose of the school accountability report cards and ensure that all parents and guardians receive a copy of the report card. A hard copy of the report card will be provided upon request.. (E.C. §§ 33126, 35256)

CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)

The Superintendent of Public Instruction shall design and implement, consistent with the timetable and plan required pursuant to E.C. 60604(b), a statewide pupil assessment system consistent with the testing requirements of this article in accordance with the objectives set forth in E.C. 60602.5 and 60604. The Superintendent of Public Instruction shall make information and resources available to parents, teachers, pupils, administrators, school board members, and the public regarding the CAASPP, including, but not necessarily limited to, system goals, purposes, scoring systems, results, valid uses of assessments, and information on the relationship between performance on the previous state assessments and the CAASPP. Students in applicable grade levels will participate in the CAASPP unless exempted by law. Notwithstanding any other 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 E.C. 60600 *et seq.* shall be granted. (E.C. §§ 60600 *et seq.*; 5 C.C.R. 852)

RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS

Students have the right to refrain from participating in educational projects involving the harmful or destructive use of animals, based on moral objection. If the pupil chooses to refrain from participation in an education project involving the harmful or destructive use of animals, and 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 for the purpose of providing the pupil an alternative avenue for obtaining the knowledge, information, or experience required by the course of study in question. (E.C. §§ 32255, 32255.1, 32255.3, 32255.4, and 32255.5)

RELIGIOUS BELIEFS

Whenever any part of a school's instruction in health conflicts with the religious training and beliefs, including personal moral convictions, of the parent/guardian of any student, the student shall be excused from such instruction upon written request of the parent/guardian. (E.C. § 51240)

SEX EDUCATION AND HIV EDUCATION AND PREVENTION COURSES

The California Healthy Youth Act (E.C. §§ 51930 *et seq.*) requires that schools teach information about sexual health education and HIV prevention at least once to students in middle school and at least once in high school. The District is required to notify parents at the start of each school year regarding the instruction in comprehensive sexual health education and HIV prevention education and research on student health behaviors and risks planned for the school year. The District must notify parents whether the instruction will be taught by school personnel or by outside consultants. If arrangements for this instruction are made after the beginning of the school year, parents will be notified no fewer than 14 days before the instruction is delivered. If the District holds an assembly to deliver the instruction by guest speakers, or provides the instruction in class by outside consultants, the District must notify parents of the date that the instruction will commence and the name of the organization of each guest speaker.

Parents have the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent ("opt-out") process. Opportunity shall be provided to each parent to request, in writing, that his/her child not attend the class. Those students whose parents do not submit a written request to excuse them will receive the instruction. Parents have a right to request from the District a copy of the California Healthy Youth Act (E.C. §§ 51930 *et seq.*). Additionally, the educational materials used in sexual education or HIV prevention classes will be available for inspection by parents.

Anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex, may be administered to any pupil in grades 7 to 12, inclusive. Opportunity shall be provided to each parent to request, in writing, that his/her child in grades 7 to 12, inclusive, be excluded from such tests, questionnaires, or surveys. Parents or guardians have a right to review the test, questionnaire, or survey if they wish.

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey. Additional information is available from the school nurse.

A pupil shall not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks. (*E.C. §§ 51240, 51934, 51937, 51938 and 51939*)

The District may administer the California Healthy Kids Survey annually in the October/November and/or February/March timeframe.

SEX EQUITY IN CAREER PLANNING

The District will notify parents in advance of career counseling and course selection commencing with course selection for Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (*E.C. § 221.5(d)*)

DRUG EDUCATION

In elementary and secondary schools, the state law requires that instruction be given on drug education and that this education cover the effects of the use of tobacco, alcohol, narcotics, dangerous drugs, and other dangerous substances. (*E.C. § 51260*)

PARTICIPATION IN PROMOTION

Students may not participate in promotion ceremonies unless they meet all of the District's requirements for promotion.

MATHEMATICS POLICY

The District's mathematics placement policy is available on its website. (*E.C. § 51224.7*)

COMPLAINTS CONCERNING DEFICIENCIES RELATED TO INSTRUCTIONAL MATERIALS

State law requires a notice to be posted in each classroom in each school regarding the requirement of schools to have sufficient textbooks and instructional materials, clean and safe facilities, and no teacher vacancies or misassignments as defined. Forms to file a complaint of deficiencies are available at the District office. The notice will include that:

1. There should be sufficient textbooks and instructional materials. That means each pupil, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present. *Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. *Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

A complaint form may be obtained at the District office or downloaded from the District's website. You may also download a copy of the California Department of Education complaint form from the following website: <http://www.cde.ca.gov/re/cp/uc/>. (*E.C. § 35186*)

MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS

Parents and guardians shall be notified of the schedule of minimum days and pupil-free staff development days at the beginning of the school year or as early as possible, but not later than one month before the scheduled minimum or pupil-free day. (*E.C. § 48980(c)*)

INSTRUCTION DURING HOSPITALIZATION OR RECUPERATION

Parents who request instruction for their seriously ill children should request the instruction by obtaining an application at their home school. (*E.C. §§ 48206.3, 48207, 48208*)

EDUCATION FOR DISABLED CHILDREN

Special education services are available to meet the needs of students who have been identified as having one or more qualified disabilities. The District has established written policies and procedures for a continuous child-find system including children with disabilities who are homeless or wards of the state and children with disabilities attending private, including religious, elementary and secondary schools, which addresses the relationships among identification, screening, referral, assessment, instructional planning, implementation, review and the triennial assessment. The policies and procedures include written notification of all parents of their rights and the procedures for initiating a referral for assessment to identify students with exceptional needs. (*E.C. § 56301*) Parents will be given a copy of their rights and procedural safeguards only one time a year and upon initial referral, parent request for assessment, first occurrence of filing for due process, and upon parent request. If the service is not available in a public school, placement may be made in an approved, private, non-sectarian school. Contact the Director of Special Education at 760-731-5412 for specific information about the services for special education students. (*E.C. § 56030 and Individuals With Disabilities Education Act (IDEA)*)

Section 504 of the Rehabilitation Act of 1973 requires school districts to provide education and accommodations for students with identified disabilities even if they do not qualify for special education under the IDEA. It is the policy of the District to provide a free appropriate public education to each student with disabilities regardless of the nature or the severity of the disability.

Parents who believe their children may have a disability are to contact the principal of the school to arrange for a Student Study Team meeting to review the student's academic progress.

State regulations require that the District establish procedures to deal with complaints regarding special education. If you believe the District is in violation of federal or state law governing the identification or placement of special education students, or similar issues, you may file a written complaint with the District.

State regulations require that the District forward your complaint to the State Superintendent of Public Instruction. Procedures are available from your principal. (*5 C.C.R. § 3080 and E.C. § 56502*)

NOTICE OF ALTERNATIVE SCHOOLS

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

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

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

The District currently offers the following alternative education programs: Independent Study and Home Education. (*E.C. §§ 58501, 58502*)

STUDENT ACCESS TO THE INTERNET/ON-LINE SERVICES

The District has established regulations governing access to technology that are age appropriate. These regulations prohibit access to harmful matters on the Internet, which may be obscene or pornographic and other misuses of the system. Users of the system will have no expectations of privacy and understand that District staff may monitor or examine all system activities to ensure proper use of the system. Students, who fail to abide by District rules, shall be subject to disciplinary action, revocation of the user account, and legal action as appropriate. (*BP 6163.4, Student Acceptable Use Policy*)

MINIMUM AGE OF ADMISSION TO KINDERGARTEN

A child shall be eligible for enrollment in kindergarten at the beginning of the school year or at a later time in the same year, if the child has his or her fifth birthday on or before September 1. Any child who will have

his/her birthday between September 2 and December 2 shall be offered a transitional kindergarten program in accordance with law and District policy. On a case-by-case basis, a child who has reached age five after September 1 but before the end of the applicable school year, may be admitted to kindergarten with the approval of the child's parent or guardian and subject to board approval in accordance with *E.C. § 48000(b)*. Beginning in the 2015-16 school year and each school year thereafter, a school district or charter school may, at any time during a school year, admit a child to a transitional kindergarten program who will have his or her fifth birthday after December 2 but during that same school year in accordance with *E.C. § 48000(c)(3)(B)*. (*E.C. § 48000*)

STATE FUNDED ADVANCED PLACEMENT EXAMINATIONS

State funds are available to cover costs of advanced placement examination fees for eligible economically disadvantaged high school pupils. (*E.C. § 52242*)

COLLEGE ADMISSION REQUIREMENTS & CAREER TECHNICAL EDUCATION

The District will provide parents or guardians of each minor pupil enrolled in grades 9 to 12 with notice of college admission requirements; a list of current University of California and California State University web sites that help pupils and their families learn about college admissions requirements, including a list of high school courses certified as satisfying the requirements for admission to California State University and the University of California; a brief description of career technical education; the Internet address for the California Department of Education website where pupils can learn more about career technical education; and information about how pupils may meet with school counselors to help them choose courses to meet college admission requirements, enroll in career technical education, or both. This information will be provided to high school students at the start of each school year or when new students enroll. (*E.C. § 51229*)

Entrance requirements to colleges or universities vary widely. It is important, therefore, that you check the entrance requirements of the schools in which you might be interested. Any high school graduate may enroll in a California community college; most state universities and private colleges, however, expect a "B" average or better in a college preparatory program. **One year of English and one year of mathematics should be included in the senior year program.** **Important note: Not all summer school and credit recovery classes are accepted by the University of California System or the California State University System.**

CALIFORNIA STATE UNIVERSITY SYSTEM (For students graduating in 2019)

The California State University System requires the following pattern of college preparatory subjects in grades 9 through 12. (SAT Reasoning test or ACT is required.) (All grades must be a 'C' or better.)

English	4 years	40 semester periods
Mathematics	3 years	30 semester periods
Social Science	2 years	20 semester periods
Laboratory Science.....	2 years	20 semester periods
Foreign Language.....	2 years (same language).....	20 semester periods
Visual and Performing Arts	1 year (same subject).....	10 semester periods
College Prep Electives	1 year.....	<u>10 semester periods</u>
TOTAL		150 semester periods

UNIVERSITY OF CALIFORNIA SYSTEM (For students graduating in 2019)

A student applying for admission as a freshman to any branch of the University of California or Cal. State University must have completed a minimum of fifteen units (150 semester periods) of high school work during grades 9-12. A one-year course is equal to one unit; a one-semester course is equal to one-half unit.

Fifteen of these required units must have been earned in academic or college preparatory courses, as specified and defined below. Eleven of the fifteen required courses must be completed prior to the beginning of the senior year. Also, at least seven of the fifteen units must have been earned in courses taken during the last two years of high school. (ACT or SAT Reasoning Test are required.) SAT Subject Area Tests are no longer required. However, particular SAT Subject Area Tests may be required to demonstrate proficiency in competitive majors.

'a-g' Course Requirements

- a. **History/Social Science:** (2 years required) One year of United States history (or one-half year of United States history and one-half year of civics or American government) and one year of world history, cultures or geography.
- b. **English:** (4 years required) Four years of college preparatory English--composition and literature. (Not more than two semesters of ninth grade English will be accepted for this requirement.)

- c. **Mathematics:** (3 years required, 4 recommended.) Three years of mathematics--elementary algebra, geometry, and advanced algebra. (Mathematics courses taken in grades 7 and 8 may be used to meet part of this requirement if they are accepted by the high school as equivalent to its own courses.)
- d. **Laboratory Science:** (2 years required, 3 recommended) Fundamental knowledge in at least two of these three areas: biology, chemistry, or physics.
- e. **Foreign Language:** (2 years required, 3 recommended) Two years of the same foreign language. (Foreign language courses taken in grades 7 and 8 may be used to meet this requirement if they are accepted by the high school as equivalent to its own courses.)
- f. **Visual & Performing Arts:** (1 year required) One year of approved art, ceramics, drawing, painting, drama, chorus, band, or digital multimedia design.
- g. **College Preparatory Electives:** (1 year required) One year in addition to those required in 'a' through 'e' above, to be chosen from the following subject areas: history, English, advanced mathematics, laboratory science, foreign language, social science, and visual and performing arts.

Courses Satisfying the 'g' Requirement

History and English: Additional courses that meet the UC/CSU 'a-g' requirement.

Advanced Mathematics: Courses beyond Advanced Algebra that meet the UC/CSU 'a-g' requirement.

Laboratory Science: Additional courses that meet the UC/CSU 'a-g' requirement.

Foreign Language: Elective courses may be in either the same language used to satisfy the 'e' requirement or in a second foreign language. If a second language is chosen however, at least two years of work in that language must be completed.

Visual and Performing Arts: Drawing 3, 4, 5, 6, AP; Painting 3, 4, 5, 6, AP; Ceramics/Sculpture 3, 4, 5, 6, AP; Drama 1, 2, 3; Drama Company, Technical Theater 1, 2; and Digital Multimedia Design.

Electives: AVID 9, AVID 10, AVID 11, AVID Senior Seminar, Newswriting,

U.C. SCHOLARSHIP REQUIREMENT

The procedure used to calculate the grade point average for the scholarship requirement has several complications. For details, you should talk with your counselor. In general, however, the system is as follows:

The Scholarship requirement defines the grade point average (GPA) students must attain in the 'a-g' subjects (see the 'a-g' course list on page 2) and the scores they must earn on the SAT or ACT Tests to be eligible for admission to UC. To see if a student meets the Scholarship Requirement, use the interactive Preliminary Eligibility Calculator at <http://admission.universityofcalifornia.edu/freshman/requirements/index.html>. The minimum GPA for California-resident students is 3.0

The University calculates the 'a-g' GPA by assigning point values to the grades students earn, totaling the points, and dividing the total by the number of 'a-g' course units. Points are assigned as follows: A = 4 points, B = 3 points, C = 2 points, D = 1 point, and F = 0 points. Only the grades students earn in the "a-g" subjects taken in grades 10 & 11 are used to calculate the preliminary grade point average. 'a-g' courses with grades of D or F must be repeated or validated. Courses taken in the 9th grade can be used to meet the subject requirement if the grade is C or better, but will not be used to calculate the GPA.

The University, not the high school, assigns extra points for up to four units of certified honors level and Advanced Placement courses taken in the last three years of high school: A = 5 points, B = 4 points, and C = 3 points. Grades of D earned in honors courses are not assigned extra points. No more than two units of certified honors level courses taken in grade 10 may be assigned extra points. (Note: For Burroughs, only Advanced Placement courses, Honors Chemistry, Honors Pre-Calculus, Honors Spanish III, Honors German III and Honors English 11 are certified.)

Generally, only courses noted as meeting the UC/CSU 'a-g' requirement are college preparatory and meet the University of California 'a-g' or the California State University System Entrance Requirements. (See your counselor for more information.)

EVERY STUDENT SUCCEEDS ACT

RETENTION

Except as provided in subdivision (d) of *E.C. § 51101*, the parents and guardians have the right 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. (*E.C. § 51101(a)(16)*)

NOTICES TO PARENTS IN LANGUAGE OTHER THAN ENGLISH

When 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 through 12 speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to being written in English, be written in such primary language, and may be responded to either in English or primary language. (*E.C. § 48985*)

LEVEL OF STUDENT ACHIEVEMENT

The school should provide to each parent information on the level of achievement of his/her child in each of the State's academic assessments and timely notice that the child has been assigned or has been taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned. (*20 U.S.C. § 6312(e)(1)(B)*)

LANGUAGE ACQUISITION PROGRAMS

Districts are required to provide a **Structured English Immersion (SEI)** program option.

Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible, and provides instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards. (*20 U.S.C. Section 6312[e][3][A] [iii].v]; EC Section 306[c]*)

***Structured English Immersion (SEI):** The SEI program is designed for English learners, and provides nearly all classroom instruction in English, but with curriculum and presentation designed for pupils who are learning English. At minimum, students are offered ELD and access to grade level academic subject matter content.

***Dual-Language (DLI) Program:** Also referred to as **Two-Way Immersion**. A language acquisition program that provides language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program begins in Transitional Kindergarten/Kindergarten (TK/K) and continues to sixth grade.

***Transitional Bilingual Program:** A language acquisition program for English learners that provides instruction to pupils native language for literacy and academic instruction, enabling an English learners to achieve English efficiency and meet state adopted academic achievement goals. This program begins in TK/K and continues to third grade where students transition to instruction all in English.

Parents/Guardians may choose a language acquisition program that best suits their child. Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more of any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a]) Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan (EC Section 52062). If interested in a different program from those listed above, please contact the EL Project Teacher at 760-499-1673 to ask about the process.

California Education for a Global Economy (CA Ed.G.E.) Initiative and California Code of Regulations, Title 5, Section 11310:

(a) An LEA shall notify parents of the language acquisition programs and any language programs provided by the LEA at the time and in the manner specified in Education Code sections 48980 and 48981. The notice specified in this section shall include a description of the process for parents to request a language acquisition program or language program for their child.

(b) The notice for language acquisition programs shall include:

- (1) A description of any such programs provided, including SEI;
- (2) Identification of any language to be taught in addition to English, if applicable; and
- (3) The information set forth in section 11309(c).

(c) The notice for language programs shall specify the language(s) to be taught, and may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

(d) Parents of pupils enrolling in the LEA after the beginning of the academic school year shall be provided the notice described in subdivision (a) upon enrollment. An LEA may provide notice to parents at additional times throughout the year.

(e) The notice to parents pursuant to this section shall be provided as described in subdivision (a). Additionally, verbal notice shall be provided, upon request, as reasonably necessary to effectuate notice to the parents.

ENGLISH LEARNER PARENTAL NOTIFICATION

The school must inform parents not later than 30 days after the beginning of the school year for the child regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student's level of English proficiency and how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a student from a program and/or decline initial enrollment, and expected rate of transition into classrooms not tailored for English learners. This information must also include whether the child is a long-term English learner or at risk of becoming a long-term English learner, and the manner in which the program for English language development instruction will meet the educational strengths and needs, as well as help develop English proficiency and meet age-appropriate academic standards, of long-term English learners or those at risk of becoming long-term English learners. (20 U.S.C. § 6312(e)(3)(A); E.C. § 313.2 and 440)

TEACHER QUALIFICATIONS

At the beginning of the school year, all school districts are required to notify parents of children in schools receiving Title I funds that they have the right to request and receive timely information on the professional qualifications of classroom teachers, including state qualifications, licensing for the grade level or subject taught, field of discipline, whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived, , whether the student is provided services by paraprofessionals, and if so, their qualifications . Requests should be made in writing and given to the school site principal. (20 U.S.C. § 6312(e)(1)(A))

HEALTH

IMMUNIZATION FOR COMMUNICABLE DISEASES

With parental consent, the District may administer immunizing agents to students to prevent or control communicable disease. (E.C. § 49403)

EXCLUSION; IMMUNIZATIONS

The County Office of Education or the District shall exclude any pupil who has not been immunized properly. The District shall notify the parent or guardian of the pupil that they have two weeks to supply evidence either that the pupil has been properly immunized, or that the pupil is exempted from the immunization requirement pursuant to Section 120365 or 120370 of the Health and Safety Code. (E.C. § 48216)

PROOF OF IMMUNIZATIONS Effective July 1, 2016, Senate Bill (S.B.) 277 eliminates the exemption from specified immunization based upon personal beliefs. The District may not unconditionally admit for the first time, or admit or advance any pupil to the 7th grade level unless the pupil has been fully immunized as required by S.B. 277. Additionally, this bill restricts the District from unconditionally admitting or

advancing certain students. The District shall require documentary proof of each entrant's immunization status, and will periodically review the immunization records as required. *S.B. 277* does not apply to students who are in home-based private schools or students enrolled in independent study programs and not receiving classroom-based instruction. *S.B. 277* does not prohibit a pupil who qualifies for an individualized education program (IEP), pursuant to federal law and Section 56026 of the Education Code, from accessing any special education and related services required by his or her IEP. *S.B. 277* provides a limited exemption from immunization for medical reasons. A pupil who, prior to January 1, 2016, submitted a letter or affidavit on file with the District stating beliefs opposed to immunization shall be allowed enrollment to any District school until the pupil enrolls in the next grade span. Grade span means (1) from birth to preschool; (2) Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten; and (3) grades 7 to 12 inclusive. (*S.B. 277*)

CONTINUING MEDICATION

The parent of a student on a continuing medication regimen for a nonepisodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent of the pupil, the school nurse may communicate with the physician and may counsel with school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omissions, or overdose. (*E.C. § 49480*)

CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM

All children must have documentation of an appropriate health screening and evaluation service within 18 months prior to entering first grade or within 90 days after the student's entrance into the first grade. Information is available in the school office regarding free health screening. If parents do not wish to have a child receive a physical examination, a signed waiver must be provided to the school. Failure to provide certification or sign a waiver may result in up to five days exclusion from school. (*Health and Safety Code (H.S.C.) §§ 124085, 124100 and 124105*)

ORAL HEALTH ASSESSMENT

California law requires that a child in kindergarten or first grade, whichever is his/her first year of public school, have an oral health assessment before May 31 of the school year in which they first enroll. The law specifies that the assessment must be performed by a licensed dentist or other licensed or registered dental health professional. The oral health assessment must have taken place within the 12 months before the child enters school. Information is available in the school office to help you find a dentist. If you cannot take your child for this assessment, you may be excused from this requirement by filling out a form that is available in the school office. (*E.C. § 49452.8*)

PHYSICAL EXAMINATION

A parent of a student may file annually with the principal of the school in which he/she is enrolled a statement in writing, signed by the parent, stating that he/she will not consent to a physical examination of the child. The child will be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he/she shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist. (*E.C. § 49451*)

STOCK EPINEPHRINE AUTO-INJECTOR

The District maintains epinephrine auto-injectors at every school site for emergency use only. A school nurse or trained school personnel who have volunteered may administer epinephrine to any student who may be experiencing anaphylaxis, regardless of known history. Anaphylaxis is a potentially life-threatening hypersensitivity to a substance. According to Food Allergy Research and Education, anaphylaxis affects 1 in every 13 children (under 18 years of age) or approximately 2 children in every classroom. It is estimated that 25% of students have their first anaphylactic reaction at school. Volunteers shall receive annual training that satisfies the requirements of Education Code section 49414(d). (*E.C. § 49414*)

AUTHORIZATION FOR MEDICATION ADMINISTRATION Any pupil who is required to take, during the regular day, medication prescribed for him or her by a physician may be assisted by a school nurse or other designated school district personnel if the District receives: 1) A written statement from a physician licensed in the State of California detailing the method, amount, and time schedules by which such medication is to be taken; and 2) Written authorization from the parent, foster parent, or guardian of the pupil indicating the desire that school district personnel assist the pupil in the matters set forth in the Physician's Statement. Copies of the Physician's Statement are available in school health offices. All medications will be stored in a secure location located in the school's office.

This authorization is valid only for the current school year. If any of the conditions in the Physician's Statement change, a new form must be signed by the parent/guardian and the physician.

Students may carry and self-administer prescription auto-injectable epinephrine and/or self-administered inhaled asthma medication upon receipt of the following: (1) a written statement from the physician detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer inhaled asthma medication, and (2) a written statement from the parent, foster parent, or guardian of the student consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the healthcare provider of the student regarding any questions that may arise with regard to the medication, and releasing the District and school personnel from civil liability if the self-administering student suffers an adverse reaction by self-administering the medication pursuant to this section. The written statements must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. A student may be subject to disciplinary action pursuant to *E.C. § 48900* if that student uses inhaled asthma medication or auto-injectable epinephrine in a manner other than as prescribed. (*E.C. § 49423, 49423.1*) Only medication prescribed by the pupil's physician as being necessary to be taken by the pupil in the manner listed on the Physician's Statement should be brought to the school. Medication must be in original containers, which are clearly marked with the name of the pupil, the name of the prescribing physician, name of the medication, and the amount of medication.

All medications not picked up when the medication expires, changes, or on the last day of the school year will be disposed of by the school.

**A PHYSICIAN'S STATEMENT MUST BE COMPLETED
PRIOR TO THE DISTRICT'S ADMINISTRATION OF MEDICATION.
THIS FORM IS AVAILABLE IN THE SCHOOL HEALTH OFFICE**

OVER-THE-COUNTER MEDICATIONS

When taken under a physician's care, these medications are considered prescription medications. The regulations, which apply to Prescription medications as outlined above, apply to over-the-counter medications (aspirin, Tylenol, inhalers, skin creams and other preparations, etc.)

Without the accompanying documentation listed above, over-the-counter medications cannot be administered at school and may not be in the possession of students. Under no circumstances are students to be in the possession of pills, cough syrups, inhalers, or any form of medication or medical supplies. All medicines and medical supplies are to be left in the custody of a District staff member. (*E.C. §§ 49422, 49423, and 48900*)

With this information, we hope that you will be able to make your decision regarding whether your child is to receive medication at school. Physician Statement and Authorization for Medication Administration forms may be obtained from the health clerk at your child's site. All medications must be delivered to the school by the parent/guardian and his/her adult representative.

Should you have any questions regarding this policy, please contact the health technician at your child's school.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS

The District shall serve as a Medi-Cal provider to the extent feasible, shall comply with all related legal requirements and may be reimbursed to the extent allowed under the Medi-Cal billing option for local educational agencies. (*B.P. 5141.6*)

CONFIDENTIAL MEDICAL SERVICES

School authorities may excuse pupils from school for the purpose of obtaining confidential medical services without the consent of the pupils' parent or guardian. (*E.C. § 46010.1*)

MEDICAL ASSISTANCE AT SCHOOL

The emergency card will be used to contact parents in the event of a medical emergency. The school will act in the absence of parent contact to ensure appropriate medical treatment is provided even if the parent cannot be reached. This means the school may make available medical or hospital services for student while at or on the way to or from any school activity. It is important to note on the emergency card any specific directions regarding emergency care. (*E.C. § 49472*)

ACCIDENT/INJURY INSURANCE

The District does not provide insurance to cover student accidents or injuries while the student is at school, going to or from school, or while attending school-sponsored activities. Insurance for students may be purchased by parents/guardians through a separate program at their school. (*E.C. § 49472*)

ACCIDENT/INJURY INSURANCE FOR MEMBERS OF SCHOOL ATHLETIC TEAMS

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 661-631-6807.

HEALTH SCREENING AND TESTS

School districts are required to provide the following tests/screenings:

- Sight (*E.C. §§ 49452, 49455*)
- Hearing (*E.C. § 49452*)

Parents may request that students not take the sight test. (*E.C. § 49455*)

A student whose first enrollment or entry occurs in grade 4 or 7 will not be required to take the sight test in the year immediately following the pupil's first enrollment or entry. (*E.C. § 49455*)

Parents are required to arrange for a physical examination and oral health assessment before entering the 1st grade. (*H.S.C. §§ 124100 and 124105; E.C. § 49452.8*)

Free health screening is available through your local health department. Parents can refuse to have their children have a physical examination if they file a waiver with the principal. However, if that student appears to be suffering from a recognized contagious or infectious disease, that student will not be permitted to attend school until it is determined to the satisfaction of District representatives that a contagious or infectious disease does not exist. (*E.C. § 49451*)

STUDENT WELLNESS

Sun Protective Clothing/Use of Sunscreen

School sites must allow for outdoor use of sun-protective clothing and the use of sunscreen by students during the school day. (*E.C. § 35183.5*)

STUDENT HEALTH AND NUTRITION

The District believes that promoting student health and nutrition enhances readiness for learning and increases student achievement. For all foods available on each campus during the school day, the District shall adopt nutrition guidelines which are consistent with *42 U.S.C. §§ 1773 and 1779* and federal regulations and which supports the objectives of promoting student health and reducing childhood obesity.

In order to maximize the District's ability to provide nutritious meals and snacks, all District schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the District may sponsor a summer meal program.

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with *E.C. § 38086* and *42 U.S.C. § 1758*, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

The District believes that foods and beverages sold to students at District schools, including those available outside the District's food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the District for foods and beverages provided through student stores, vending machines, or other venues, shall meet or exceed state and federal nutrition standards.

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the District's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible. (*B.P. 5030*)

FREE/REDUCED PRICE LUNCHES

Free or reduced-price meals may be available for pupils who receive public assistance. Program information and applications for free or reduced-price meals are available to students at each school site. (*E.C. §§ 48980(b), 49510-49520, 49557*)

YOUR CHILD'S SAFETY

All school visitors are required to check in at the school office as soon as they arrive. Parents must report to the office before going to a classroom. Parents who have a complaint are to request an appointment with the teacher or classified employee and the principal. No disruption of school activities or verbal/physical assaults will be tolerated by visitors on campus.

The District is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The District encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior, bullying, harassment, and similar acts toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal (oral or written), electronically transmitted (cyber or high-tech), and psychological abuse. The District will not tolerate any gestures, comments, threats, or actions, which cause or threaten to cause bodily harm or personal degradation.

TOBACCO-FREE SCHOOLS/SMOKING

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. In the best interests of students, employees, and the general public, the District prohibits the use of tobacco products at all times on District property and in District vehicles. Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, nicotine delivery devices such as electronic cigarettes and other types of ENDS systems, and non-nicotine vaporized solutions. (Vapor systems, e- VAPES, digital vapor system, hookah, hookah pen, pencil, device, e-hookah, etc.) This prohibition applies to all employees, students, visitors, and other persons at any school or school-sponsored activity or athletic event. It applies to any meeting on any property owned, leased, or rented by or from the District. Students interested in smoking cessation programs may contact their principal or counselor for information.

Possession, use or sale of narcotics, alcohol or other controlled substances is prohibited and strictly enforced at all school activities. Records will be forwarded to local law enforcement, and District sanctions will result from violations.

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of District employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (*E.C. §§ 48900, 48901*)

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground, except on a public sidewalk located within 25 feet of the playground, is prohibited by law. (*H.S.C. § 104495*)

DISASTERS, DISEASE PREVENTION, AND SAFETY PLANS

Each school has a disaster preparedness plan and a crisis team. Each school conducts regular fire, earthquake, and disaster drills. For a copy of your school's plan, contact your principal.

Your school has an asbestos management plan. Contact your school principal for a copy. (*40 C.F.R. § 763.93*)

School personnel receive yearly updates on disease prevention. Employees are required to have current TB tests.

Each site has a safety committee, which examines safety issues and ensures a safe campus. If you have any concerns about safety items at your school, contact your principal who can advise you of the proper way to address your safety concerns.

Each school annually reviews and updates its comprehensive School Safety Plan by March 1. A new school campus adopts a comprehensive School Safety Plan within one year of initiating operation, and reviews and updates its plan by March 1 every year thereafter. Before adopting its Safety Plan, you will be notified that the school will hold a public meeting at the school site in order to allow members of the public the opportunity to express an opinion about the plan. Each school site reports on the status of its School Safety

Plan each July, including description of its key elements, in the annual School Accountability Report Card. (*E.C. §§ 32281, 32286, and 32288*)

No one, other than those designated on the emergency card, will be permitted to take your child from school.

FINGERPRINTING PROGRAM

School districts are authorized to offer a voluntary fingerprinting program for children enrolled in kindergarten or newly enrolled in the District. If the District adopts such program, parents will be notified upon enrollment of a student, and annually, of the availability of the program. The District shall assess a fee to the parent of the fingerprinted student, which shall be calculated to reimburse the District only for the actual costs associated with the program. Students will not be fingerprinted without the consent of the parent/guardian. (*E.C. § 32390*)

SCHOOL BUSES/PASSENGER SAFETY

Upon registration, parents or guardians of pupils not previously transported in a school bus shall receive written information on school bus safety. This applies to pupils in pre-kindergarten through grade eight (*E.C. § 39831.5*)

PROHIBITED USE OF ELECTRONIC SIGNALING DEVICES

The District does not permit the use of a cellular/digital telephone, pager, or other mobile communications device during instructional time. Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other District employee, and at any other time directed by a District employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person. No student shall 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 student and use of which is limited to purposes related to the health of the student. (*E.C. § 48901.5, BP 5131*)

Students are prohibited from possessing a laser pointer, unless possession is for valid instruction. Students are further prohibited from directing the beam of a laser pointer into the eyes of another, into a moving vehicle, or into the eyes of a service animal or assistive animal. (*Penal Code (P.C.) § 417.27*)

UNSAFE SCHOOL CHOICE

Parents/guardians shall be notified of elementary and/or secondary schools considered to be “persistently dangerous” pursuant to California Department of Education guidelines and of available options. **Any** firearm violation must be considered in determining whether a school site is at risk of being classified as persistently dangerous. An “incident” of a firearm violation occurs when a person unlawfully brings or possesses a handgun, rifle, shotgun, or other type of firearm to school grounds during school hours or a school activity. (*5 C.C.R. §§ 11992, 11993 (k)*)

It is a criminal offense to openly display or expose any imitation firearm in a public place, including a public school. (*P.C. § 20170*)

COURT ORDERS

It is the parent(s) responsibility to provide the school with a certified copy of any court orders of which the school should be aware.

MEGAN’S LAW NOTIFICATION

When a law enforcement agency reasonably suspects that children may be at risk from a registered sex offender, an agency may notify educational institutions. Any person who receives such sex offender information from a law enforcement agency may only disclose that information in the manner and to the extent authorized by the law enforcement agency. The District will collaborate with local law enforcement in order to determine the most responsible means of communication. Further information on “Megan’s Law” can be found on the web at www.meganslaw.ca.gov. (*P.C. § 290.45*)

VOLUNTEERS

Parents have the right to volunteer their time and resources for the improvement of school facilities and school programs under the supervision of District employees. Volunteers are required to fill out a form that is available in each school office. Volunteers shall fulfill the tuberculosis testing and loyalty oath qualifications (*E.C. § 45349 and 49406*). Regular volunteers (more than two days per week) shall satisfy the *E.C. § 45125* fingerprinting requirements. (*E.C. § 51101(a)(3)*)

HIGH SCHOOL OPEN CAMPUS

The governing board of the Sierra Sands Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled at Burroughs High School to leave the school grounds during the lunch period. Section 44808.5 of the Education Code further states "Neither the school district nor any officer of employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section."

COUNSELING AND SUPPORT SERVICES

The District provides support services and counseling. Please see individual school site availability regarding counseling.

SUICIDE PREVENTION

The District recognizes the severity of the youth suicide problem and finds it imperative that all staff, students, and parents/guardians be made aware of warning signs and procedures by which they may help suicidal students. Accordingly, the District has adopted a suicide prevention program that provides training and instruction for all segments of the school community pursuant to BP 5141.52 and AR 5141.52.

NONDISCRIMINATION IN EDUCATION

The District is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on sex, sexual orientation, gender, gender identity, gender expression, race, color, religion, national origin, immigration status, ethnic group, marital or parental status, physical or mental disability, or any other unlawful consideration, or 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. The District shall promote programs that ensure that these discriminatory practices are eliminated in all District activities. You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act. The California Department of Education and the Office for Civil Rights of the United States Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds. If you wish further details in this regard, or if you wish to file a complaint, please contact the District Superintendent (113 W. Felspar, Ridgecrest, CA 93555, telephone [760 499-1600], or the appropriate agency.

SAFE PLACE TO LEARN ACT

The District has adopted policies pertaining to the following:

- 1) Prohibition of discrimination and harassment based on characteristics set forth in E.C. § 220 and Penal Code 422.55;
- 2) Process for receiving and investigating complaints of discrimination and harassment;
- 3) Maintenance of documentation of complaints and their resolution;
- 4) Process to ensure complaints are protected from retaliation and the identity of a complainant is kept confidential if appropriate; and
- 5) Identification of a responsible District officer to ensure compliance.

PUPIL PROTECTIONS RELATING TO IMMIGRATION AND CITIZENSHIP STATUS

Except as required by state or federal law or as required to administer a state or federally supported educational program, the District shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

Should any request be made for information or access to a school-site by an officer or employee of a law enforcement agency for the purpose of enforcing immigration laws, the District's Superintendent shall report to the Governing Board any such requests in a timely manner that ensures the confidentiality and privacy of any potentially identifying information.

If the District becomes aware that a pupil's parent or guardian is not available to care for the pupil, District staff shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. The District will work with parents or guardians to update the emergency contact information and will not contact Child Protective Services to arrange for the pupil's care unless it is unable to arrange care through the use of emergency contact information provided by the parents or other information provided by the parent or guardian.

All children have a right to a free public education, regardless of immigration status or religious beliefs. Please visit the State of California's Attorney General's "Know Your Rights" page at <https://oag.ca.gov/immigrant/rights> (E.C. § 234.7)

UNIFORM COMPLAINT PROCEDURES

The District has the primary responsibility for compliance with federal and state laws and regulations. Its Uniform Complaint Procedures (UCP) shall address allegations of unlawful discrimination, harassment, intimidation, and bullying; complaints alleging violation of state or federal laws governing educational programs; the charging of unlawful pupil fees, deposits, or other charges for participation in educational activities; and the non-compliance of our Local Control and Accountability Plan (LCAP). Pursuant to its UCP procedures, the District shall investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in E.C. §§ 200 and 220 and Government Code § 11135, including any actual or perceived characteristics as set forth in P.C. § 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the agency, which is funded directly by, or that receives or benefits from any state financial assistance.

The District shall also use its UCP when addressing complaints alleging failure to comply with state and/or federal laws regarding adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, and any other complaint specified in a District policy.

A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities. Additionally, the District's Board is required to adopt and annually update a LCAP, in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

The District designates its Assistant Superintendent of Human Resources as its compliance officer. The procedures for filing a UCP are available on the District's website at: <http://www.ssusd.org/>. Copies of the District's UCP are available free of charge at the District office, as well as in the attached copy of BP and AR 1312.3.

The District shall complete its review of the complaint within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. A complaint alleging retaliation, unlawful discrimination, harassment, intimidation and/or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation and/or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

Additionally, information regarding any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws; including the right to take a complaint directly to civil courts, alternative dispute resolution proceedings, the California Department of Education (CDE) ,or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) are also available on the District's website. In addition, the complainant has a right to appeal the District's decision to the CDE under E.C. 262.3 by filing a written appeal within 15 days of receiving the District's decision. The appeal to the CDE must include a copy of the complaint filed with the District and a copy of the District's decision.

SEXUAL HARASSMENT

Board Policy 5145.7

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The District strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee

who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in Administrative Regulation 5145.7.

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and District procedures specified in AR 1312.3 – Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

The Superintendent or designee shall take appropriate actions to reinforce the District’s sexual harassment policy.

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. A clear message that student safety is the District’s primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant’s noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the District’s procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the District investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the District will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Complaint Process and Disciplinary Measures

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and District procedures specified in AR 1312.3 – Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

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

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreements.

Record-Keeping

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

Administrative Regulation 5145.7

The District designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and E.C. 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer may be contacted at:

Assistant Superintendent of Human Resources
113 W. Felspar Ave.
Ridgecrest, CA 93555
760-499-1620

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the educational setting under any of the following conditions: (*E.C. § 212.5; 5 C.C.R. § 4916*)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

Examples of types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class
7. Massaging, grabbing, fondling, stroking or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking normal movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of District policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she has been subjected to sexual harassment or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the District's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a District compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted the Superintendent or designee who shall determine who will investigate.

When a verbal or informal report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the District's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and District procedures specified in AR 1312.3.

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 C.C.R. § 4964)

However, when a complainant or victim of sexual harassment notifies the District of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the District's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the District will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the District of the harassment but requests that the District not pursue an investigation, the District will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

A copy of the District's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (*E.C. § 48980; 5 C.C.R. § 4917*)
2. Be displayed in a prominent location in the main administrative building or other area where notices of District rules, regulations, procedures, and standards of conduct are posted, including District and school web sites and, when available, on District-supported social media (*E.C. § 231.5*)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (*E.C. § 231.5*)
4. Appear in any school or District publication that sets forth the school's or District's comprehensive rules, regulations, procedures, and standards of conduct (*E.C. § 231.5*)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

PESTICIDE DISCLOSURE NOTICE

State law requires that you be given the following information: CAUTION – PESTICIDES ARE TOXIC CHEMICALS. Structural pest control companies are regulated by the Structural Pest Control Board and apply pesticides that are registered and approved by the California Department Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the state finds that based on existing scientific evidence, there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of the exposure, so exposure should be minimized.

If within 24 hours following application you experience symptoms similar to common seasonal illness comparable to live flu, immediately contact your physician or Poison Control Center at (800) 682-9211 and the District Maintenance Department at (760) 499-1870, who will notify the pest control company under contract with the District.

For further information from the pest control company, contact the District Maintenance Department at (760) 499-1870. For health questions, contact the Kern County Public Health Services Department at (661) 321-3000; and for application information, contact the Kern County Agriculture and Measurement Standards at (661) 868-6300; and for regulatory information, contact the California Department of Consumer Affairs, Structural Pest Control Board at (916) 561-8700.

Copies of the District's integrated pest management plans are available in each school site office. The District's integrated pest management plan may also be found on the District website at ssusd.org.

The District's current contractor for pest control is Stafford's Pest Control. The contracted frequency for exterior application is monthly with an on-call basis for interior application. The pests covered by contract include, but are not limited to, ants, roaches, mice, rats, spiders, fleas, silverfish, ticks, and any stored-grain pests. Applications, whether exterior or interior, are scheduled after 2:30 pm weekdays or during vacations unless an emergency arises, which would be serviced as soon as possible. It will be posted at the site office 24 hours prior to regularly-scheduled service and will remain posted for 72 hours after service.

The pesticide products the District expects may be used at school sites during the upcoming school year include but are not limited to : Avert (Abamectin B1), Cross Check Plus (Bifenthrin), Delat-Gard (Deltamethrin), Dragnet (Permethrin), EcoVia (Alcohol), Maxforce (Hydramethylnon), Suspend SC (Deltamethrin) and Tempo SC Ultra.

You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation's website at: <http://www.cdpr.ca.gov>.

Each site will have a logbook for the technician to post the service activities, which will contain information regarding date of application, pesticide used, percent of concentrate applied, areas treated and how applied, purpose of application and the time applied, any observations/comments and the technician's signature.

This logbook will also contain the program, quality assurance, rules and regulations, and the Material Safety Data Sheets for products used by the company. Parents or legal guardians of District students may receive notification of individual pesticide applications by completing and returning the attached application. Persons who register for notification shall be notified of individual pesticide applications at least 72 hours before the application. The notice shall include the product name, the active ingredient or ingredients in the product, and the intended date of application. (*E.C. § 48980.3; E.C. § 17612*)

MISCELLANEOUS

DRESS CODE

Dress codes at individual schools shall conform to all applicable legal requirements. Pupil dress must meet the following standards: (a) the clothing is safe for the pupil and others, (b) it permits full participation in the educational program, and (c) it does not significantly distract others. Schools shall allow for outdoor use of sun protective clothing. Students may also use sunscreen during the school day with or without a physician's note or prescription. Additionally, gang- and drug- related clothing may be controlled under the conditions described below. (*E.C. § 35183 and 35183.5*)

GANG-RELATED CLOTHING

The District has determined that wearing gang-related clothing, on school premises or at school sponsored activities, poses a danger to pupils and disrupts instruction. Before controlling dress for gang-related reasons, the principal will conduct an appropriate investigation and determine (a) there has been gang-related activity on the campus, OR (b) weapons have been found on the school campus. Once either "a" or "b" above has been demonstrated, the principal shall devise regulations prohibiting the clothing believed to be gang-related apparel. The principal will then: (a) submit these regulations to the Governing Board, and (b) give notice of the gang-related apparel regulations to pupils and parents. (*E.C. § 35183*)

FEDERAL SURVEY CARDS

The District receives funds from the federal government on the basis of the number of children in our schools whose parents' employment is related with federal activities. The government stipulates that a survey be made in order for the District to be eligible to receive these funds. A survey card will be sent home for each child in the District. A card must be turned in for every child, even if his/her parents' work is not related to federal activities. Your cooperation in returning a completed card for your child will be appreciated regardless of whether or not there has been a change in your family status.

CHILDREN IN HOMELESS SITUATIONS

Each local school district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations.

IMPORTANT INFORMATION ABOUT SCHOOL FUNDING AND STUDENT ATTENDANCE

School districts no longer receive funding from the State of California for pupils who are absent from school. This includes all absences, even those related to illness, medical or doctor appointments, or for the purpose of attending funeral services of a member of the immediate family.

The District will receive state funding only for students who actually attend school. If you find it necessary to keep your child out of school for reasons other than an illness, we encourage you to send your child to school for at least part of the day so that your child will not be counted absent and also will not miss out on important school assignments. It is crucial that local schools continue to receive the financial resources necessary to provide quality educational services and reduce program cuts. We want to avoid the unnecessary absences that reduce District resources and limit your child's opportunity to obtain good grades.

Studies show that there is a direct correlation between good school attendance and student achievement; therefore, we encourage you as parents to reinforce the importance of good school attendance and to make every effort to send your child to school on a regular basis.

Again, we encourage your continued support to promote good school attendance and student achievement.

PESTICIDE APPLICATION NOTIFICATION REGISTRATION 2018-19

Parents or staff members who wish to receive notification of individual pesticide applications at their school or work site must complete this registration form and return it to their school.

School Site/Facility: _____

Name of Staff Member: _____

OR Name of Student: _____

Name of Parent/Guardian: _____

Home Phone #: _____ Work Phone #: _____

Address: _____

Signature; _____ Date: _____

SIERRA SANDS UNIFIED SCHOOL DISTRICT
Parent Acknowledgment

Education Code Section 48982 requires parents or guardians to sign and return this acknowledgment. Please complete this form and return it to the school with your son or daughter.

By signing below, I am neither giving nor withholding my consent for my child/children to participate in any programs; I am merely indicating that I have received and read the "2018-2019 Annual Notice to Parents/Guardians" regarding my rights relating to activities that might affect my child/children.

Signature of Parent/Guardian

Printed Name of Parent/Guardian

Date

Printed Name of Student(s)

Printed Name of Student(s)

Uniform Complaint Procedures

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early, resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, after school education and safety programs, agricultural vocational education, American Indian education centers and early childhood education program assessments, bilingual education, peer assistance and review programs for teachers, career technical and technical education and training programs, child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, Economic Impact Aid, English learner programs, federal education programs in Title I-VII, migrant education, Regional Occupational Centers and Programs, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000(a).

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

(cf. 5131.62 - Tobacco)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

Uniform Complaint Procedures

2. Any complaint alleging occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics. (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student. (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan. (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

Uniform Complaint Procedures

(cf. 6173.1 - Education for Foster Youth)

7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements. (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6173.3 - Education for Juvenile Court School Students)

8. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions. (Education Code 51228.3)

(cf. 6152 - Class Assignment)

9. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school. (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

10. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.

11. Any other complaint as specified in a district policy.

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is

Uniform Complaint Procedures

consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation or bullying), the Superintendent or designee shall keep the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Uniform Complaint Procedures

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

33380-33384 California Indian Education Centers

35186 Williams uniform complaint procedures

44500-44508 California Peer Assistance and Review Program for Teachers

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of parents

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

Uniform Complaint Procedures

51225.1-51225.2 Foster youth, homeless children, and former juvenile court school students; and military-connected students; course credits; graduation requirements

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

54000-54029 Economic Impact Aid

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

104420 Tobacco-Use Prevention Education

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6577 Title I basic programs

6801-7014 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

Uniform Complaint Procedures

794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
Family Policy Compliance Office: <http://familypolicy.ed.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov>
U.S. Department of Justice: <http://www.justice.gov>

Policy
Revised: April 19, 2018

SIERRA SANDS UNIFIED SCHOOL DISTRICT
Ridgecrest, California

Uniform Complaint Procedures

Except as the Governing Board may otherwise specifically provide in other Board policies, uniform complaint procedures (UCP) shall be used only to investigate and resolve only the complaints specified in BP 1312.3.

- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.2 - Complaints Concerning Instructional Materials)
- (cf. 1312.4 - Williams Uniform Complaint Procedures)
- (cf. 4031- Nondiscrimination in Employment)

Compliance Officers

The Governing Board designates the following compliance officer identified below as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual also serves as the compliance officer specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)

Assistant Superintendent of Human Resources
Sierra Sands Unified School District
113 W. Felspar Avenue
Ridgecrest, CA 93555
(760) 499-1620

The compliance officer who receives a complaint may assign another compliance officer to investigate the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, another compliance officer is designated to investigate the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such designated employees shall

Uniform Complaint Procedures

cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation and/or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)
(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the results of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, one or more of the interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students and children of military families, to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49010- 49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 1220 - Citizen Advisory Committees)
(cf. 3260 - Fees and Charges)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

Uniform Complaint Procedures

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable.
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation or bullying).
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging retaliation, unlawful discrimination (such as discriminatory harassment, intimidation or bullying) must be filed not later than six months from the date it

Uniform Complaint Procedures

occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.

e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

g. The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

i. A foster youth, homeless student, or former juvenile court school student who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:

- (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed.

Uniform Complaint Procedures

- (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency.
- (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1.

j. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

k. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

l. Copies of the district's UCP are available free of charge.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

Uniform Complaint Procedures

Compliance officers shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation, unlawful discrimination (such as discriminatory harassment, intimidation or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

All complainants shall be protected from retaliation.

Filing of Complaint

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally

Uniform Complaint Procedures

suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant or alleged victim of unlawful discrimination (such as discriminatory harassment, intimidation or bullying) requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of asexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, (such as discriminatory harassment, intimidation or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the

Uniform Complaint Procedures

complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation, shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation of his/her engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Uniform Complaint Procedures

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and sent to the complainant and respondent. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

Uniform Complaint Procedures

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In other all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
- b. The type, frequency, and duration of the misconduct
- c. The relationship between the alleged victim(s) and offender(s)

Uniform Complaint Procedures

- d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600.

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective action(s) imposed on the respondent.
 - b. Individual remedies offered or provided to the subject of the complaint or another person who was the subject of the complaint but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence.
6. Notice of the complainant's and respondent's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal.

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, and bullying, based on state law, the decision shall also include a notice to the complainant that:

- 1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
- 2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
- 3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil

Uniform Complaint Procedures

Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies, training for faculty, staff, and students, updates to school policies, or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation, unlawful discrimination (such as harassment, intimidation or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law

Uniform Complaint Procedures

2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith and reasonable efforts to identify and fully reimburse all affected pupils, parents, and guardians who paid a pupil fee within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600(u))

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision of a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision.

Uniform Complaint Procedures

(Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file, including but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

Notice of Alternative Schools

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

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

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